pplemental Environmental impact Statement Section 4(f) Evaluation Volume 1 of 2 GLENMAR THE VILLAGE OF Maryland Roo Howard Cou Contract No. HO 661-10 100 WILLOWOOD prepared by MARYLAND DEPARTMENT OF TRANSTATE HIGHWAY ADMINISTRATION

REPORT NUMBER: FHWA MD-EIS-87-04-FS

Region III

MD 100 from West of MD 104 to I-95 Howard County, Maryland

Final Supplemental
Environmental Impact Statement/
Section 4(f) Evaluation

Submitted Pursuant to 42 U.S.C. 4332 (2)(c) and 49 U.S.C. 303(c) CEO Regulations (40 CER 1500 et. seq.)

U.S. Department of Transportation Federal Highway Administration and

Maryland Department of Transportation State Highway Administration

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The purpose of the supplement document is to provide an assessment of various wetland avoidance and minimization options. Changes have occurred to topography, floodplains, and wetlands due to substantial development in the project area. The project is compatible with local and state plans.

Environmental impacts associated with the project include right-ofway acquisition and the displacement of residents. There are also floodplain and wetland involvements.

Final Supplemental Environmental Impact Statement

and

Section 4(f) Evaluation

Volume 1 of 2

Maryland Route 100

from

Maryland Route 104 to Interstate 95

Howard County, Maryland

Contract No. HO 661-101-770

prepared by





SUMMARY

1. <u>Administrative Action</u> (Federal Highway Administration)

Administrative Action Environmental Impact Statement

() Draft

- (x) Final
- (x) Section 4(f)
- (x) Supplement

2. Contacts

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3. Description of Proposed Action

This project consists of the evaluation of the eastern section of the MD 100 project from west of MD 104 to I-95 in Howard County, Maryland.

The purpose of this Final SEIS/4(f) is to evaluate alternatives developed subsequent to the Final Environmental Impact Statement, approved in 1989, for the eastern section of the MD 100 project from west of MD 104 to I-95.

The project is consistent with State and local plans.

4. Alternatives Considered in the 1992 Draft Supplemental Environmental Impact Statement (Draft SEIS)

In the Draft SEIS, five build alternatives were considered as described below. The figures referenced in these descriptions and throughout this document are contained in Volume 2 of the Final SEIS.

a. Alternative 3 (1989 FEIS Selected Alternative)

This alternative consists of a new six-lane arterial highway with a 54-foot median on new location from MD 104 to I-95. This alternative is shown on Figures II-3 to II-6.

With this alternative, the proposed MD 100 connects to MD 104 with an interchange approximately 600 feet north of the existing MD 108/MD 104 intersection. During the preliminary stages of final roadway design, Alternative 3 was modified to relocate the eastbound off ramp (MD 100 to MD 104) from the southeast to the southwest quadrant of the interchange. This modification reduced wetland impacts and decreased the length of the structure carrying MD 104 over MD 100.

Once past MD 104, this alternative continues in an easterly direction crossing Deep Run. The alternative then turns southward between Hunt Country Estates and the Villages of Montgomery Run to the proposed Snowden River Parkway interchange. At this point, Alternative 3 crosses under Old Montgomery Road and connects with the proposed diamond interchange at MD 103, approximately 1,800 feet east of Montgomery Road, and continues to the east until terminating at the existing MD 100/I-95 interchange.

Alternative 3 requires the closing of Mullineaux Road, thereby eliminating access to six existing residential properties along the south side of MD 100. It is anticipated that an alternative access route from MD 103 to these properties will be provided through the adjacent subdivision currently under construction.

b. Alternative 3 - Option A

With this option, the interchange at MD 100/MD 104 consists of a partial diamond configuration with the eastbound on/off ramps combined to form a "T" intersection at MD 108, approximately 600 feet west of MD 104. This interchange requires the widening of existing MD 108 for approximately 1,500

feet west of MD 104 to provide one additional lane in each direction. This alternative is shown on Figures II-7 to II-10.

Alternative 3 - Option A then follows Alternative 3 to a point approximately 2,500 feet east of MD 104 where Option A shifts to the north. This northern shift returns to the Alternative 3 alignment approximately 900 feet west of Old Montgomery Road. The northern shift requires the relocation of two homes along Fetlock Court. For this option, a trumpet style interchange is provided at the Snowden River Parkway, as shown on Figure II-11.

The northern shift of the Option A alignment avoids the Deep Run stream relocation required in Alternative 3. However, this alternative requires a large culvert to be constructed on Deep Run just south of the regional stormwater management facility.

From east of Old Montgomery Road to I-95, this alternative is identical to Alternative 3.

c. Alternative 3 - Option B

This alternative has the same alignment as Option A from MD 104 to east of Wetland 7. However, instead of shifting to the north between MD 104 and Old Montgomery Road, the alignment shifts southward, resembling a lazy "S." This alignment shift was proposed in 1991 by a citizen of the project area. This southern shift places the proposed Snowden River Parkway interchange approximately 1,000 feet south of its location with Alternative 3. This option crosses over Old Montgomery Road and ties into Alternative 3 approximately 600 feet west of MD 103. At this point to I-95, the alignment is identical to Alternative 3. Figures II-12 to II-15 show Alternative 3 - Option B.

Option B reduces impacts to Deep Run, resulting in no direct mainline crossing of Deep Run west of Old Montgomery Road; however, it requires two crossings of small unnamed tributaries to Deep Run and property from the National Register Eligible Curtis-Shipley historic site. With this option, Snowden River Parkway does not cross Deep Run. This option crosses both Deep Run and Old Montgomery Road at the existing bridge over Deep Run. However, the MD 100 mainline spans both Deep Run and the existing bridge on a new structure and does not directly impact Deep Run, Old Montgomery Road, or the portions of Wetland 10 adjacent to Old Montgomery Road.

d. Alternative 3 - Option C

This alternative is identical to Alternative 3 - Option A from MD 104 to just west of Old Montgomery Road. From here this alternative is just south and parallel to Alternative 3 - Option A. Figures II-16 to II-19 show the alignment of Alternative 3 - Option C.

This option requires shifting the MD 100/MD 103 interchange to the southeast. Access to the residences along Mullineaux Road will not be required with this option because they will be displaced by the realignment of MD 100. A total of 10 relocations are required with this option. As with Alternative 3 -Option A, the diamond interchange with Snowden River Parkway was revised to a trumpet style for this option. Figure II-20 shows Alternative 3 - Option A with a trumpet style interchange. The existing I-95 interchange ramps located west of I-95 will require modifications with this option, but do not result in any additional impacts.

e. Alternative 3 - Option D

This alternative is identical to Alternative 3 - Option B from MD 104 to Old Montgomery Road. From this point to I-95, it follows the same southern shift as Alternative 3 - Option C, including the shifts in the MD 103 interchange and I-95 connection. Figures II-21 to II-24 show the alignment of Alternative 3 - Option D.

Following the Location Design Public Hearing held on December 1, 1992, coordination with environmental agencies indicated that each of these five alternatives had excessive impacts to wetlands in the vicinity of Deep Run. In addition, each of the four options located the proposed alignment closer to a residential development than Alternative 3. Options A and C being to the north of Alternative 3 in the area of Deep Run were closer to the Hunt Country Estates Development. Options B and D, which shifted south of Alternative 3 in this area, was located closer to the Villages of Montgomery Run and encroached upon a berm constructed around a portion of this development. Additional coordination with Howard County, the agencies, and citizens groups indicated that of these five alternatives, Alternative 3 - Option C and Alternative 3 - Option D should be further refined to reduce wetland and community impacts. At this time, each of these alternatives as presented in the Draft SEIS was eliminated from further consideration.

5. Alternatives Considered Since the Draft SEIS

Alternative 3 - Option C and Alternative 3 - Option D were each revised between MD 103 and I-95. As presented in the Draft SEIS, each of these alternatives involved a southern shift between MD 103 and I-95 to avoid Wetland 13. This southern shift required the relocation of four single-family residences located on Mullineaux Road. As determined through coordination with environmental agencies, the social impact of relocating these four residences outweighed the 0.8 acres of impact to Wetland 13. However, subsequent to that decision it was discovered that these four residences may be purchased for an adjacent development and subdivided. If this were to occur, the agencies requested that the southern shift again be considered to avoid Wetland 13. Further analysis indicated that the cost of the additional right-of-way for the southern shift versus the benefit of avoiding 0.8 acres of Wetland 13 was too high. The result was to shift MD 100 to the north between MD 103 and I-95, along the original Alternative 3 Alignment, away from the residences on Mullineaux Road and into Wetland 13. These revisions resulted in two new alternatives: Alternative 3 - Option C Revised and Alternative 3 - Option D Revised. These two alternatives were used as the base alternatives for the additional wetland avoidance and minimization modifications as described below.

a. Alternative 3 - Option C Revised

With this option, the proposed MD 100/MD 104 interchange is reconfigured as a partial diamond with the eastbound on/off ramp combined to form a "T" intersection at MD 108, approximately 600 feet west of the existing MD 108/MD 104 intersection. This interchange configuration requires the widening of MD 108 from approximately 1,500 feet west of MD 104 to provide one additional lane in each direction.

Option C Revised follows the Alternative 3 alignment to approximately 2,500 feet east of MD 104. In the vicinity of Wetland 7, Option C Revised shifts to the north. This northerly shift crosses the Alternative 3 alignment approximately 900 feet west of Old Montgomery Road. For this option, a trumpet style interchange was designed for Snowden River Parkway.

From approximately 900 feet west of Old Montgomery Road to MD 103, this alternative shifts up to approximately 250 feet in a southerly direction, parallel to the alignment of Alternative 3. Option C Revised also requires shifting the MD 100/MD 103 interchange to the south. Access to the residential properties along Mullineaux Road will be provided through the adjacent subdivision should they not be purchased by a developer. This alternative terminates at the existing MD 100/I-95 interchange.

b. Alternative 3 - Option C Modification 1

This alternative modifies Alternative 3 - Option C Revised at several locations between the MD 104 and MD 103 interchanges. The first modification raises the profile of proposed MD 100 in the vicinity of the MD 100 crossing over Deep Run. This higher elevation provides for a bridge to carry MD 100 over Deep Run, thereby minimizing wetland impacts. Other modifications within this portion of the alternative include reducing the footprint of the Snowden River Parkway trumpet style interchange with MD 100. This reduction was accomplished by realigning the eastbound MD 100 exit ramps and the westbound MD 100 entrance ramps closer to the MD 100 roadway by using retaining walls.

Option C Modification 1 is shown on Figures II-25 to II-28. Retaining walls included to reduce impacts to Deep Run and maintain a maximum buffer between the alignment and the residences in Hunt Country Estates are shown on Figures II-29 to II-32. This alternative with a bridge over Deep Run is shown on Figures IV-33 to IV-36.

The location of the MD 103 interchange is the same as in Alternative 3 - Option C Revised. From the MD 103 interchange to the terminus at the I-95 interchange, this modification is identical to Option C Revised.

c. Alternative 3 - Option D Revised

This alternative is the same as Alternative 3 from MD 104 to just west of Wetland 7. At this point, Option D Revised turns to the south of Deep Run between the Villages of Montgomery Run and Old Montgomery Road. This southerly shift places the proposed Snowden River Parkway interchange approximately 1,000 feet south of Alternative 3. MD 100 crosses over Old Montgomery Road and turns north to tie into the alignment of Alternative 3 - Option C Revised just west of the MD 103 interchange. From MD 103 to I-95, the alignment follows Option C Revised.

d. Alternative 3 - Option D Modification 1

This alternative modifies Alternative 3 - Option D Revised at several locations between the MD 104 and the MD 103 interchanges. The first revision shifts this alternative to the north near the Villages of Montgomery Run while maintaining the original profile of Option D Revised. This shift reduces the impacts to the residences in the Villages of Montgomery Run while utilizing steep slopes, retaining walls, or bridges to minimize the impacts to Deep Run

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and adjacent wetlands. The interchange of MD 100 and Snowden River Parkway was revised by lowering the profile of Snowden River Parkway to pass under MD 100. This revision reduces wetland and stream impacts. The incorporation of eastbound MD 100 directional ramps on Snowden River Parkway will increase traffic capacity at this interchange.

From the MD 103 interchange to the terminus of this portion of MD 100 at the I-95 interchange, this alternative is the same as that described for Alternative 3 - Option C Modification 1.

Alternative 3 - Option D Modification 1 was analyzed with three separate wetland avoidance and minimization techniques. The first used steep slopes (1:1) adjacent to streams and wetlands to reduce the footprint of the alternative and to minimize wetland and stream channel impacts. This is shown on Figures II-37 to II-40. The second technique used retaining walls adjacent to wetland areas to minimize the encroachment of the slopes and is shown on Figures II-41 to II-44. The third technique used bridges to span wetland areas, channels and floodplains to further minimize and/or avoid impacts, as shown on Figures II-45 to II-48 for this alternative.

To further reduce wetland impacts at the MD 103 interchange, a partial clover interchange was studied as an alternative to the diamond configuration. The ramp from MD 103 to westbound MD 100 was moved further north along MD 103. This allowed for a loop ramp carrying traffic exiting westbound MD 100 to be placed in the northwest quadrant of the interchange. Similarly, the ramp from eastbound MD 100 to MD 103 was moved south along MD 103 to allow for a loop ramp carrying traffic entering eastbound MD 100 to be placed in the southwest quadrant of the interchange. These two loop ramps eliminated the need for the two ramps east of MD 103 as proposed for the diamond interchange, thereby reducing the impacts to the wetlands approximately 900 feet east of MD 103. The partial clover interchange for this alternative is shown on Figure II-49.

e. Alternative 3 - Option D Modification 2

This alternative has the same horizontal alignment as Alternative 3 - Option D Modification 1. The only revision occurs at the Villages of Montgomery Run where the profile is lowered to reduce stream and wetland impacts to Deep Run. This lower profile requires a retaining wall adjacent to the Villages of Montgomery Run to minimize encroachment from the roadway on this development.

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As with Alternative 3 - Option D Modification 1, the use of steep slopes, retaining walls, and bridges were investigated as wetland avoidance and minimization measures. These measures are shown on Figures II-50 to II-61. The partial clover interchange option as discussed for Alternative 3 - Option D Modification 1 is shown on Figure II-62.

f. Alternative 3 - Option D Modification 3

This alternative has the same horizontal alignment as Alternative 3 - Option D Modification 1. The only revision occurs at the Villages of Montgomery Run where a bifurcated roadway profile is used. At this location, the profile for eastbound MD 100 is the same as Alternative 3 - Option D Modification 1, and the profile for westbound MD 100 is the same as Alternative 3 - Option D Modification 2. The revised profile reduces stream and wetland impacts to Deep Run and reduces the height of the retaining wall required adjacent to the Villages of Montgomery Run with Alternative 3 - Option D Modification 2. All other portions of this alignment are the same as Alternative 3 - Option D Modification 1.

Steep slopes, retaining walls, and bridges were also investigated as wetland avoidance and minimization measures for this alternative. These measures are shown on Figures II-63 to II-74.

Of the above modifications, Alternative 3 - Option D Modification 2 has the least impacts to the Deep Run main channel and wetland systems. Additional refinements were made to this alternative to provide more of a channel and wetland buffer adjacent to Deep Run in the vicinity of Wetlands 8 and 6A. These refinements resulted in the development of Alternative 3 - Option D Modification 2A (Selected Alternative), as described below.

g. Alternative 3 - Option D Modification 2A (Selected Alternative)

This alternative has the same horizontal and vertical alignments as Alternative 3 - Option D Modification 2. However, several revisions were made to further reduce the wetland and stream impacts to Deep Run, as well as to reduce the wetland impacts in the area of the MD 103 interchange.

The median width of the proposed MD 100 along Deep Run west of the Snowden River Parkway interchange was reduced by shifting the westbound lanes approximately 8 feet from Deep Run. In addition to this shift, a portion of the westbound outside shoulder of the proposed roadway was placed on a cantilevered structure supported by a retaining wall. This further reduces

impacts to Deep Run and adjacent wetlands. The incorporation of these design modifications placed the proposed MD 100 approximately 18 feet minimum away from the Deep Run stream bank.

The ramps alignments in the northeast and southeast quadrants of the MD 103 interchange were revised to reduce impacts to the wetlands east of MD 103. The ramps were realigned to tie into MD 100 west of the wetlands, thereby reducing the footprint of MD 100 and minimizing wetland and stream impacts. Figures II-75 to II-78 show Alternative 3 - Option D Modification 2A (Selected Alternative).

6. Areas of Controversy/Unresolved Issues

Since the publication and distribution of the 1989 FEIS, the State Highway Administration met with several individuals, community associations, and committees to discuss their areas of concern. Issues of right-of-way acquisitions, noise mitigation, fencing, and access relocations were addressed. The State Highway Administration will make every effort to keep all concerned individuals and community organizations informed regarding these issues as more detail is developed in the design phase of this project.

7. Permits

Construction of this project would require review and approval for the following permits:

- U.S. Army Corps of Engineers Section 404 Permit
- Maryland Department of Environment Approved Sediment Control Plan
- Maryland Department of Environment Approved Stormwater Management Plan
- Maryland Department of Natural Resources Waterway Construction Permit
- Maryland Department of Environment Water Quality Certificate

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8. Summary of Environmental Impacts

Table S-1 compares the anticipated impacts associated with the seven avoidance and minimization alternatives considered since the Draft SEIS. This includes residential and business displacements, affected farms, parks, and historic sites as well as impacts to the natural environment such as stream channels, wetlands, forested lands, and old fields.

TABLE S-1

SUMMARY OF IMPACTS ALTERNATIVES CONSIDERED (Since the Draft SEIS)

Type of impact	Alternative 3°	Alternative 3 Option C Revised	Alternative 3 Option C Modification t	Alternative 3 Option D Revised	Alternative 3 Option D Modification 1	Alternative 3 Option D Modification 2	Alternative 3 Option D Modification 3	Alternative 3 Option D Modification 2A (Selected Alternative)
Socioeconomic								
Residential Displacements	3	6	6	4	4	4	4	4
Business Displacements	0	O,	O _t	0	0	0	0	0
Farms Affected	4	3	3	4	4	4	4	4
Farms Displaced	0	0	0	0	0	0	0	0
Parkland Affected (Acres)	0	0	0	0	0	0	0	0
Historic Site from which Land is Required (Acres)	0	0	0	1 (1.0)	1 (1.0)	t (t.0)	1 (1.0)	t (t.0)
Natural Environment								
Stream Channels ²	4,505	3,050	1,200 to 2,390	3,025	t,000 to 2,775	1,180 to 2,500	1,000 to 2,525	2,200
Active Agricultural Land (Acres)	54.8	58.8	48.8	59.9	52.4	53.5	52.4	53.5
Wetlands (Acres) ²	15.0	8.9	4.0 to 6.7	7.0	3.9 to 6.2	4.0 to 6.0	3.9 to 6.0	4.9
Forested Lands (Acres)	30.2	35.6	34.5	33.6	33.5	33.5	33.5	32.5
Old Field (Acres)	7.4	7.4	7.4	7.4	7.4	7.4	7.4	7.4
Air Quality ³	0	0	0	0	0	0	0	0
Noise ⁴	5	4	4	5	5	5	5	5

An in-home day care center will be impacted but not displaced.
Range reflects various wetland avoidance and minimization techniques.
Sites exceeding State and National Ambient Air Quality Standards.

⁴ Noise Sensitive Areas approaching or exceeding Federal Noise Abatement Criteria or having a 10 dBA or greater increase over ambient conditions.

^{*}Note: Alternative 3 (1989 FEIS Selected Alternative) has been provided as a basis for comparison.

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Section I

Preface



I. PREFACE

In 1984, the Maryland State Highway Administration (SHA) and Howard County began informal discussions on the MD 100 project at the request of Howard County. Based on these discussions, it was determined that the additional traffic generated from the current and proposed development scheduled for the eastern portion of Howard County would create severe highway and transportation problems between US 29 and I-95. The existing roadway network could not adequately handle the increased transportation needs.

This existing network, which includes MD 103, MD 104 and MD 108, currently handles both local and regional transportation needs. These roads were designed and constructed to serve local transportation needs when this area was rural in nature. The inability of these essentially two-lane roadways to handle the projected traffic volumes is the result of numerous public and private entrances along the roadways. MD 103, MD 104 and MD 108 are not controlled-access facilities and collectively have more than 200 access points within the five-mile corridor.

The existing roadway network cannot adequately service the through traffic movements of the region originating from and destined to the I-70, US 29 and I-95 corridors and the urban/suburban transportation needs typically provided by a controlled-access facility.

Shortly after these informal discussions, Howard County requested the SHA to coordinate with the Howard County Department of Planning and Zoning to determine whether a corridor still existed for the extension of MD 100 west of I-95. This request was made because of the rapid development in the area resulting in a decrease in highway capacity within the US 29 to I-95 corridor. Howard County desired to protect a potential corridor for MD 100 through the subdivision process which would be in the best interest of the citizens of eastern Howard County. This joint study, approximately one and one half years in duration, resulted in the identification of several alternatives. It involved extensive public participation including public hearings, workshops and community association meetings. This study ultimately led to the decision by the Howard County Council to amend the County General Plan.

The Alternative 3 alignment for MD 100 was amended to the County General Plan in November 1985. The alignment shown in the amended 1985 General Plan is different from the historical alignment shown in the County's earlier general plan. The historic alignment, which bisected the Columbia Hills subdivision and tied into MD 108, was omitted from the County's general plan in 1982 because opportunities for locating alignments in this area were precluded by approved developments.

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The Howard County Council's decision to incorporate Alternative 3 into the 1985 General Plan and subdivision process and to make it a priority for transportation improvements prompted the SHA land agreement and protective buying processes. Because of the rapid development occurring within this corridor, SHA indicated the need for "corridor preservation." To preserve the corridor for future transportation needs, SHA entered into agreements with several land developers and engaged in advanced right-of-way acquisition for hardship and protective buying cases while in the project planning phase. By including MD 100 into the Howard County amended 1985 General Plan, the developer of the MD 100 Office Research Park was obligated to provide 80 feet of dedicated right-of-way and to construct two lanes of MD 100 within his subdivision for the county in order to obtain approval for the proposed development.

The intent of this action was to ensure that the Alternative 3 alignment would not be precluded due to development within the corridor.

However, these actions prompted allegations from citizens and review agencies that state and county officials exceeded their powers to acquire right-of-way prior to project authorization as stipulated under the National Environmental Policy Act. It was also alleged that the SHA was predetermining the alignment since segments of the MD 100 master plan alignment located west of MD 104 were to be constructed by developers. Specifically, environmental regulatory agencies indicated that alignment shifts to avoid wetlands were not considered. These allegations prompted an investigation by the Federal Highway Administration (FHWA) in 1987 and 1988 regarding the SHA actions during the project planning process and prior to Location/Design approval.

Because this dedication of right-of-way did not preclude evaluation of other alternatives, the FHWA concluded that the SHA acted within the limits of the law and subsequently approved the Final Environmental Impact Statement (FEIS) in July 1989. This document concluded that the selected Alternative 3 alignment met the purpose of and need for the project while minimizing impacts to the social, economic and natural environment.

Following coordination with the environmental agencies, it was acknowledged that additional avoidance and minimization options were necessary before a Section 404 permit from the U.S. Army Corps of Engineers could be obtained. The environmental agencies specifically requested that additional alternatives be studied in the area between MD 104 and I-95. The purpose of these additional studies was to minimize wetland impacts to Wetland 6 (located just east of MD 104), Wetlands 6A, 8, 9, and 10 (located within the Deep Run area), Wetland 11 (located just east of Old Montgomery Road) and Wetland 12 (located just east of MD 103). The Deep Run Watershed is considered by the environmental agencies to have the highest quality wetland system within the MD 100 corridor, which includes Wetlands 6A, 8, 9, and 10.

Since the 1989 approval of the Alternative 3 alignment, several new developments were constructed adjacent to the MD 100 alignment. These developments resulted in land use and land cover changes that altered floodplain limits, topography and existing wetland systems. The changes in the socioeconomic and natural environment and the development of new alignment alternatives to avoid or minimize wetland impacts, were addressed in an Environmental Reevaluation dated June 1992. This reevaluation assessed the potential impacts of the avoidance and minimization options relative to the Alternative 3 alignment for MD 100 approved in 1989. Based on this reevaluation and comments received from the public, the Federal Highway Administration agreed that a Supplemental Environmental Impact Statement (SEIS) was required. The SEIS discusses the area from west of MD 104 to I-95 where alignment options are being considered to minimize environmental impacts.

The information contained in the approved 1989 FEIS remains valid for the portion of MD 100 between US 29 to just west of MD 104 and does not require any further evaluation.

The avoidance and minimization options studied between MD 104 and I-95 and contained in the Draft SEIS included the following options: one interchange option at MD 104; one interchange option at Snowden River Parkway; two alignment options between MD 104 and Old Montgomery Road; one alignment option between Old Montgomery Road and I-95; as well as Alternative 3 (1989 FEIS Selected Alternative).

The environmental agencies requested that SHA also document the impacts associated with county projects in the project corridor in order to assess the cumulative impact of potential roadway construction. Therefore, the reevaluation originally addressed three separate projects sponsored by Howard County. Only one of these three projects is within the study limits of the MD 104 to I-95: the proposed extension of Snowden River Parkway from MD 108 to the proposed MD 100 alignment. This extension of Snowden River Parkway would not be pursued if MD 100 is not constructed. Because of the importance of this connection to the transportation service of the corridor, SHA included the county project in all of the MD 100 alternatives addressed in the 1992 Environmental Reevaluation so that cumulative impacts could be identified. Subsequently, the SHA and Howard County reached an agreement which formally incorporated the design and construction of the extension of Snowden River Parkway into the SHA's MD 100 project.

Following the Location Design Public Hearing held on December 1, 1992, coordination with environmental agencies indicated that the five alternatives addressed in the Draft SEIS had excessive impacts to those wetlands in the vicinity of Deep Run. Further coordination with Howard County, agencies, and citizens indicated that of these



five alternatives, Alternative 3 - Option C and Alternative 3 - Option D should be further refined to reduce wetland impacts.

This Final SEIS addresses the additional avoidance and minimization alternatives for MD 100 from west of MD 104 to I-95. Due to changes in topography, floodplain limits and wetland boundaries from extensive development activity in the project area, the quantities of environmental impacts identified for the alternatives in the 1989 FEIS have changed. In order to accurately compare these alternatives, the impacts were reevaluated based on current data. Alternative 3 (1989 FEIS Selected Alternative) is the base alternative used to compare the avoidance and minimization alternatives evaluated in this Final SEIS. These alternatives are discussed in Section II of this document.

The section of MD 100 addressed in this Final SEIS is designed as a controlled-access facility and prohibits bicyclists and pedestrians which create unsafe conditions. MD 100 has been identified by Howard County as a potential transit corridor. Once completed from U.S. 29 to I-95, the MTA will provide bus service on MD 100. The MTA will have a major bus stop at the park and ride lot located at the Longate Parkway/MD 100 interchange. This corridor is part of an overall connection between the Columbia/Ellicott City area and the employment centers of Annapolis, Baltimore/Washington International Airport, and areas of Anna Arundel County.

Section II

Alternatives Considered

II. ALTERNATIVES CONSIDERED

A. Introduction

The proposed MD 100 project is listed as a principal urban arterial within the State Functional Classification System and will become a part of the State Primary Highway System as designated in the Maryland Department of Transportation 1994-1999 Consolidated Transportation Program.

The project begins at the western terminus of the existing I-95/MD 100 interchange and extends approximately 2.5 miles to the western terminus of the MD 104/MD 100 interchange. A project location map is shown on Figure II-1, and the project study area is shown on Figure II-2.

This project is proposed to be designed as an ultimate six-lane, fully access-controlled highway from MD 104 to I-95 and partially access-controlled from U.S. 29 to MD 104. This project utilizes a 60-mile per hour (mph) design speed and requires a 200-foot minimum right-of-way width. The MD 100 alternatives discussed in this section have been designed to meet or exceed 60 mph AASHTO standards and/or Maryland State Highway Administration design manual criteria. MD 100 from U.S. 29 to I-95 will be classified as an arterial roadway by the Federal Highway Administration (FHWA) Functional Classification System.

Each of the alternatives discussed in this section connects with Alternative 3 (1989 FEIS Selected Alternative) segment of the proposed MD 100 roadway from U.S. 29 to MD 104. This segment, which utilizes the developer's existing roadway north of Howard County Senior High School, is addressed in the 1989 FEIS. This final SEIS focuses on the section between MD 104 and I-95 and includes the alternatives considered in the Draft SEIS but not retained, as well as avoidance and minimization alternatives developed following the December 1992 Location Design Public Hearing. Described below are the Draft SEIS alternatives considered but not retained, followed by descriptions of the alternatives retained for detailed study, including the Selected Alternative.

B. Alternatives Considered But Not Retained

After approval of the 1989 FEIS, several wetland avoidance and minimization alternatives were studied during the design stage as part of the pre-permit application process. The alternatives developed and analyzed in the Draft SEIS completed in October 1992 and presented at the Location Design Public Hearing on December 1, 1992. Following the public hearing, coordination with environmental agencies indicated that the impacts to the stream channel and wetland systems of Deep Run and its tributaries were

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still too significant to obtain a Section 404 wetland permit. For this reason, none of the alternative alignments considered in the Draft SEIS were selected for final design studies.

Table II-1 provides the 1992 Draft SEIS summary of impacts for the Alternatives Considered But Not Retained. It is important to note that during the studies completed since the 1992 Draft SEIS, additional natural system delineations and analyses have been performed which may have changed these quantities. Table II-1 presents the information that was used following the 1992 Location Design Public Hearing to eliminate these alternatives from further consideration.

The figures referenced in the following descriptions and throughout this document are contained in Volume 2 of this Final SEIS.

1. Alternative 3 (1989 FEIS Selected Alternative)

This alternative consists of a new six-lane arterial highway with a 54-foot median on new location from MD 104 to I-95. Alternative 3 is shown on Figures II-3 through II-6.

With this alternative, the proposed MD 100 connects to MD 104 with an interchange approximately 600 feet north of the existing MD 108/MD 104 intersection. During the preliminary stages of the final roadway design, Alternative 3 was modified to relocate the eastbound off ramp (MD 100 to MD 104) from the southeast to the southwest quadrant of the interchange. This modification reduced wetland impacts and decreased the length of the structure carrying MD 104 over MD 100.

Once past MD 104, this alternative continues in an easterly direction crossing Deep Run. The alternative then turns southward between Hunt Country Estates and the Villages of Montgomery Run to the proposed Snowden River Parkway interchange. At this point, Alternative 3 crosses under Old Montgomery Road and connects with the proposed diamond interchange at MD 103, approximately 1,800 feet east of Montgomery Road, and continues to the east until terminating at the existing MD 100/I-95 interchange.

Alternative 3 requires the closing of Mullineaux Road, thereby eliminating access to the six existing residential properties along the south side of MD 100. An alternative access route from MD 103 to the Mullineaux Road properties could be provided through the adjacent subdivision currently under construction. The subdivision roadway system is scheduled for completion prior to the construction of MD 100.

II-3

TABLE II-1

SUMMARY OF IMPACTS As Presented in the 1992 Draft SEIS ALTERNATIVES CONSIDERED BUT NOT RETAINED

		Alternative 3 Option A			Alternative 3 Option C		
Type of Impacts	Alternative 3	With Diamond Interchange at Snowden River Parkway	With Trumpet Interchange at Snowden River Parkway	Alternative 3 Option B	With Diamond Interchange at Snowden River Parkway	With Trumpet Interchange at Snowden River Parkway	Alternative 3 Option D
Socioeconomic							
Residential Displacements	3	6	6	4	10	10	8
Business Displacements	0	0	ō	0	0	0	0
Farms Affected	5	4	4	5	4	4	5
Farms Displaced	0	0	0	0	0	0	0
Parkland Affected (Acres)	0	0	0	0	0	0	0
Historic Site from which Land is Required (Acres)	0	O	0	1 (2.5)	0	0	1 (2.5)
Historic Sites Displaced	0	0	0	0	0	0	0
Archaeological Sites Affected	1	1	1	1	1	1	1
Natural Environment							
Total Acres Required	108.3	105.5	106.1	105.1	110.5	110.8	109.7
Active Agricultural Land (Acres)	1.3	0	0	10.8	0	0	10.8
Wetlands (Acres)	16.6	11.3	10.7	8.3	8.9	8.6	6.8
Forested Lands (Acres)	16.3	20.7	20.7	21.6	28.9	28.9	28.9

TABLE II-1 (Continued)

SUMMARY OF IMPACTS As Presented in the 1992 Draft SEIS ALTERNATIVES CONSIDERED BUT NOT RETAINED

		Alternative 3 Option A			Altern Opti		
Type of Impacts	Alternative 3	With Diamond Interchange at Snowden River Parkway	With Trumpet Interchange at Snowden River Parkway	Alternative 3 Option B	With Diamond Interchange at Snowden River Parkway	With Trumpel Interchange at Snowden River Parkway	Alternative 3 Option D
Old Field (Acres)	14.8	14.8	14.8	14.8	9.6	9.6	9.6
Threatened or Endangered Species							
Air Quality ¹	0	0	0	0	0	0	0
Noise ²	6	6	6	6	7	7	7

¹ Sites exceeding State and National Ambient Air Quality Standards.

² Noise Sensitive Areas approaching or exceeding Federal Noise Abatement Criteria or having a 10 dBA or greater increase over ambient.

This alternative was considered in the Draft SEIS to provide a basis of comparison for the options developed for wetland avoidance and minimization. However, even with the revision to the eastbound ramp of the MD 104/MD 100 interchange to reduce impacts to Wetland 6, this alternative had substantial wetland impacts and was eliminated from further study following the Location Design Public Hearing.

2. Alternative 3 - Option A

With this option, the interchange at MD 100/MD 104 consists of a partial diamond configuration with the eastbound on/off ramps combined to form a "T" intersection at MD 108, approximately 600 feet west of MD 104. MD 104 was also shifted 50 feet west to further reduce impacts to Wetland 6. This interchange requires the widening of existing MD 108 for approximately 1,500 feet west of MD 104 to provide one additional lane in each direction. Alternative 3 - Option A is shown on Figures II-7 to II-10.

Alternative 3 - Option A then follows Alternative 3 to a point approximately 2,500 feet east of MD 104 where Option A shifts to the north. This northern shift returns to the Alternative 3 alignment approximately 900 feet west of Old Montgomery Road. The northern shift requires the relocation of two homes along Fetlock Court. For this option, both a diamond style and a trumpet style interchange were evaluated at the proposed Snowden River Parkway. Figure II-11 shows Alternative 3 - Option A utilizing this trumpet style interchange.

The northern shift of Alternative 3 - Option A avoids the Deep Run stream relocation required in Alternative 3. However, this alternative requires a large culvert to be constructed on Deep Run just south of the regional stormwater management facility. From east of Old Montgomery Road to I-95, this alternative is identical to Alternative 3.

Alternative 3 - Option A would require six residential relocations and affect four farms and one archeological site. Wetland impacts total approximately 11.3 wetland acres with the diamond interchange option and approximately 10.7 wetland acres with the trumpet interchange at Snowden River Parkway. Approximately 20.7 acres of forest land would be affected and approximately six noise sensitive areas would exceed the noise abatement criteria.

Although wetland acreages were reduced slightly when compared to the 1989 FEIS Alternative 3 alignment, the environmental agencies indicated that other alternatives (Alternative 3 - Options C and D) being evaluated provided greater opportunity to further reduce wetland impacts, therefore this option was dropped from further study.



3. Alternative 3 - Option B

This alternative has the same alignment as Option A from MD 104 to east of Wetland 7. However, instead of shifting to the north between MD 104 and Old Montgomery Road, the alignment shifts southward, resembling a lazy "S." This alignment shift was proposed in 1991 by a citizen of the project area. This southern shift places the proposed Snowden River Parkway interchange approximately 1,000 feet south of its location with Alternative 3. This option crosses over Old Montgomery Road and ties into Alternative 3 approximately 600 feet west of MD 103. From this point to I-95, the alignment is identical to Alternative 3. Figures II-12 through II-15 show Alternative 3 - Option B.

Option B reduces impacts to Deep Run, resulting in no direct mainline crossing of Deep Run west of Old Montgomery Road; however, it requires crossings of two small unnamed tributaries to Deep Run. With this option, Snowden River Parkway does not cross the main channel of Deep Run. This option crosses over both Deep Run and Old Montgomery Road at the existing bridge over Deep Run. However, the MD 100 mainline spans both Deep Run and the existing bridge on a new structure and does not directly impact Deep Run, Old Montgomery Road, or the portions of Wetland 10 adjacent to Old Montgomery Road.

Alternative 3 - Option B would require four residential relocations and acquisition of 2.5 acres from the National Register eligible Curtis-Shipley property. This option affects 10.8 acres of active farm land, impacts approximately 8.3 acres of wetlands, affects approximately 21.6 acres of forest land, affects one archeological site, and exceeds noise abatement criteria at six noise sensitive areas.

Although substantial wetland reductions were achieved with this alternative, a 50 percent decrease when compared to the 1989 FEIS Alternative 3 alignment, the environmental agencies did not feel that additional design modifications would result in further wetland reductions. In addition, other alternatives (Alternative 3 - Options C and D) being evaluated provided greater opportunity to further reduce wetland impacts, therefore this option was dropped from further consideration.

4. Alternative 3 - Option C

This alternative is identical to Alternative 3 - Option A from MD 104 to just west of Old Montgomery Road. From west of Old Montgomery Road to I-95, this alternative shifts just south of and parallel to Alternative 3 - Option A. Alternative 3 - Option C is shown on Figures II-16 through II-19.

This option also requires shifting the MD 100/MD 103 interchange to the southeast. Access to the residences along Mullineaux Road will not be required with this option because they will be displaced by the southern realignment of MD 100. As with Alternative 3 - Option A, both a diamond style and a trumpet style interchange with Snowden River Parkway were evaluated. Figure II-20 shows Alternative 3 - Option C with a trumpet-style interchange. The existing I-95 interchange ramps located west of I-95 will require modifications with this option, but do not result in any additional impacts to social or natural systems.

Alternative 3 - Option C would require 10 residential relocations, affect one archeological site, impact approximately 8.9 wetland areas with the diamond interchange at Snowden River Parkway, and 8.6 wetland acres with a trumpet style interchange at this location. Approximately 28.9 acres of forest land will be affected and seven noise sensitive areas will exceed the noise abatement criteria.

Although impacts to wetlands were reduced with this alternative when compared to the 1989 FEIS Alternative 3 alignment, the environmental permitting agencies indicated that other alternatives provided greater opportunity to further reduce wetland and other environmental impacts. Therefore, this option was dropped from further study. However, it was determined that this alternative could be further refined to reduce the overall wetland impacts. Alternative 3 - Option C Modification 1 was developed following the Location Design Public Hearing and is described in the Alternatives Retained for Further Study portion of this section.

5. Alternative 3 - Option D

This alternative is identical to Alternative 3 - Option B from MD 104 to Old Montgomery Road. From this point to I-95, it follows the same southern shift proposed with Alternative 3 - Option C, including the shifts in the MD 103 interchange and the modifications to the I-95 connection. Figures II-21 through II-24 show the alignment of Alternative 3 - Option D.

Alternative 3 - Option D would require eight residential relocations, impact approximately 0.95 acres of the National Register eligible Curtis-Shipley property, impact approximately 10.8 acres of active farm land, impact approximately 6.8 wetland acres, impact approximately 28.9 acres of forest land, and exceed the noise abatement criteria at seven noise sensitive areas.

Although this option has the least wetland impacts when compared to the 1989 FEIS Alternative 3 alignment, the environmental permitting agencies indicated that other alternatives provided greater opportunity to further reduce wetland and other environmental impacts. Therefore, this option was dropped from further study. However,

as with Option C, it was determined that this alternative could be further refined to reduce the overall wetland impacts. The four modifications of Option D developed following the Location Design Public Hearing are described in the Alternatives Retained for Further Study portion of this section.

C. Alternatives Retained for Further Study

Following the Location Design Public Hearing, Alternative 3 - Option C and Alternative 3 - Option D were modified between MD 103 and I-95 to address concerns and comments presented at the hearing, including avoidance and minimization of wetland impacts. A total of two modifications were developed for Option C, and five modifications were developed for Option D. These five modifications include Alternative 3 - Option D Modification 2A (Selected Alternative). Each of these modifications is described below.

The environmental impacts of these modifications are summarized in Section IV of this document. It should be noted Alternative 3 (1989 FEIS Selected Alternative) has been included in the summary of environmental impacts to provide a basis of comparison for these modifications.

1. Alternative 3 - Option C Revised

With this option, the proposed MD 100/MD 104 interchange is reconfigured as a partial diamond with the eastbound on/off ramp combined to form a "T" intersection at MD 108 approximately 600 feet west of the existing MD 108/MD 104 intersection. This interchange configuration requires the widening of MD 108 from approximately 1,500 feet west of MD 104 to provide one additional lane in each direction. The shifting and widening of MD 104 is the same as described with Alternative 3 - Option A.

Option C Revised follows the Alternative 3 alignment to approximately 2,500 feet east of MD 104. In the vicinity of Wetland 7, Option C Revised shifts to the north. This northerly shift crosses the Alternative 3 alignment approximately 900 feet west of Old Montgomery Road. For this option, a trumpet style interchange was designed for Snowden River Parkway.

From approximately 900 feet west of Old Montgomery Road, this alternative shifts up to approximately 250 feet in a southerly direction, parallel to the alignment of Alternative 3. Option C Revised also requires shifting the MD 100/MD 103 interchange to the south. Access to the residential properties along Mullineaux Road is provided through the adjacent subdivision currently under construction. This alternative terminates at the existing MD 100/I-95 interchange.

2. Alternative 3 - Option C Modification 1

This alternative modifies Alternative 3 - Option C Revised at several locations between the MD 104 and MD 103 interchanges. The first modification raises the profile of proposed MD 100 in the vicinity of the MD 100 crossing over Deep Run. This higher elevation provides for a bridge to carry MD 100 over Deep Run, thereby minimizing wetland impacts. Other modifications within this portion of the alternative include reducing the footprint of the Snowden River Parkway trumpet style interchange with MD 100. This reduction was accomplished by realigning the eastbound MD 100 exit ramps and the westbound MD 100 entrance ramps closer to the MD 100 roadway by using retaining walls. Option C Modification 1 is shown on Figures II-25 to II-28. Retaining walls incorporated with this alternative to reduce impacts to the Deep Run wetlands and the residences in Hunt Country Estates are shown on Figures II-29 to II-32. This alternative with a bridge over Deep Run is shown on Figures II-33 to II-36.

The location of the MD 103 interchange is the same as in Alternative 3 - Option C Revised. From the MD 103 interchange to the terminus at the I-95 interchange, this modification is identical to Option C Revised.

3. Alternative 3 - Option D Revised

This alternative is the same as Alternative 3 from MD 104 to just west of Wetland 7. At this point, Option D Revised turns to the south of Deep Run between the Villages of Montgomery Run and Old Montgomery Road. This southerly shift places the proposed Snowden River Parkway interchange approximately 1,000 feet south of Alternative 3. MD 100 crosses over Old Montgomery Road and turns to the north to tie into the alignment of Alternative 3 - Option C Revised just west of the MD 103 interchange. From MD 103 to I-95, the alignment follows Option C Revised.

4. Alternative 3 - Option D Modification 1

This alternative modifies Alternative 3 - Option D Revised at several locations between the MD 104 and MD 103 interchanges. The first revision shifts this alternative to the north near the Villages of Montgomery Run while maintaining the original profile of Option D Revised. The shift reduces the impacts to the residences in the Villages of Montgomery Run while utilizing steep slopes, retaining walls, or bridges to minimize the impacts to Deep Run and adjacent wetlands. The interchange of MD 100 and Snowden River Parkway was revised by lowering the profile of Snowden River Parkway to pass under MD 100. This revision reduces wetland and stream impacts. The incorporation of eastbound MD 100 directional entrance and exit ramps on Snowden River Parkway will increase traffic capacity at this interchange while minimizing wetland impacts.



From the MD 103 interchange to the terminus of this portion of MD 100 at the I-95 interchange, this alternative is the same as Alternative 3 - Option C Modification 1.

Alternative 3 - Option D Modification 1 was analyzed with three separate wetland avoidance and minimization techniques. The first used steep slopes (1:1) adjacent to wetlands to reduce the footprint of the alternative and to minimize wetland impacts. This is shown on Figures II-37 to II-40. The second technique used retaining walls adjacent to wetland areas to minimize the encroachment of the slopes and is shown on Figures II-41 to II-44. The third technique used bridges to span wetland areas, channels, and floodplains to further minimize and/or avoid impacts, as shown on Figures II-45 to II-48 for this alternative.

To further reduce wetland impacts at the MD 103 interchange, a partial clover interchange was studied as an alternative to the diamond configuration. The ramp from MD 103 to westbound MD 100 was moved further north along MD 103. This allowed for a loop ramp carrying traffic exiting westbound MD 100 to be placed in the northwest quadrant of the interchange. Similarly, the ramp from eastbound MD 100 to MD 103 was moved south along MD 103 to allow for a loop ramp carrying traffic entering eastbound MD 100 to be placed in the southwest quadrant of the interchange. These two loop ramps eliminated the need for the two ramps east of MD 103 as proposed for the diamond interchange, thereby reducing the impacts to the wetlands approximately 900 feet east of MD 103. The partial clover interchange for this alternative is shown on Figure II-49.

5. Alternative 3 - Option D Modification 2

This alternative has the same horizontal alignment as Alternative 3 - Option D Modification 1. The only revision occurs at the Villages of Montgomery Run where the profile is lowered to reduce stream channel and wetland impacts to Deep Run. This lower profile requires a retaining wall adjacent to the Villages of Montgomery Run to minimize encroachment from the roadway on this development and the existing earth berm.

As with Alternative 3 - Option D Modification 1, the use of steep slopes, retaining walls, and bridges were investigated as wetland avoidance and minimization measures. These measures are shown on Figures II-50 to II-61. The partial clover interchange option as discussed for Alternative 3 - Option D Modification 1 is shown on Figure II-62 for Option D Modification 2.

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6. Alternative 3 - Option D Modification 3

This alternative has the same horizontal alignment as Alternative 3 - Option D Modification 1. The only revision occurs at the Villages of Montgomery Run where a bifurcated roadway profile is used. With a bifurcated roadway, the eastbound and westbound lanes are separated and the profiles are set at different elevations. This can be seen in the Typical Section graphic contained in Volume 2 of the document. For this location, the profile for eastbound MD 100 is the same as Alternative 3 - Option D Modification 1, and the profile for westbound MD 100 is the same as Alternative 3 - Option D Modification 2. The revised profile reduces stream and wetland impacts to Deep Run and reduces the height of the retaining wall required adjacent to the Villages of Montgomery Run with Alternative 3 - Option D Modification 2. All other portions of this alignment are the same as Alternative 3 - Option D Modification 1.

Steep slopes, retaining walls, and bridges were also investigated as wetland avoidance and minimization measures for this alternative. These measures are shown on Figures II-63 to II-74.

7. Alternative 3 - Option D Modification 2A (Selected Alternative)

Of the above modifications, Alternative 3 - Option D Modification 2 has the least impacts to the Deep Run main channel and wetland systems. Additional refinements were made to this alternative to provide more of a channel and wetland buffer adjacent to Deep Run in the vicinity of Wetlands 8 and 6A. These refinements resulted in the development of Alternative 3 - Option D Modification 2A (Selected Alternative), as described below.

This alternative has the same horizontal and vertical alignments as Alternative 3 - Option D Modification 2. However, several revisions were made to further reduce the wetland and stream impacts to Deep Run, as well as to reduce the wetland impacts in the area of the MD 103 interchange.

The median width of the proposed MD 100 along Deep Run west of the Snowden River Parkway interchange was reduced by shifting the westbound lanes away from Deep Run. In addition to this shift, a portion of the westbound outside shoulder of the proposed roadway was placed on a cantilevered structure supported by a retaining wall. This further reduces impacts to the buffer around Deep Run and adjacent wetlands.

The ramp alignments in the northeast and southeast quadrant of the MD 103 interchange were revised to reduce impacts to the wetlands east of MD 103. The ramps were realigned to tie into MD 100 west of the wetlands, thereby reducing the

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footprint of MD 100 and minimizing wetland and stream impacts. Figures II-75 to II-78 show Alternative 3 - Option D Modification 2A (Selected Alternative).

D. Interchanges and Overpasses

All of the alternatives described above would include the following interchanges and overpasses:

1. MD 100/MD 104 Interchange

As compared to Alternative 3 (1989 Selected Alternative), MD 104 is shifted 50 feet to the west to reduce impacts to Wetland 6. The realignment of MD 104 modifies the existing substandard horizontal geometry, thereby improving user safety. While the ramps on the north side of MD 100 remain unchanged, the eastbound on- and off-ramps are combined to form a "T" intersection at MD 108 west of MD 104.

Associated with the MD 100/MD 104 interchange is the widening of MD 108 to a five-lane roadway section in the vicinity of the termini of the eastbound MD 100 on/off ramps. Widening MD 108 between the intersection of MD 104 and MD 108 and the entrance to Howard County Senior High School is required to accommodate the increased traffic volumes and traffic queues for turning movements. These increases result from the realignment of the MD 100/MD 104 interchange described above. To avoid Section 4(f) impacts to the Howard County Senior High School ball fields, a retaining wall is proposed adjacent to the northern edge of the widened MD 108 roadway. There will be no impacts to the Jonestown minority community located southwest of MD 108.

2. Snowden River Parkway

An extension of Snowden River Parkway from MD 108 to MD 100 and an interchange with MD 100 is to be constructed in conjunction with the MD 100 project. Initially, this roadway was separate from the MD 100 project, but was subsequently incorporated into the MD 100 project following coordination between the SHA and Howard County. In response to environmental agencies requests, the SHA analyzed different locations for the MD 100/Snowden River Parkway interchange to address the cumulative environmental impacts of both Snowden River Parkway and MD 100 in the documentation.

The proposed route for Snowden River Parkway south of MD 108 was selected in other studies. Alternative routes for the proposed roadway are not evaluated in this document. The route for the Snowden River Parkway is included in all of the MD 100 alternatives described previously. The exact alignment of the proposed Snowden

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River Parkway varies due to the different shifts in the MD 100 mainline associated with each alternative. The environmental impacts of Snowden River Parkway are included in each alternative and presented in Section IV.

Snowden River Parkway will transition from a four lane divided roadway at MD 108 to a two lane roadway at the interchange with MD 100. Several different configurations of the MD 100/Snowden River Parkway interchange were evaluated. The interchange configurations included Snowden River Parkway over MD 100 in both diamond and trumpet style interchanges and Snowden River Parkway under MD 100 in a diamond style interchange.

3. Old Montgomery Road

At this location, an overpass is provided to carry Old Montgomery Road over MD 100 for Alternative 3 (1989 FEIS), Option A, and Option C. For Alternative 3 - Option C Revised and Option C Modification 1, the location of this overpass is slightly south of Alternative 3 (1989 FEIS Selected Alternative). For Alternative 3 - Options B and D and associated modifications, an overpass is provided to carry MD 100 above the existing structure carrying Old Montgomery Road over Deep Run. This existing structure would not be affected by these alternatives.

4. Meadowridge Road (MD 103)

For all of the alternatives a full diamond configuration was analyzed for the MD 100/MD 103 interchange. This configuration would require the relocation of a single-family residence along MD 103.

For all the alternatives considered since the 1992 Draft SEIS, a partial cloverleaf configuration was analyzed as previously described. In addition, a compressed diamond interchange was investigated which modified the MD 100 westbound exit ramp and eastbound entrance ramp to reduce impacts to Wetland 12. The compressed diamond interchange was recommended over the partial cloverleaf configuration because it has fewer impacts to forested land and wetlands. In addition, the compressed diamond interchange costs approximately 17 percent less than the partial cloverleaf interchange.

Alternative 3 - Option D Modification 2A (Selected Alternative) uses a compressed diamond interchange configuration at MD 103.

E. Typical Sections

Prior to the preparation of the preliminary investigation plans for Alternative 3 (1989 FEIS Selected Alternative), SHA compiled data which indicated a considerable

increase in the number of accidents statewide caused by vehicles crossing highway medians into oncoming traffic. The majority of these accidents occurred on highways with 34-foot-wide medians because of the limited recovery zone between roadways. As a result of these increased accidents, the MD 100 typical section wwill be revised.

The typical section for Alternative 3 consists of a 34-foot-wide median and 60 mph (20-foot) safety grading beyond the outside shoulders. The out-to-out dimension between the hinge points of the typical section for Alternative 3 is 166 feet.

The revised conceptual typical section will shift 10 feet of the 20-foot-wide outside safety grading from each roadway into the median. This would increase the median width by 20 feet to a total of 54 feet. This additional 20 feet would provide a greater distance for vehicles to recover before reaching oncoming lanes. The outside safety grading for each roadway would also be reduced to 10 feet.

This change in the width of safety grading would also reduce the safety grading design speed from 60 mph to 30 mph, based on the standards contained in the SHA Highway Development Manual. This reduction may require the use of traffic barriers along the outside of the proposed roadway. The ultimate roadway will still meet 60 mph Design Speed.

The out-to-out dimension between the hinge points for the conceptual typical section (166 feet) would remain the same as that shown in the Alternative 3 typical section. It should be noted that the potential change in the typical section does not affect the overall footprint of the proposed roadway. This revised typical section accommodates potential future mass transit within the median with little or no additional environmental impacts.

Following the December 1992 Location Design Public Hearing, additional typical section modifications were evaluated. These typical sections were developed to reduce wetland and stream channel impacts. Four additional typical sections were developed as described below and contained in Figure II-79.

1. Steep Slopes

The steep slope section replaced the standard 2:1 slopes with slopes capable of standing at 1:1. These steeper slopes were investigated in areas where the original slopes impacted wetlands or stream channels.

2. Section with Outside Walls

Retaining walls were evaluated at locations where the original slopes impacted wetlands or stream channels. Using retaining walls would require concrete "Jersey" shaped barriers adjacent to the outside shoulders. These shoulders would be widened from 10 feet to 14 feet in accordance with SHA standards.

3. Bifurcated Roadway

The bifurcated roadway section has the eastbound and westbound roadways at different elevations, separated by a retaining wall in the median. All slopes would be constructed at 1:1, as used for the typical section with steep slopes. The bifurcated roadway section was used in the area adjacent to Wetland 8.

4. Narrow Median and Cantilevered Shoulder

This typical section was evaluated only for Alternative 3 - Option D Modification 2A (Selected Alternative) in the area of Wetlands 6A and 8. This modification was studied to provide an increased stream channel and wetland buffer in this area.

F. Related County Projects

1. Old Montgomery Road

In addition to the above described options for the MD 100 mainline, one additional roadway construction project is planned. The realignment of Old Montgomery Road in the vicinity of MD 100 is currently planned by Howard County. Old Montgomery Road, north of MD 100, would be realigned to tie into Brightfield Road and hence through the Brightfield subdivision to a new intersection with MD 103. A cul-desac would be constructed at the southern end of the portion of Old Montgomery Road remaining to the north of MD 100.

Section III

Affected Environment

III. AFFECTED ENVIRONMENT

A. Socioeconomics and Land Use

1. Social Environment

a. Population

Howard County has experienced strong growth pressure over the last 20 years. This is largely due to the County's strategic location near the center of the expanding Baltimore-Washington metropolitan region. This central location has made the County the focus of a high percentage of the region's metropolitan growth. From 1960 to 1970, Howard County experienced a population increase of 72.6 percent (36,152 to 62,394). From 1970 to 1980, the County's population increased 91.5 percent (61,911 to 118,572). From 1980 to 1990, there was a 58 percent increase (118,572 to 187,328) in Howard County compared to a 13 percent increase for the State of Maryland. The population of Howard County is projected to reach 285,206 by 2010.

The 1990 census tract boundaries for the study area differ from those utilized for the 1980 census data reported in the 1989 FEIS. For the 1980 census, the study area was covered by census tract 6023.02 and a portion of tract 6011. For the 1990 census, the borders of census tract 6023.02 were unchanged. Tract 6011, however, was divided into two tracts, 6011.01 and 6011.02. Both of these tracts contain a portion of the study area within their borders and their combined borders are identical to the borders of tract 6011 used for the 1980 census. Figure III-1 illustrates the 1990 census tract borders relative to the study area. Table III-1 provides a comparison of 1980 and 1990 census population data for the study area.

A comparison of the 1990 versus 1980 population data indicates that considerable growth has occurred in the study area. The least populated portion of the study area (Tract 6023.02) has experienced a 133 percent growth rate, while a 265 percent growth rate has occurred for the more populated tracts of 6011.01 and 6011.02. The total population for the census tracts comprising the study area has grown approximately 215 percent from 1980 levels compared with a 58 percent growth rate for the entire County. The population within these census tracts currently accounts for 6 percent of the County's population. Growth projections by census tract were not developed as a part of the 1990 Census.

¹ Howard County General Plan, 1990.

TABLE III-1
SUMMARY OF POPULATION DATA IN THE STUDY AREA

Location	1980	1990	Percent Change
Howard County	118,572	187,328	58
Census Tract 6023.02	1,488	3,465	133
Census Tract 6011.01	2,370*	2,067	265
Census Tract 6011.02	•••	6,581	
Study Area Total	3,858	12,113	215

^{*}For 1980 census, Tract 6011 covered the same area as 1990 Tracts 6011.01 and 6011.02.

Source: 1980 and 1990 U.S. Census of Population and Housing.

b. Ethnic Characteristics

An analysis of 1990 census data (Table III-2) indicates that the population within the study area's three census tracts is approximately 91 percent white, 6 percent black, 3 percent Asian, and less than 1 percent American Indian and other ethnic backgrounds. This compares with the 1980 census population figures of 93 percent white, 5 percent black, 1 percent Asian, and 1 percent American Indian. The data indicates that percentages of minorities within the study area are slowly increasing. The largest concentration of minorities is found in Census Tract 6011.02 where blacks comprise approximately 7 percent of the population, Asians approximately 2.8 percent of the population. The lowest concentration of minorities is found in census tract 6011.01 where blacks represent 3.6 percent of the total population, Asians approximately 1.6 percent of the population, and other combined minority groups consisting of 1 percent of the population.

In addition, the senior citizen population (65 and over) in the study area decreased from 9 percent in the 1980 census to 5.9 percent in the 1990 census. No concentration of elderly or handicapped individuals has been identified in the study area.

c. Neighborhoods

The Howard County General Plan (1990) defines a distinctive planning framework which has the goal of creating a series of physically and socially unified neighborhoods for Howard County. With the exception of the planned communities of Long Reach and others situated between MD 108 and MD 175, neighborhoods in the study area have historically been comprised of low density, single-family homes. In 1989, the average sale price of a new home in Howard County was \$198,000. The need for lower income housing in the area initiated more recent construction of high density townhouse, condominium, and apartment complexes. Examples of such developments include Brightfield Estates (\$125,000), Villages of Montgomery Run (\$95,000), and Ashton Woods (\$760/Month).

Within the study area, distinct neighborhoods essentially consist of individual subdivision developments. Figure III-2 illustrates the location of these individual neighborhood developments.

TABLE III-2
SUMMARY OF ETHNIC CHARACTERISTICS

	Census Tract							
	60	23.02	6011	1980-Tı	ract 6011			
Ethnic		25.02	0011	6011.01	6011.02			
Background	1980	1990	1980	1990	1990			
White	1,421	3,117	2,178	1,949	5,904			
Black		176	179	74	453			
Asian	61	161	13	34	183			
American Indian and Others	6	11	•	10	41			
Total	1,488	3,465	2,370	8,648				

Source: 1980 and 1990 U.S. Census of Population and Housing.
Obtained from Maryland Office of Planning, Summary Tape File.

2. Community Facilities and Services

The study area is serviced by many community facilities and services located in Columbia and Ellicott City and throughout the region. Since the completion of the 1989 FEIS, two new schools and three new churches have been constructed within the study area. Figure III-2 illustrates the location of the various community facilities in the study area.

a. Schools

The study area environs contain eight public elementary schools, three public middle schools, one public high school, one public special school, and one private school. A total of eight new schools (locations yet to be determined) are included in the Howard County Fiscal 1995 proposed Capital Budget. The majority of these will be constructed and operational by 1998. The University of Maryland Animal Husbandry Farm is located at the intersection of Old Montgomery Road and MD 108, while the Howard County campus of the Johns Hopkins University is located at the intersection of U.S. 29 and MD 175. The Maryland School for the Deaf is located north of MD 108 adjacent to the University of Maryland Animal Husbandry Farm.

b. Churches

Thirteen places of worship are in the study area. The Long Reach Church of God, the Church of God of Prophecy, and the Glenmar Church were all constructed subsequent to the 1989 FEIS.

c. Parks and Open Space

Five public parks exist in and about the study area. All of these parks are under the jurisdiction of the Howard County Department of Recreation and Parks.

Rockburn Branch Park, located north of the immediate project area on Montgomery Road, consists of approximately 380 acres which provide a wide range of recreational activities. Tennis courts, tot lots, lighted ball fields, and concession stands are a few of the activities offered to the County residents.

Long Reach Park, south of MD 108, is comprised of approximately 39 acres which accommodates a variety of athletic activities, such as softball, soccer, and basketball. This park also includes an area for community garden plots.

Worthington Park, located north of MD 103 in the immediate project area, is approximately 57 acres of converted landfill with a thin wooded buffer. This area is currently classified as a neighborhood park with plans for a park service center consisting of a maintenance facility.

Centennial Park, shown on Figure III-2, is located on MD 108 west of U.S. 29 beyond the limits of the study area.

In addition to the County park system, a number of designated open space areas are within the study area. Most of these areas are affiliated with private residential subdivisions and frequently include stream valley environments. The locations of open space areas within the study area are shown on Figures III-3 and III-4. County owned open space areas do not serve recreational needs and are therefore not subject to Section 4(f) documentation (see Section VIII - Comments and Coordination).

d. Emergency Services

The following is a list of fire and ambulance emergency services provided for the study area:

- Long Reach Company No. 9 Tamar Drive.
- Ellicott City Company No. 2 Main Street.
- Elkridge Company No. 1 Old Washington and Montgomery Roads

As growth occurs in the study area, a new fire station is proposed to be constructed near the intersection of U.S. 29 and MD 108. Only the Long Reach Station is shown on Figure III-2. The other stations are not within the range shown on this figure.

e. Law Enforcement

Police protection is provided by the Howard County Police Department located in Ellicott City and the Maryland State Police barracks in Jessup.

f. Health Care Facilities

Health care services are provided in the study area by the Howard County General Hospital in Columbia.

g. Transportation Systems

Automobiles are the primary mode of transportation in the County. Two types of public transportation serve portions of the study area. These include local fixed route transit service (Columbia) and commuter bus service between the Washington-Baltimore metropolitan areas (Carters, Eyre's, Trailways). These services are mainly limited to stops along U.S. 29.

Numerous ride-sharing programs (carpooling, vanpooling, and park-and-ride lots) originate in Howard County. A park-and-ride lot is located near the MD 108 and U.S. 29 interchange. A proposed park-and-ride lot is currently under design to be located at the Long Gate Parkway/MD 100 interchange and will accommodate MTA bus service. The MTA will provide bus service on MD 100 once it is completed between U.S. 29 and I-95.

h. Water and Sewer Services

Water and sewer services within the study area are provided by the Howard County Department of Public Works. All major subdivisions and apartment complexes are connected to County water and sewer lines. Some older businesses and residences still utilize well water and septic systems.

The entire study area is included in the County's Metropolitan District or planned public sewer and water service area. It is anticipated that the area will receive 100 percent service within the next five years.

The County's current objective is to pace further growth to avoid reaching full capacity of the area's two wastewater treatment plants before they are expanded in the mid 1990's.

Eastern Howard County is served by both the Patuxent and Patapsco treatment plants. The Patuxent plant's current capacity of 15 million gallons per day (mgd) is planned to be expanded to 18 mgd by 1994. The Patapsco plant, which is owned and operated by the City of Baltimore, is proposing to increase its current capacity of 70 mgd to 87.5 mgd. However, the completion date for the capacity increase has not yet been determined. Howard County's share of that capacity is currently 10 mgd. When complete, Howard County's share of the Patapsco plant's capacity will be 12.4 mgd.

The Howard County General Plan does not identify the water supply as a constraint to development through the year 2010. However, planned improvements to water storage and conveyance facilities may need to be accelerated.

i. Other Community Services

Figure III-2 shows the location of other community services and facilities located throughout the study area. These include the YMCA, Ellicott City Armory, and an Animal Control Center.

In addition, the Howard County Public Library, Columbia and Ellicott City branches; U.S. Post Office, American Cities branch and Ellicott City branch; Children's Zoo; Symphony Woods; Columbia Association; Columbia Exhibition and Information Building; and numerous government services and facilities in Ellicott City (the County seat) serve the study area.

3. Economic Factors

Howard County's location between the Baltimore and Washington metropolitan areas and Columbia are the two primary reasons for its economic growth over the past two decades. New industry and the expansion of the established economic base are dependent upon adequate transportation systems. Both U.S. 29 and I-95 serve as primary north, south arterials for the transportation of goods and services in Howard County.

The Howard County General Plan gives high priority to attracting high technology industries, research and development facilities, and new office and light manufacturing uses. Job growth in Howard County has been strong over the last 20 years. Total jobs have increased from 27,100 in 1970 to 95,600 in 1990 for a total increase of 253 percent. This growth rate far exceeds that of neighboring counties for the same time period. The Howard County Department of Planning and Zoning estimates an additional 62,000 jobs (65 percent increase from 1990) in the County by 2010. This represents a projected year 2010 total of 157,600 jobs compared with a year 2005 projection of 101,900 jobs reported in the 1989 FEIS. Primary areas of employment within the study area are the Oakland Ridge Industrial Park on MD 108, and numerous schools throughout the area. Columbia, Ellicott City, Chatham, and the U.S. 1 corridor are other nearby sources of employment. The 1990 census indicates that retail trade, public administration, manufacturing, and education provide the highest percentage of employment in the study area, as shown on Table III-3.

Some additional commercial development will be located along MD 103 and near its present intersection with U.S. 29. In addition, the General Plan identifies a planned employment center (a northerly extension of the Oakland Ridge Industrial Center), the Columbia Office Research Park, south of the Brampton Hills residential section off MD 103. This center would consist of research and development and high technology employment, offices, light manufacturing and assembly, warehousing, and

TABLE III-3
EMPLOYMENT DATA*

	Howard	County	1990 Census Tract Data			
Major Industries	1980	1990	6011.01	6011.02	6023.02	
Retail	14%	13%	11.7%	13.5%	11.6%	
Transportation	3%	3%	4.8%	4.3%	3.7%	
Educational Services	11%	9%	6.7%	4.6%	6.3%	
Public Administration	16%	14%	10.0%	13.2%	14.1%	
Construction	6%	6%	8.8%	9.2%	6.4%	
Manufacturing	12%	12%	13.0%	12.3%	14.4%	

*Source: 1980 and 1990 U.S. Census of Population and Housing. Obtained from Maryland Office of Planning. minimal commercial development. This economic development would further expand the tax, employment, and service base in the County.

The 1979 median household income within the study area census tracts was \$29,217, which was comparable with the County median of \$27,612. The 1990 median household income for the study area was \$56,051 compared with the County median of \$54,348. This rise in income has been matched by an increase in the average educational background of Howard County residents. For 1990, 91.1 percent of residents 25 and over were high school graduates or higher compared to 83.1 percent in 1980.

4. Land Use

a. Existing Land Use

Land use in the study area is predominantly residential, with several schools, churches, and other community facilities. There is currently a small amount of commercial development and one light industrial park. Figure III-4 shows the existing land uses in the study area.

The northwest quarter of the study area contains primarily low density residential housing. Neighborhoods with this classification consist of single-family homes with densities of no more than 2.53 homes/acre. There are several public schools and parks and one small strip center (Knollview Plaza) at the intersection of MD 103 and MD 104. Oakland Ridge Industrial Park is located along MD 108 near U.S. 29.

The southwest section of the study area (between MD 108 and MD 175) is an intensely developed area of low to high density residential communities. Schools, churches, and community centers are interspersed. The Long Reach Village Shopping Center and Long Reach Community Park also are located in this area.

The northeast portion of the study area is still partially rural. However, low and high density development is rapidly taking place along MD 103. Rockburn Branch Park is located in this area as well as the site for the future MD 100 Shopping Center.

The southeast section also includes low and high density developments interspersed with schools and churches. The University of Maryland Animal Husbandry Farm is located here as well as the new (incomplete) Columbia Restaurant Park at MD 108 and I-95.

b. Future Land Use

The Howard County General Plan (1990) provides guidance for future land development and growth. Its prime objective is to channel land development to those locations where the public utilities are available and able to serve anticipated needs. The plan also indicates that development would be minimized in areas outside of the planned service areas in order to preserve prime agricultural and conservation areas. The County has designated the central and western portions of the County as areas where the natural environment and the rural agricultural character are to be preserved and protected from development. The eastern portion of the County has been designated as a development district. Figure III-5 illustrates future land use within the study area as defined by the General Plan.

Future land use plans for the study area indicate that significant additional residential and industrial development will occur. Like Howard County as a whole, the majority of the study area is designated for low density development. Current zoning allows for some high density residential and commercial development. The 1990 Howard County General Plan encourages "increased housing intensity," "substitution of housing for employment areas," and "development of mixed use centers." All of these actions are designed to maintain a satisfactory job to housing ratio, control traffic patterns, provide low to moderate income housing, and allow public services to keep pace with population growth. The General Plan Land Use 2010 Map locates two mixed use centers in the study area and additional medium and high density designations. Industrial and commercial land uses are planned for areas near the MD 100/I-95 and MD 103/U.S. 29 interchanges. Additional commercial development is also anticipated on MD 103 adjacent to the U.S. 29 interchange.

B. Cultural Resources

1. Historic Sites

In the spring of 1992, the original historic survey for the 1989 FEIS was jointly updated by the SHA and the Maryland Historic Trust. The survey identified one site between MD 104 and I-95 as being eligible for the National Register.

The Curtis-Shipley House has now been determined as being eligible for the National Register.

2. Archaeological Sites

Phase I archaeological surveys were completed as part of the 1989 FEIS and four prehistoric sites were identified in the project area. Two of the sites, 18H0145

and 18H0146, were determined not to be impacted by the proposed project. One site, 18H0144, was not recommended for further work because of low probability of yielding significant information. Site 18HO144 was subsequently destroyed by construction of the Brightfield Townhome Development, while Site 18HO46 was destroyed by development of the Brampton Hills Community. The final site, 18H019, was recommended for Phase II archaeological investigation. A Phase II site evaluation of this site was completed during December 1988 and January 1989. The prehistoric component of this site was not considered eligible for inclusion in the National Register. However, the historic component of the Deep Run site, although located outside of the proposed right-of-way, is considered eligible for the National Register.

In the spring of 1992, an additional Phase I archaeological survey was completed. The archaeological survey identified seven prehistoric archaeological sites (18H0193, 18H0194, 18H0195, 18H0196, 18H0197, 18H0198, 18H0199) and investigated two previously recorded prehistoric sites (18H0152, 18H0145) within the right-of-way of the proposed alternatives. Sites 18H0145, 18H0194, 18H0195, 18H0196, 18H0197, 18H0198, and 18H0199 were determined to be low-density lithic scatters with low research potential and lacking integrity. Sites 18H0193 and 18H052 were considered potentially significant for information they may contain regarding prehistoric settlement, subsistence, and technology. Based on the results of this Phase I survey, potentially significant sites 18H052 and 18H0193 may be important chiefly for the information they contain. As a result, Phase II evaluations were completed in 1992 in order to evaluate their eligibility to the National Register of Historic Places.

Site 18HO52 is a large, multi-component site with prehistoric and historic representation. The site was intermittently occupied from the Early Archaic through the Late Woodland time periods and functional primarily as a quarry for lithic raw material for tools. The site's historic component includes the probable remains of a burned structure dating from the late 18th to mid 19th centuries. Testing did not identify intact cultural deposits.

Site 18HO193 represents a small, short-term resource extraction and possible camp site dating to the Late Woodland period. Testing did not locate intact features or deposits at the site.

C. Natural Environment

An inventory of environmental features in the existing study area is presented on the Existing Land Use Map shown on Figure III-4.

1. Topography and Geology

The topography and geology of the study area is unchanged from that reported in the 1989 FEIS. The study area is located within the eastern division of the Piedmont province, which is composed of crystalline and recrystallized rocks. These include sedimentary deposits and masses of granite and gabbroic type rocks.

The Piedmont province contains a variety of mineral resources. Formerly, building stone, slate and small deposits of non-metallic minerals, base material sulfites, chromite, and iron ore were mined. Currently, crushed stone is important for aggregate, concrete, and lime. These mineral resources are concentrated in eastern Howard County. It is not anticipated that these resources will be affected.

2. Soils

Generally, the soils in the study area are deep and well-drained. The relatively humid, temperate climate of Howard County resulted in substantial weathering of the metamorphic and igneous rocks which are the parent material for local soils. The climate has also contributed to significant leaching of carbonates leaving a strongly acidic soil. The following soil associations are located in the study area.

- <u>Sassafras Chillum Aura Association</u> Consists of moderately eroded, well-drained, deep soils that have a moderately permeable, compact subsoil.
- Glenelg Chester Manor Association Consists of deep, well-drained, gently sloping and moderately eroded soil.
- <u>Beltsville-Chillum Sassafras Association</u> Consists of deep, moderately eroded, moderately well-drained, gently sloping to strongly sloping soils of the Coastal Plain.

The various characteristics of each soil series are presented in Table III-4. These soils are generally acceptable for highway construction, but some difficulties may be encountered. Seasonal high water tables may be encountered in Chillum, Sassafras, and especially Beltsville soils. The Aura, Beltsville, Chillum, and Sassafras soils are Coastal Plain deposits and the depth to bedrock is usually great, but difficult to determine. Corrosion potential referred to in Table III-4 is concerned with concrete structures as opposed to metal. The Beltsville soil is a highly susceptibility to frost action which can result in road bed damage if the structural design does not take this factor into account.

TABLE III-4

ANALYSIS OF SOIL SERIES

Soil	Depth to Water Table (Ft.)	Depth to Bedrock (Ft.)	Shrink - Swell Potential	Suitability for Highway	Suitability as Roadfill	Susceptibility to Frost Action	Corrosion Potential	U.S.D.A. Classification	Available Rock
Аига	+20		Low	Very Good	Good	Low	High	Gravelly Sandy Loam	None
Beltsville	11/2 - 3		Low	Fair	Poor	High	High	Silty Clay Loam	None
Chester	+20	4 - 10	Low	Good	Fair	Moderate	Moderate	Silty Clay Loam	Mica Schist
Chillum	+5	••	Low	Good	Good	High	High	Gravelly Silty Loam	None
Glenelg	+20	4 - 10	Low	Fair	Fair	Moderate	Moderate	Silt Loam	Mica Schist
Manor	+20	6 - 10	Low	Fair	Poor	Moderate	Moderate	Loam	Mica Schist
Sassafras	+5		Low	Good	Good	Moderate	High	Gravelly Sandy Loam	None

Source: Soil Survey - Howard County, Maryland, U.S. Department of Agriculture.



Overall, the soils in the study area are also well suited for use in agriculture, residential, and suburban development. Many farming areas are being subdivided for residential development and soils are suitable to handle these demands.

3. Hydric Soils

A hydric soil is a soil that is saturated, flooded, or ponded long enough during the growing season to develop anaerobic conditions that favor the growth and regeneration of hydrophytic vegetations. As a result, hydric soils are a primary indicator of wetland areas. A hydric soil may be either drained or undrained and a drained hydric soil may not continue to support hydrophytic vegetation. Therefore, not all areas having hydric soils will necessarily qualify as wetlands.

As shown on Table III-5, there are 10 different soil types within the study area that exhibit hydric characteristics. For five of these soils (Fallsington loam, Hatboro silt loam, and Leonardtown silt loam, mixed alluvial and Watchung silt loam), nearly all described mapping units are hydric in nature or have hydric soils as a major component of the mapping unit. The remaining five soil types have hydric inclusions, but are from soil series that are largely non-hydric in nature.

4. Prime and Important Farmlands

Farmland can be described as either Prime Farmland, Unique Farmland, Farmland of Statewide Importance, or Farmland of Local Importance consistent with the Farmland Policy Protection Act.

The 1989 FEIS stated that much of the undeveloped land within the study area was designated as "Prime Farmland" or "Additional Farmland of Statewide Importance." It was also stated that there were no "Unique Farmlands" within the study area. Although the 1990 Howard County General Plan acknowledges that conversion of agricultural land in the study area is imminent by 2015, current land use is consistent with the "Prime Farmland" designation. Recent coordination with the U.S. Soil Conservation Service has also indicated that the descriptions contained in the 1989 FEIS are still valid. It should be noted, however, that the Soil Conservation Service considers any active agricultural lands within the study area to be at least farmlands of local importance. Agricultural lands in the study are zoned low and/or medium density residential.

Formal coordination with the Soil Conservation Service has been initiated through the preparation of the standard U.S. Department of Agriculture Form AD-1006 Farmland Conversion Impact Rating. This form will be submitted to determine the amount of Prime and Important Farmland potentially affected by the proposed alignment alternatives.

TABLE III-5 HYDRIC SOILS WITHIN STUDY AREA

Map Symbol	Mapping Unit	Hydric Component	Location of Inclusions
Fa	Fallsington Loam	All Units	N/A
Ha	Hatboro Silt Loam	All Units	N/A
L1	Leonardtown Silt Loam	All Units	N/A
Mo	Mixed Alluvium	All Units	N/A
WaA	Watchung Silt Loam	All Units	N/A
BeB2	Beltsville Silt Loam 1 to 5% Slope Moderately Eroded	Leonardtown Inclusion	In Drainageways and Depressions
BeC2	Beltsville Silt Loam 5 to 10% Slopes Severely Eroded	Leonardtown Inclusion	In Drainageways and Depressions
BeC3	Beltsville Silt Loam 5 to 10% Slopes	Leonardtown Inclusion	In Drainageways and Depressions
IuB	Iuka Loam, Local Alluvium 1 to 5% Slopes Moderately Eroded	Bidd Inclusion	In Old Stream Channels, Depressions, and Seepage Areas
WoB2	Woodstown Sandy Loam 1 to 5% Slopes	Fallsington Inclusion	In Depressions and Drainageways

5. Water Resources

a. Surface Water

The Patapsco River and the Patuxent River are the two principal rivers in Howard County. The main branch of the Patapsco River drains the northern portion of the county while its south branch drains the western portion of the County. The Patuxent River drains the southern portion of the County while the Little Patuxent River and the Middle Patuxent River drain the County's central region.

Surface waters within the study area belong to one of two major drainage basins. Deep Run, located in the eastern portion of the study area, drains into the Patapsco River drainage basin. Red Hill Branch, located west of MD 104, drains much of the western portion of the study area and is a part of the Little Patuxent River drainage basin. MD 104 forms the divide between these two drainage systems.

The Maryland Department of the Environment has classified all surface waters of the State (COMAR 26.08.02) into the following categories according to desired use:

- Use I Water Contact Recreation and Protection of Aquatic Life.
- Use I-P Water Contact Recreation, Protection of Aquatic Life and Public Water Supply.
- Use II Shellfish Harvesting.
- Use III Natural Trout Waters.
- Use IV-P Recreational Trout Waters and Public Water supplies.

Streams within the study area are classified as Use I-P waters. This classification was not in use when the 1989 FEIS was completed. The criteria for Use I-P waters are the same for Use-I waters except that they contain additional requirements in terms of toxic substances. The specific toxic substance criteria is outlined at COMAR 26.08.03-1. In general, the intent of the toxic substance criteria is to protect waters for aquatic organisms, public water supplies, and fish for human consumption.

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There are no water quality monitoring stations maintained within the study area for Deep Run. Table III-6 provides measurements taken in June 1992 for three key parameters at five different Deep Run locations. The readings indicate that water quality standards were met for dissolved oxygen and temperature, while four of the five stations slightly exceeded the State's maximum pH value of 8.5. This condition is likely attributable to sulfate and phosphate runoff from adjacent and upstream agricultural lands.

b. Groundwater

Soils, topography and underlying geology are important to the subsurface movement of water. Groundwater is water that percolates into soils and has not run off or been evapotranspired. This water is that portion of the hydrologic cycle that is the source of water for plants and for stream recharge.

Within the study area, groundwater is not an important source of drinking water, since most of the eastern portion of the County is supplied by municipal water sources. However, groundwater within the study area is an important source of base flow for Deep Run and Red Hill Branch. It is estimated that study area stream flows are nearly totally dependent upon groundwater sources within seven days of a major rain event.

In 1992, the Maryland Geological Survey released a report containing approximately 30 years of basic hydrologic data for Howard County. Within the MD 100 study area, the report provided baseline depth, water level, and yield information for 31 wells.

An examination of these data indicates that wells in the study area range in depth from 13 to 525 feet and average 262 feet. Water levels range from 7 to 69 feet below land surface levels with an average of 30 feet. Well yields range from 0 to 40 gallons per minute and average approximately 10 gallons per minute.

The report also contains periodic water level measurements for two wells located near the proposed MD 100 connection with the I-95 interchange. One well exhibited a fluctuation of 1.39 feet in water level between May 1988 and June 1989. The second well exhibited a 1.19-foot range in water level between July 1988 and March 1989.

TABLE III-6

DEEP RUN WATER QUALITY SAMPLING RESULTS
JUNE 1992

Sample		Tempe	rature		Dissolved
Site No.	Location	°C	°F	pН	Oxygen mg/l
1	Upstream of Regional Stormwater Management Facility and East of Montgomery Meadows	19.4	67	8.6	9.2
2	Inlet to Regional Stormwater Management Facility	22.1	72	8.9	9.8
3	Outlet to Regional Stormwater Management Facility	23.5	74	8.7	11.3
4	Downstream from Regional Stormwater Management Facility near the Villages of Montgomery Run	22.1	72	8.2	9.3
5	At Montgomery Road Bridge	18.8	66	8.7	10.1

Source: Surface Water Testing Program, June 16, 1992.

6. Floodplains

Regulated floodplains were identified in accordance with Executive Order 11988 - Floodplain Management and 23 CFR 650.111. The Federal Emergency Management Agency's (FEMA) Flood Insurance Rate Maps (FIRM) for the study area have not changed since the completion of the 1989 FEIS. In general, these maps indicate that the 100-year floodplains in the study area follow the channel of Deep Run and its tributaries. However, the construction of the regional stormwater facility on Deep Run near the Montgomery Meadows subdivision has likely diminished the 100-year floodplain along the Deep Run portion of the study area. This regional stormwater facility was constructed by others for the purpose of runoff retention and flood storage. This in turn diminished the floodplain elevations downstream of the facility. As a result, MD 100 would not significantly impact the 100-year floodplain.

7. Ecology

a. Terrestrial Habitat

Terrestrial habitats within the study area are comprised of forested uplands, active agricultural lands, old fields, cleared lands, and developed sites. Due to the limited habitat value of cleared land and developed sites, they are not included in this discussion. A general discussion of the characteristics of these terrestrial areas is presented below.

b. Forested Uplands

Forested uplands within the study area consist of a diverse range of central hardwood species including oak, maple, hickory, beech, ash, and walnut. The species composition and age structure within the study area varies. Second growth stands occur mostly in the area between MD 104 and the I-95 interchange. The location of the various forested upland systems within the study area are shown on Figures III-3 and III-4.

Since the 1989 FEIS, a number of large residential developments have been constructed or expanded in the study area, resulting in the clearing of some areas of forested uplands. These developments include Montgomery Meadows and the Villages of Montgomery Run in the northern portion of the study area and Ashton Woods in the southern portion of the study area. Forested upland areas along the proposed alternative alignments do not appear to have been significantly altered since the completion of the 1989 FEIS. The 1989 FEIS did not identify specific upland forest stands within the study area.

Table III-7 presents pertinent characteristics for each of the eight identified forested upland systems. Specific impacts to each of these areas are presented in Section IV of this report.

8. Wetlands

Wetlands are an important natural resource serving many functions such as providing habitat for wildlife, controlling floodwaters, recharging groundwater and improving water quality.

In compliance with Executive Order 11990, wetlands within the study area having the potential to be impacted by the proposed project were evaluated. Although wetlands were identified and evaluated in the 1989 FEIS, this evaluation was based on field work performed in 1987. Due to man-induced changes in the study area, as well as adjustments in alignment geometry, it was determined by the SHA that the original wetland evaluation was no longer valid. As a result, previous field delineations of wetlands were reviewed and some areas were re-delineated, which lead to revisions to the original estimates of acreage impacts.

The wetland delineations utilized in the preparation of this report were conducted in accordance with the U.S. Army Corps of Engineers 1987 Wetlands Delineation Manual. This procedure identifies and delineates the following general diagnostic environmental characteristics:

- Vegetation The prevalent vegetation consists of plants adapted to saturated soil conditions.
- Soil Soils are present and have been classified as hydric soils or possess characteristics that are associated with soils developed under reducing conditions.
- Hydrology The area is inundated either permanently or periodically at mean depths ≤ 6.6 feet, or the soil is saturated to the surface at some time during the growing season of the prevalent vegetation.

Wetland classifications for this report are based on the U.S. Fish and Wildlife Service's classification scheme. Wetland functional values were determined through a combination of best professional judgement as well as procedures outlined in the 1987 FHWA Wetlands Evaluation Technique (WET 2.0).

	Forest	Approximate	Overstory Vegetation		Understory and Gr		
Location	Area No.	Total Acreage	Common Name	Botanical Name	Common Name	Botanical Name	Remarks
West of Timber Run Subdivision	7	2.0	Chestnut oak American beech White oak	Quercus prinus Fagus grandifolia Quercus alba	Red maple American beech Black tupelo	Acer rubra Fagus grandifolia Nyssa sylvatica	System highly stressed from surrounding developments. Devoid of ground cover.
North of MD 104 and West of Forest Area	8	9.7	Chestnut oak N. red oak	Quercus prinus Quercus rubra	Black tupelo American beech Red maple Lowbush blueberry Sassafrass Poison ivy	Nyssa sylvatica Fagus grandifolia Acer rubrum Vaccinium anguistifolium Sassafras albidum Taxicodendron radicans	Healthy diverse system. Tupelo, beech and maple more common in transition areas near Wetland No. 5.
South of MD 104 and West of Glen Mar Subdivision	9	5.1 -	Sassafrass Walnut Tulip tree Blackberry N. red oak Red maple	Sassafrass albidum Juglans nigra Liriodendron tulipifera Prunus serotina Quercus rubra Acer rubrum	Smylax Multiflora rose Northern arrowwood Virginia creeper	Smylax sp. Rosa multiflora Vibirum recognitum Parthenocisus quinquifolia	Diverse mix of young immature trees with thick understory and ground cover. Red maple more common down slope near Wetland 6.
Adjacent to Forest Site 9 and South of Glen Mar Subdivision	10	7.4	Chestnut oak N. red oak White oak	Quercus prinus Quercus rubra Quercus alba	Sassafrass American beech Lowbush blueberry	Sassafras albidum Fagus grandifolia Vaccinium anguistifolium	Overstory dominated by second growth chestnut oaks.
Adjacent to Forest Site 10 and South of Glen Mar Subdivision	11	2.9	White oak Red maple Black tupelo	Quercus alba Acer rubrum Nyssa sylvatica	Tulip tree American beech Black cherry Northern arrowwood	Liriodendron tulipifera Fagus grandifolia Prunus serotina Viburnum recognitum	Relatively open second growth system.
South of Brightfield Subdivision Adjacent to Wetland 11	12	10.4	White oak Chestnut oak Red maple Black tupelo Green ash Tulip tree	Quercus alba Quercus prinus Acer rubrum Nyssa sylvatica Fraxinus pennsylvanica Liriodendron tulipifera	Azalea Lowbush blueberry Smilax	Azalea rhododendron Vaccinium anguistifolium Smylax sp.	Immature second growth mesic system located in non-wetland floodplain.

TABLE III-7 (Continued)

DESCRIPTION OF UPLAND FOREST AREAS

	Forest	Approximate	Overstory Vegetation		Understory and Gr			
Location Area No.		Total Acreage	Common Name Botanical Name		Common Name	Botanical Name	Remarks	
At Project's Southern Terminus Adjacent to Wetland 13	13*	71.5	Red maple Tulip tree N. red oak	Acer rubrum Liriodendron tulipifera Quercus rubra	Splicebush Flowering dogwood Sassafrass Black tupelo Scrub pine	Lindera benzoin Cornus florida Sassafrass albidum Nyssa sylvatica Pinus virginia	Diverse second growth mesic system transitioning to Wetland 13 to the north.	
South/Southeast of Hunt Country Estates Adjacent to Wetlands 6A, 8, 9, and 10	14	7.0	Red maple Green ash N. red oak	Acer rubrum Fraxinus pennsylvania Quercus rubra	Smilax Flowering dogwood Lowbush blueberry	Smilax rotundifolia Cornus florida Vaccinum angustifolum	Second growth mesic system of sloped areas adjacent to wetlands.	

^{*}A major residential development is planned for this area.

Figure III-3 presents the wetland locations, while Table III-8 provides a summary of the wetlands pertinent to this discussion. It should be noted that this table contains wetland sites not identified in the 1989 FEIS. In addition, the classification and functional value for the sites presented in the table differ in a number of cases from those presented in the FEIS and the Draft SEIS. These differences are due to changes in area land use, alteration to wetlands as the result of residential developments and natural successional changes. All of the wetland sites in the study area are associated with stream valleys.

Wetland sites 4A, 10A, and 11A were not identified in the 1989 FEIS. Wetland 4A is now classified separately from Wetland 4 due to development impacts subsequent to the FEIS. Wetland 10A has been added because the Snowden River Parkway interchange for one of the alignment alternatives now under consideration affects this wetland. Wetland 11A has been added because two alignment alternatives now under evaluation pass through this system.

Wetland 4A is an excavated area south of the Timber Run subdivision and adjacent to Howard County Senior High School. The emergent vegetation is predominated by Soft rush (Juncus effusus). It is a "low" value wetland with nutrient and sediment trapping functions.

Wetland 5 is a palustrine forested stream channel with dominant vegetation of Red maple (Acer rubrum), American beech (Fagus grandifolia), and Spice bush Lindera benzoin). It is located adjacent to Howard County Senior High School. This wetland area's function consists of passive recreation, groundwater discharge, short-term nutrient retention, long-term nutrient retention/removal, long-term sediment trapping, and flood desynchronization giving it a "medium" ranking value.

Wetland 6 is a palustrine forested/emergent wetland located on the southeast side of MD Route 104 adjacent to MD Route 108. This wetland area is dominated by Red maple (Acer rubrum), Sweetgum (Liquidambar styraciflua), Tulip tree (Liriodendron tulipifera), Skunk cabbage (Symplocarpus foetidus), and Soft rush (Juncus effusus). A functional value of "high" has been given to this wetland, which includes short-term sediment trapping, groundwater discharge, short-term nutrient retention, long-term nutrient retention/removal and long-term sediment trapping.

TABLE III-8 STUDY AREA WETLAND SUMMARY

				Dominan	t Vegetation	Wetland Indicator	Soils	Functional
Location	Wetland No.	Site Description	Classification	Common Name	Botanical Name	Status	Series	Values
West of Saddle Ridge Subdivision and South of Brampton Hills Subdivision	4A	Excavated Area with Emergent Vegetation	PEM5AX	Soft rush	Iuncus effusus	FACW	Disturbed Soils	Nutrient Trapping and Sediment Trapping
South of Timber Run Subdivision and Adjacent to Howard County Senior High School	5	Palustrine Forested Stream Channel	PF01A	Red maple American beech Spice bush	Acer rubrum Fagus grandifolia Lindera benzoin	FACW FACW	Leonardtown*	Nutrient Retention and Wildlife Habitat
Southeast Side of MD 104 Adjacent to MD 108	6	Palustrine Forested/Emergent Wetland	PF01A PEM1A	Red maple Sweetgum Tulip tree Skunk Cabbage Soft rush	Acer rubrum Liquidambar styraciflua Liniodendron tulipifera Symplocarpus foetidus Juncus effusus	FAC FAC FACW OBL FACW	Fallsington* Watchung*	Wildlife Habitat, Sediment Trapping, Nutrient Retention
West of Hunt Country Estates and East of Villages of Montgomery Run Subdivision	6A	Palustrine Forested Stream Channel	PF01A	Black willow Green ash Common green briar Multiflora rose	Salix nigra Fraxinus pennsylvannica Smilaz rotundifolia Rosa multiflora	OBL FACW FAC FACU	Mixed* Alluvial	Fish and Wildlife Habitat, Flood Desynchronization, Passive Recreation. Connects to Wetland 8 on its southern edge.
West of the Regional Stormwater Management Facility of Montgomery Meadows Subdivision	7	Palustrine Forested Upland Stream Channel	PF01A	Black gum Red maple Multiflora rose Common green briar	Nyssa sylvatica Acer rubrum Rosa multiflora Smilax rotundifolia	FAC FAC FACU FAC	Fallsington* Watchung*	Flood Desynchronization, Sediment Trapping, and Nutrient Retention
West of Hunt Country Estates and East of Villages of Montgomery Run Subdivision	8	Palustrine Forested Stream Channel	PF01A	Black willow Green ash Common green briar Multiflora rose	Salix nigra Fraxinus pennsylvannica Smilaz rotundifolia Rosa multiflora	OBL FACW FAC FACU	Mixed* Alluvial	Fish and Wildlife Habitat, Flood Desynchronization, Passive Recreation

[•]Hydric Soils

TABLE III-8 (Continued)

STUDY AREA WETLAND SUMMARY

	177-414	o:	614-		Dominant Vegetation			
Location	Wetland No.	Site Description	Classification	Common Name	Botanical Name	Indicator Status	Soils Series	Functional Values
Southwest of Fetlock Court and Northeast of University of Maryland Farm	9	Palustrine Scrub Shrub/Emergent Wetland	PSS1/EM5E	Black willow Multiflora rose Soft rush Sensitive fern	Salix nigra Rosa multiflora Juncus effusus Onoclea sensibilis	OBL FACU FACW FACW	Mixed* Alluvial	Nutrient Retention Sediment Trapping Nutrient Export
East of University of Maryland Farm and Southwest of Fetlock Court	10	Palustrine Scrub Shrub/Emergent Wetland and Adjacent Stream Channel	PSS1/EM5E	Red maple Box elder Spice bush Silky dogwood Arrowwood Impatiens	Acer rubrum Acer negundo Lindera benzoin Cornus amomum Viburnum recoognitum Impatiens capensis	FAC FACW FACW FACW FACW FACW	Mixed* Alluvial	Sediment Trapping, Nutrient Retention, Flood Desynchronization, Fish and Wildlife Habitat, Nutrient Export
North of University of MD Farm Old Farm Pond	10A	Scrub Shrub/Emergent Wetland	PSS1/EM1A	Silky dogwood Black willow Soft rush	Cornus amomum Salix nigra Juncus effusus	FACW OBL FACW	Beltsville*	Nutrient Retention, Nutrient Export
Southeast of Old Montgomery Road and South of the Brightfield Subdivision	11	Palustrine Forested Stream Channel	PF01A	Sweetgum Red maple Tulip tree Skunk cabbage Crested fern Multiflora rosa	Liquidambar styraciflua Acer rubrum Liriodendron tulipifera Symplocarpus foetidus Dryopteris cristata Rosa multiflora	FAC FACU OBL OBL FACU	Elkton* Mixed Alluvial Watchung*	Fish and Wildlife Habitat, Flood Desynchronization, Passive Recreation
West of Meadowridge Road and South of Brightmeadow Court	11A	Palustrine Drainage Swale/Palustrine Forested Stream Channel	PF01/PF01A	Red maple	Acer rubrum	FAC	Iuka	Groundwater Discharge, Fish and Wildlife Habitat

^{*}Hydric Soils

TABLE III-8 (Continued)

STUDY AREA WETLAND SUMMARY

				Dominant vogetation		Wetland Indicator	Soils	Functional
Location	Wetland No.	Site Description	Classification	Common Name	Botanical Name	Status	Series	Values
East of Meadowridge Road and West of Mullineaux Road	12	Palustrine Forested Stream Channel	PF01A	Red maple Sweetgum Tulip tree Cinnamon fern Marsh fern Skunk cabbage	Acer rubrum Liquidambar styraciflua Lirioodendron tulipifera Osmunda cinnamomea Thelypteris thelypteroides Symplocarpus foetidus	FAC FACU FAC OBL OBL	Hatboro* Fallsington*	Fish and Wildlife Habitat, Flood Desynchronization
West of I-95 Interchange and East of Mullineaux Road	13	Palustrine Forested Wetland	PF01A	Red maple Smooth alder Tulip tree Jewelweed Skunk cabbage Crested fern	Acer rubrum Alnus serrulata Liriodendron tulipifera Impatiens capensis Symplocarpus foetidus Dryopteris cristata	FAC OBL FACU FACW OBL OBL	Fallsington*	Fish and Wildlife Habitat, Nutrient Storage

^{*}Hydric Soils

Wetland 6a, located west of Hunt Country Estates, connects to Wetland 8 on its southern edge. This is a palustrine, forested stream channel with dominant vegetation consisting of Black willow (Salix nigra), Green ash (Fraxinus pennsylvanica), Common green briar (Smilax rotundifolia), and Multiflora rose (Rosa multiflora). A functional value ranking of "high" is assigned to this wetland as it provides for fish and wildlife habitat in addition to flood desynchronation, passive recreation, and short- and long-term sediment trapping.

Wetland 7 is a palustrine forested upland stream channel located between Stations 145+00 to 152+00 of the proposed MD Route 100. The dominant vegetation in the wetland is Black gum (Nyssa sylvatica), Red maple (Acer rubrum), Multiflora rose (Rosa multiflora), and Common green briar (Smilax rotundifolia). Groundwater discharge, long-term nutrient retention/removal, and long-term sediment trapping are some of the functions considered to be occurring giving Wetland 7 a "medium" value.

Wetland 8 is located approximately 250 feet to the west of Fetlock Court. This palustrine forested stream channel is predominantly vegetated with Black willow (Salix nigra), Green ash (Fraxinus pennsylvanica), Common green briar (Smilax rotundifolia), and Multiflora rose (Rosa multiflora). A functional ranking of "high" has been given to this wetland because it provides a suitable habitat for aquatic wildlife and fish and also the food chain support needed. The wetland also serves both short-term and long-term sediment trapping, short-term nutrient retention, long-term nutrient retention/removal, groundwater discharge, and flood desynchronization.

Wetland 9 is located approximately 850 feet to the southwest of Fetlock Court. This palustrine scrub-shrub/emergent wetland is dominated by Black willow (Salix nigra), Multiflora rose (Rosa multiflora), Soft rush (Juncus effusus), and Sensitive fern (Onoclea sensibilis). A functional ranking of "high" has been given to Wetland 9 because it qualifies as a habitat for aquatic wildlife and fisheries and also provides food chain support. Other functions include short-term sediment trapping, groundwater discharge, short-term nutrient retention, long-term nutrient retention/removal, and flood desynchronization.

Wetland 10 is located east of the University of Maryland farm and southwest of Fetlock Court. The site is classified as a palustrine scrub-shrub and is centered on a stream channel. The dominant vegetation includes Red maple (Acer rubrum), Box elder (Acer negundo), and Spice bush (Lindera benzoin). Wetland 10 has a "high" value due to its nutrient export and fish and wildlife habitat functions.

Wetland 10A is located west of the University of Maryland farm. It is a palustrine scrub-shrub system based on an old farm pond. The dominant vegetation is Silky dogwood (Cornus amonum), Black willow (Salix nigra), and Soft rush (Juncus effusus). The site has a "low value" based on its limited wetland functions.

Wetland 11 is located 550 feet to the southeast of Old Montgomery Road. It consists of a palustrine forested stream channel and two mitigation sites for the Brightfield development. The dominant vegetation of this wetland consists of Sweetgum (Liquidambar styraciflua), Red maple (Acer rubrum), Tulip tree (Liriodendron tulipifera), Skunk cabbage (Symplocarpus foetidus), Crested fern (Dryopteris cristata), and Multiflora rose (Rosa multiflora). A "medium" value has been assigned to Wetland 11 as it includes such functions as short-term, sediment trapping, groundwater discharge, short-term nutrient removal, long-term nutrient retention/removal, and flood desynchronization.

Wetland 11A is located west of Meadowridge Road and south of Brightmeadow Court. The site is a palustrine drainage swale and palustrine forested stream channel dominated by Red maple (Acer rubrum). The system has a "medium" value.

Wetland 12 is a palustrine forested stream channel located approximately 500 feet east of Meadowridge Road. Dominant vegetation included Red maple (Acer rubrum), Sweetgum (Liquidambar styraciflua), Tulip tree (Liriodendron tulipifera), Cinnamon fern (Osmunda cinnamomea), Marsh fern (Thelypteris thelypteroides), and Skunk cabbage (Symplocarpus foetidus). A functional value of "medium" has been given to Wetland 12 which includes short-term and long-term sediment trapping, short-term nutrient retention, long-term nutrient retention/removal, groundwater discharge, and flood desynchronization.

Wetland 13 is located at the end of the proposed alignment near I-95. This palustrine forested wetland is primarily vegetated with Red maple (Acer rubrum), Smooth alder (Alnus serrulata), Tulip tree (Liriodendron tulipifera), Jewelweed (Impatiens capensis), Skunk cabbage (Symplocarpus foetidus), and Crested fern (Dryopteris cristata). A "medium" functional value has been given to Wetland 13 as a result of its abilities in short-term and long-term sediment trapping, long-term nutrient retention/removal, groundwater discharge, and flood desynchronization.

9. Active Agricultural Lands

Active agricultural lands are found in five locations within the study area and are included in Figures III-3 and III-4 (University of Maryland Animal Husbandry Farm is designated institutional). The four parcels pertinent to this discussion are as follows.

The Curtis-Shipley Farm is located west of the Hunt Country Estates subdivision and borders the southern edge of the Villages of Montgomery Run. This property is currently zoned Mixed Use. The farm consists of 77 acres actively cultivated for soybeans and corn. The farm's agricultural fields border Deep Run and an unnamed branch of Deep Run passes through the property. Although the cultivation of the farm fields limits its wildlife value, the presence of Deep Run and bordering forested areas provide a level of wildlife habitat.

The University of Maryland Animal Husbandry Farm is located immediately adjacent to the Curtis-Shipley farm and is also zoned Mixed Use. The facility's 88 acres are largely used for pasture land or hay fields. The hay fields are separated from the main body of the farm by Deep Run, adding to the area's wildlife habitat value. The pasture land and hay fields are composed of a mix of bluegrass, fescue, and various other grasses and legumes.

Howard County owns a 28-acre agricultural field southeast of and adjacent to Old Montgomery Road and north of Deep Run. The land is leased to area farmers who utilize the field as a source of hay. The field is composed of various grass and legume species typically found in hay fields. The future status of this field is uncertain since the County is apparently interested in selling this property. The current and future zoning of this area is government/institutional and this site is a potential location for future community and government facilities.

The last agricultural area is a privately owned farm located adjacent to and southwest of MD 103 and east of the Brightfield apartment complex. The area is zoned low density residential, is actively utilized for cattle and is composed of a similar mix of plant species as described for the University of Maryland's Animal Husbandry Farm. The 22- acre pasture, part of the 47.6-acre property, is bordered by a forested area to the south and is partly bisected by Wetland 11A. These features add to the wildlife habitat value of the property.

10. Old Fields

Old field areas within the study area are shown on Figure III-3. The distribution of these areas is somewhat scattered, but are generally found in two areas.

The first site is located between the Villages of Montgomery Run and the Glen Mar subdivision. The site appears to have only recently been taken out of agricultural use. It is comprised of a mixture of hayfield grasses and has yet to fully exhibit a diverse mix of grasses and wildflowers typical of old field settings. A large portion of this area will be developed in the near future as part of the Montgomery Meadows subdivision.

The second old field site is found near the I-95 interchange adjacent to forest system F13. It is an open area in an advanced successional state with Black cherry and scattered Virginia pine being the dominant trees found in the area. There is also a large crop of red maple and sassafras seedings. Ground cover is thick and diverse consisting of species such as strawberry (Fragaria sp.), poison ivy (Toxicodendron radicans), blazing star (Liatris sp.), onion (Allium sp.), yarrow (Achillea millefolium), and a variety of Vitis and Aster species. The diverse nature of this system and its close proximity to wetland and forested upland areas makes it ideal habitat for upland wildlife species. This area is planned as a public golf course and residential development in the near future.

11. Aquatic Habitat

Aquatic habitat within the study area is limited to Deep Run and the unnamed tributaries associated with this stream. There are no lakes or ponds located within the study area.

A description of Deep Run and a discussion of its existing water quality was previously presented. In addition, many of the wetland systems described previously include segments of these streams.

FEIS include additional development in adjacent or nearby uplands and associated increases in sediment loading and stormwater runoff. The construction of the regional stormwater management facility on Deep Run near Montgomery Meadows has had an as yet undetermined influence upon the Deep Run system. A discussion of the fish and wildlife expected to inhabit the study area is presented in the following section of this report.

12. Wildlife Habitats

Wildlife habitat within the study area is diverse. Forested uplands, old fields, emergent and forested wetland systems, and active agricultural fields with edge habitats are found throughout the project area. However, many of these habitat areas are fragmented, showing signs of stress and are under continued pressure from residential developments. Since the 1989 FEIS, a number of different wildlife habitat areas have been lost due to these development pressures.

a. Mammals

The study area's mix of wooded upland and wetland hardwood systems provides excellent food and cover for a variety of mammalian species. Typical species

include whitetail deer, gray squirrel, opossum, and raccoon. These species also utilize old field habitats as well as edge habitats adjacent to agricultural areas. Edge areas as well as old field or forested thickets also provide excellent habitat for cottontail rabbits and a wide range of small rodent species. The forested stream beds associated with Deep Run and Red Hill Branch also provide sources of food, water, and excellent protected migration corridors for deer and raccoons.

b. Reptiles and Amphibians

The relative lack of surface waters within the study area limits the amount and quality of available reptilian and amphibian habitat. However, the various wetland and stream systems provide ample habitats for a variety of salamander (Ambystomatidae) and frog species (Rana sp. and Hyla crucifer). Many of these same species also utilize vernal pools during a component of their life cycles. Vernal pools are common in the study area in forested wetland areas as well as mesic and transitional forested upland areas.

Reptilian species also are known to inhabit the study area. A variety of common snake species such as the garter snake, black snake, red-bellied snake, and black racer could inhabit virtually any of the upland sites. Other species of reptiles such as the fence lizard are also likely to be found in the study area. Water dependent species of turtle such as the snapping turtle, stinkpot, and painted turtle are expected to be relatively scarce within the study area because of the minimal amount of habitat.

c. Birds

The study area provides a degree of nesting and feeding habitat for a variety of passerine species. A major limiting factor would be the fragmented nature of the forested upland and stream habitats found in this study area. However, many forms common to suburban areas such as the English sparrow, blue jay, and robin can be expected to inhabit the study area.

Non-passerine bird species also are known to inhabit the study area. During field work for this project, killdeer were observed in open field areas and red-tailed hawks and turkey vultures were observed at various times throughout the study area.

13. Fisheries Resources

Two species of anadromous fish (alewife and blueback herring) are known to have historically inhabited the study area in the vicinity of Deep Run. Due to downstream barriers to migration, sedimentation and uncontrolled stormwater runoff,

these species no longer utilize this stream. Federal and State fisheries resource agencies are attempting to re-establish these species in Deep Run, but to date these efforts have been unsuccessful. Discussions with the National Marine Fisheries Service (NMFS) project biologist indicate that downstream barriers have been the major impediment to re-establishing these species although a second major factor is the large volume of stormwater runoff discharged into Deep Run. NMFS biologists have noted that the high stream velocities brought about by stormwater discharges erode banks and channels and cause major sedimentation problems. It is doubtful that spawning populations could be re-established in Deep Run without addressing the stormwater issue. However, the regional stormwater management facility may help to alleviate these discharges. The exact influence of this facility is uncertain at this time.

In spite of this stormwater situation, Deep Run provides habitat for a number of warm water fish species. They include the American eel, Stone roller, Cutlip minnows, Swallowtail shiner, Satin fin shiner, Common shiner, Black-nosed dace, and Creek chub. With the possible exception of the eel, none of these species are of any commercial or recreational importance.

14. Threatened, Endangered or Rare Species

The 1989 FEIS stated that field surveys and coordination with the U.S. Fish and Wildlife Service (USFWS) and the Maryland Forest, Park and Wildlife Service have revealed no known populations of threatened, rare or endangered species within the study area. Preliminary coordination with the USFWS has indicated that this has not changed for federally listed threatened and endangered species (see Section VIII). Written coordination with the USFWS has been initiated although a response has not yet been received.

The Maryland Natural Heritage Program provided a list of State Endangered Species which might occur within the study area. These species are in isolated locations outside the actual study area (see correspondence in Section VI, Comments and Coordination).

D. Hazardous Materials

An initial site assessment was conducted at the location of a former rendering plant located approximately 800 feet southwest of the MD 103/MD 100 interchange.

During site reconnaissance, evidence of environmental hazards was observed. Aboveground storage tanks and one underground storage tank containing petroleum products were identified. The presence of empty drums throughout the site and the composition of unknown substances stored in abandoned trailers are of concern. The

presence of animal skins and the former impoundment area are also concerns should they be disturbed during construction.

E. Air Quality

The MD 100 project is within the metropolitan Baltimore Interstate Air Quality Control Region. While only a portion of the region does not meet the primary standards for carbon monoxide (CO), the entire region is subject to transportation control measures such as the Vehicle Emissions Inspections Program. Figure III-6 illustrates the location of air receptor sites within the study area.

A more detailed microscale air quality analysis performed to determine the carbon monoxide (CO) impacts of the proposed project is described in Section IV of this report.

F. Noise Conditions

A total of 16 noise sensitive receptors (NSRs) were analyzed following the 1989 FEIS noise analysis. Of these 16 sites, 5 were contained in the 1989 FEIS (sites numbered less than 20). The remaining 11 (Sites 23 through 31, 34 and 35) were considered in this analysis because of their potential to be impacted by the roadway alignments now under consideration or because they are part of development that has occurred since the 1989 FEIS. Figure III// shows the locations of each of the 16 noise sensitive sites, while their locations in relationship to the alignment alternatives are shown Section II.

An on-site noise monitoring program was conducted on June 10 and 13, 1992 using a Metrosonics dB-308 Sound Level Dosimeter/Analyzer, which calculates and stores a variety of noise metrics, including L_{eq} (h). Measurements were made for 30-minute periods at 13 representative sites. At two sites, Site 28 (University of MD Husbandry Farm) and Site 30 (Curtis-Shipley right-of-way), field crews were unable to obtain permission to monitor these locations. Table III-9 contains the results of the monitoring program as well as the 1989 FEIS monitored noise levels of 1988.

The results of a noise impact analysis for this project are discussed in Section IV of this document.

TABLE III-9

NOISE MONITORING SUMMARY (All Values in dBA)

Noise Sensitive Site	Noise Sensitive Area	FEIS Monitored Levels $[L_{eq} (h)]$	1992 Monitored Levels [L _{eq} (h)]
3	L	53	55
5	В	49	47
6	К	49	50
7	С	51	52
18	С	65	64
23	В	-	47
24	К		51
25	В	-	47
26	К	-	52
27	0		54
28	0	-	**
29	0	-	68*
30	0		**
31	В	-	47
34	Α		52
35	A	-	65

^{*}Approaches or exceeds FHWA noise abatement criteria. **Unable to access site for noise monitoring.

Sect. IV Env. Conseq.

Section IV

Environmental Consequences

IV. ENVIRONMENTAL CONSEQUENCES

A. Social Impacts

1. Residential Relocations

Preliminary relocation and right-of-way acquisitions for the MD 100 alignment alternatives are discussed in this section. Table IV-1 summarizes the relocations anticipated for each alternative and their locations are shown in Section III of this document. The relocations for each alternative involve single-family residences exclusively. Relocation and right-of-way reports for this project are available for review at the State Highway Administration, District 7, Office of Real Estate, 5111 Buckeystown Road, Frederick, Maryland 21701.

As stated in the 1989 FEIS, Alternative 3 requires three residential relocations. Two of these relocations (Sites 1 and 2) are located in the area of the proposed MD 100/MD 104 interchange and are required for all alignment alternatives. These residences were historically minority-owned or occupied. Following the completion of the 1989 FEIS, the state acquired these residences as hardship acquisitions and the occupants have been successfully relocated. The third relocation (Site No. 4) for Alternative 3 consisted of a residence and various outbuildings on Mullineaux Road. This property has been purchased by a developer for future development. As a result of its purchase, the family will be relocated prior to commencement of MD 100 right-of-way acquisition and construction activities. This site is no longer considered to be impacted by the MD 100 Project.

Alternative 3 - Option C Revised and Option C Modification 1 each require a total of six relocations. Two of these relocations (Sites 1 and 2) are also required for Alternative 3 as previously discussed. The four additional relocations are Site 3, Sites 5 and 6, and Site 8. Site 3 was purchased as a hardship acquisition by SHA as a result of modifications to the original MD 100/MD 104 interchange design and has been successfully relocated. Sites 5 and 6 are located on Fetlock Court in the Hunt Country Estates subdivision. These two dwellings are owner-occupied and will require relocation of two families involving at least eight individuals. The two residences are located within the proposed right-of-way for the MD 100 alignment. Site 8 is affected as a result of a southern shift in the alignment between Old Montgomery Road and east of MD 103. The Site 8 dwelling is owner-occupied and requires the relocation of approximately four individuals. The relocation of the occupants at this site will require low to middle income housing.

Alternative 3 - Option D, Option D Modifications 1, 2, and 3, and Option D Modification 2A (Selected Alternative) each require a total of four relocations

TABLE IV-1
RESIDENTIAL RELOCATIONS

Site No.	Alternative 3	Alternative 3 Option C Revised and Modification 1	Alternative 3 Option D Revised and Modifications 1, 2, and 3	Alternative 3 Option D Modification 2A (Selected Alternative)
1	х	х	x	x
2	х	х	х	x
3		х	х	x
4	х			
5		x		
6		х		
7**			-	
8		х	х	x
9•				••
10*				
11*	-			
12•			-	
Total	3	6	4	4

[•] No longer considered as potential relocation sites.

^{••} Relocation not needed because of retaining wall used at Snowden River Parkway Interchange.

at Sites 1, 2, 3, and 8. These four relocations are common to Alternative 3 - Option C Revised as previously discussed.

All relocations of individuals and families associated with this project will be completed in accordance with the "Uniform Relocation Assistance and Land Acquisition Policies Act of 1970, as amended in 1987." A summary of the relocation assistance program in the State of Maryland is provided in the Appendix to the 1989 FEIS. All families will be provided decent, safe, and sanitary housing within their financial means. No adverse impacts to these families or the neighborhoods into which they are relocated are expected. All relocations are expected to occur in a timely, satisfactory, and humane manner without undue hardship to those affected. The SHA estimates that all relocations will be accomplished within 12 to 18 months.

Based on housing availability in the project area, as well as current listings on the Greater Baltimore Multiple Listing Services, sufficient comparable replacement housing is available in the Howard County area. Other proposed highway projects in the area (interchange improvements to MD 32/MD 108 and US 29/Seneca Drive; roadway improvements to MD 216 and MD 175) will not affect the availability of comparable replacement housing required for the MD 100 project. Housing may not be available within the statutory limits of the Uniform Relocation Assistance and Land Acquisition Policies Act of 1970. The provisions of "housing as a last resort" will be used to provide decent, safe, and sanitary replacement housing for those affected by this project.

The acquisition of right-of-way will be required from several properties located adjacent to the proposed MD 100 project in the vicinity of Mullineaux Road and MD 104. It is not anticipated that acquisition of entire parcels will be necessary for this project. Additional right-of-way acquisition will also be required from four agricultural areas.

2. Effects on Minorities, Handicapped, and Elderly Persons

The relocations required at Sites 1 and 2 for each of the proposed development alternatives involve minority families. One of the minority families consists of an elderly couple. Both of these families have been successfully relocated by the SHA. No other minority, elderly, or handicapped families or individuals are involved with any other potential relocations for this project.

3. Summary of SHA Equal Opportunity Program

It is the policy of the SHA to ensure compliance with the provisions of Title VI of the Civil Rights Act of 1964 and related civil rights laws and regulations

which prohibit discrimination on the grounds of race, color, sex, national origin, age, religion, or physical or mental handicap in all SHA projects funded in whole or in part by the Federal Highway Administration (FHWA). The SHA will not discriminate in highway planning, highway design, highway construction, right-of-way acquisition, or the provision of relocation advisory assistance.

This policy has been incorporated into all levels of the highway planning process in order that proper consideration may be given to the social, economic, and environmental effects of all highway projects. Alleged discriminatory actions should be addressed to the Equal Opportunity Section of the Maryland SHA for investigation.

4. Community Facilities and Services

Commercial and industrial traffic volumes from U.S. 29 and I-95 are expected to utilize MD 100 instead of the local roads, thereby providing safer access to community facilities and services for residents as a result of this project. Emergency vehicles will be provided with improved access to the project area and response times could be decreased.

5. Disruption of Neighborhoods and Communities

None of the alternatives under evaluation is expected to result in major or permanent changes to the cohesion or integrity of the neighborhoods within the project area beyond the proposed linear right-of-way limits. Access along existing roadways will be maintained during and after construction activities. No formal pedestrian trails will be eliminated as a result of this project. No existing or planned residential subdivisions will be divided by this project. Further study and coordination with local officials for pedestrian access will be required during the design phase.

Neighborhoods in the project area are expected to benefit from reduced truck traffic on local roads. MD 100 will also provide an alternate travel route for trucks currently using MD 103 and MD 108. Commuters and neighborhoods would also benefit from the MTA bus service scheduled for MD 100 and from the park and ride lot for transit access between community and regional facilities.

6. Effects on Parks and Public Recreation

All of the alternatives for this project will impact a portion of Howard County Senior High School as a result of widening MD 108. No property considered recreational will be impacted; therefore, Section 4(f) documentation is not required.

Alternative 3 (1989 FEIS Selected Alternative) and its modifications each impact designated open spaces to a varying degree. According to the Howard County Department of Parks and Recreation which owns these parcels, these open space impacts are flood protection areas containing utility and drainage easements and stormwater management facilities, or provide buffer areas to communities. There are no plans to develop any of these parcels to active recreational use. The FHWA has concurred that these areas are not Section 4(f) properties. Table IV-2 summarizes these impacts by alternative.

B. Effects on Water and Sewer Service

All of the alternatives for this project will require the crossing of a number of existing water and sewer lines. During construction, short-term localized losses of service could potentially occur. To minimize the likelihood of impacts for all road construction projects, and all crossings and pipeline relocations will be fully coordinated with the Howard County Public Works Department.

C. Economic Impacts

1. Business and Agricultural Relocations

No business relocations will be required for any of the proposed alternatives. Alternative 3 Option C Revised and Modification 1 will require right-of-way from an in-home Day Cay Center located on Fetlock Court, but will not require its relocation. No farms are expected to be functionally impacted due to the proposed right-of-way acquisitions. However, Alternative 3, as well as Option D Revised and Option D Modifications 1, 2, 2A, and 3, will require right-of-way acquisitions from four existing active agricultural areas. Option C Revised and Option C Modification 1 will require right-of-way acquisitions from three of these same active agricultural properties.

The four agricultural areas are identified on Table IV-3 which indicates both the acreage of right-of-way required by the alignment alternatives, as well as the resultant percentage of acreage reduction for each property. These agricultural areas are as follows:

• The 77-acre Curtis-Shipley Farm, currently used for corn and soybean production, will experience impacts from 0 acres with Option C Revised and Option C Modification 1 to 10.8 acres with Option D Revised, Option D Modification 2, and Option D Modification 2A (Selected Alternative), resulting in a reduction in size by 0 percent to 14 percent, respectively.

TABLE IV-2

SUMMARY OF OPEN SPACE IMPACTS (IN ACRES)

Alternative 3	Alternative 3 Option C Revised	Alternative 3 Option C Modification 1	Alternative 3 Option D Revised	Alternative 3 Option D Modifications 1, 2, 3	Alternative 3 Option D Modification 2A (Selected Alternative)
2.2	5.3	5.5	3.0	3.6	3.6

TABLE IV-3 AGRICULTURAL IMPACTS

	Curtis-Shipley Farm			D Animal dry Farm	Hay Field Howard		Cattle Pasture Along MD 103	
Alternatives	Required Taking in Acres	Percent Size Reduction						
Alternative 3	1.3	1.6	35.9	41	8.9	19	8.7	18
Alternative 3 Option C Revised	0	0	35.9	41	11.4	41	11.5	24
Alternative 3 Option C Modification 1	0	0	26.4	30	11.4	41	11.0	23
Alternative 3 Option D Revised	10.8	14	26.2	30	11.4	41	11.5	24
Alternative 3 Option D Modification 1	9.7	12.6	21.6	24	10.1	36	11.0	23
Alternative 3 Option D Modification 2	10.8	14	21.6	24	10.1	36	11.0	23
Alternative 3 Option D Modification 3	9.7	12.6	21.6	24	10.1	36	11.0	23
Alternative 3 Option D Modification 2A (Selected Alternative)	10.8	14	21.6	24	10.1	36	11.0	23

- The 88-acre University of Maryland Animal Husbandry Farm, currently used for pasture land and hay production, will experience impacts ranging between 21.6 acres with Option D Modifications 1, 2, and 3 and Option D Modification 2A (Selected Alternative) to 35.9 acres (Alternative 3 and Option C Revised), with a reduction in size ranging from 24 percent to 41 percent, respectively.
- The 28-acre field owned by Howard County, currently leased to area farmers for hay production will experience impacts from 8.9 acres (Alternative 3) to 11.4 acres (Option C Modification 1 and Option D Revised). These impacts will reduce the size of the field by 31 percent to 41 percent, respectively. Option D Modification 2A (Selected Alternative) impacts 10.1 acres, a reduction of 36 percent.
- The 47.6-acre cattle pasture along MD 103 has only 22 acres in active agricultural use. Impacts range from 8.7 acres with Alternative 3 to 11.5 acres with Option C Revised and Option D Revised. Option D Modification 2A (Selected Alternative) impacts 11.0 acres. All of the required property is considered active pasture area. The owner will experience a loss of use from 40 percent to 52 percent of this portion of the property. The reduction in pasture size may require a corresponding reduction in herd size.

Residential and commercial development is feasible for all of these agricultural properties. None of the build alternatives should significantly reduce the development potential of the remaining acreages. The total agricultural impacts, comparing Alternatives, range from 48.8 acres (Alternative 3 Option C Modification 1) to 59.9 acres (Alternative 3 Option D Revised). The Selected Alternative impacts a total of 53.5 acres of agricultural land. The original (1989) Alternative 3 impacts 54.8 acres of agricultural land. Although this impact seems high it was not a substantial difference over the other Alternatives when comparing all associated impacts and was not a major factor in the ultimate selection of a preferred alternative.

2. Effects on Regional Business Activities

The MD 100 project corridor is surrounded by several economic activity centers. These include the City and Port of Baltimore, the Baltimore/Washington International Airport, Fort George G. Meade Military Installation, government office

complexes located in Annapolis and Ellicott City, and the town center of Columbia. The long-range goal of Howard County is to encourage growth of employment centers to complement residential growth. Currently, four industrial parks (existing or proposed) are located within the MD 100 project corridor. Each of the proposed alignment alternatives will accommodate the planned expansion of these industrial and business sections within the study area by improving access and efficiency of travel. The improved roadway system will also help to attract new business and industry to the County.

With each of the proposed alternatives, commercial traffic will have a more direct access to and from major highways and to industrial/employment areas in the project corridor. Each of the proposed alternatives will also separate commercial truck traffic from local residential commuter trips, thereby improving travel efficiency and safety in the project corridor.

The Howard County General Plan (1990) addresses the short-, medium-, and long-range trends for future development. Highway improvements are an integral part of these plans. The County's plan shows the approximate corridor of MD 100 as a needed transportation facility to accommodate existing and planned development.

3. Effects on Local Business Activities

The economic development of Columbia and surrounding areas within the eastern portion of the County depends on many factors, one of which is improved transportation facilities. The Howard County General Plan indicates increased economic development within three areas of the MD 100 corridor: the vicinity of the interchanges of US 29/MD 103 and I-95/MD 100 and the expansion of the existing Oakland Ridge Industrial Park along MD 108. Adequate and efficient access to these areas is an integral part of these economic development plans.

Each of the proposed alternatives will better accommodate existing and proposed industrial developments by providing direct access to major highways (U.S. 29 and I-95) and a more efficient system for the transportation of goods and services, thereby avoiding costly delays.

4. Effects on Tax Base

Each of the proposed alternatives will efficiently accommodate existing and proposed developments in the project corridor. This in turn will have a positive effect on the County's tax base.

Since the Howard County General Plan supports growth in the area and incorporates an approximate project alignment for MD 100, continued development of residential and industrial land uses is expected to follow the completion of the project. As the area continues to develop, it is likely that property values will increase. As tax assessments for these properties are revised and housing densities increase, the County's potential tax base should also increase. Additional employment resulting from increases in commercial and industrial developments will have a secondary effect of increasing tax revenues.

D. Land Use and Land Use Planning

Growth in the study area is consistent with the Howard County General Plan. The County supports and encourages growth in the proposed MD 100 corridor and recognizes the extension of MD 100 as an integral element of these plans. Thus, all of the proposed alternatives are consistent with future land use plans for the area.

The proposed highway improvements will help to accommodate the planned regional and local industrial and residential growth that is expected to occur regardless of whether MD 100 is constructed.

E. Transportation

The 1989 FEIS provides the levels of service and average daily traffic estimates for MD 100 and connecting routes associated with Alternative 3. This information is still relevant for the alternatives under consideration in this document.

Consistent with the July 23, 1993, U.S. DOT Memorandum entitled, "Addressing Congestion Management Systems Requirements in Environmental Documents," the following multi-modal travel demand reductions and operational strategies have been evaluated for the MD 100 corridor.

1. Transportation Demand Measures

The MD 100 corridor, from U.S. 29 to I-95, will be serviced by two park and ride lots when completed. One lot is currently located in the southeast quadrant of the U.S. 29/MD 108 interchange. The second lot is proposed in the southwest quadrant of the MD 100/Long Gate Parkway interchange currently under construction. Each of these lots is designed to accommodate MTA bus service. Currently, the park and ride lot located at U.S. 29/MD 108 does not have active bus service. The one located at MD 100/Long Gate Parkway will have full MTA service once MD 100 is constructed from U.S. 29 to I-95. These two lots will provide parking for approximately 410± vehicles and provide bus service to BWI and the new Dorsey Rail

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Station located east of I-95. Capacity problems in the MD 100 corridor would not substantially change with full use of these lots. The new lot will replace the existing lot eliminated as a result of two construction projects. The capacity of the existing lots was a total of 150 spaces. It is not anticipated that additional spaces are needed in the future, but the Park-N-Ride lot located at Long Gate Parkway and MD 100 could be expanded if needed.

2. Traffic Operational Improvements

Early in the project planning phase, several existing road/service road alternatives were analyzed. These alternatives varied in typical sections and access controls, and resulted in significant socioeconomic and cultural impacts. These alternatives also did not address the congestion problems in the MD 100 corridor. Discussions of these alternatives can be found in the 1989 FEIS, Section II as well as the 1992 Draft Supplemental Environmental Impact Statement (DSEIS) Section II (Alternatives Considered). Due to the substantial environmental impacts, upgrading the existing roadways was not considered a viable alternative for reducing congestion in the corridor.

3. HOV Facilities

The MD 100 corridor serves a wide diversity of movements to major destination centers in Columbia, BWI Airport, Glen Burnie, Fort Meade, and Annapolis. Continued growth in these major centers of the corridor will elevate congestion. Most of the major areas within the MD 100 corridor are projected to increase in both population and employment. The existing roadway network will not handle the projected increase in traffic volumes resulting from this growth. The completion of high-type roadway connections between Columbia and Annapolis reduces travel time for that movement by about 20 percent to under 60 minutes according to the State Wide Commuter Assistance Study published in 1990. This study utilized traffic volumes developed by the Baltimore Metropolitan Planning Organization. The results were presented to State and County officials and all interested groups requesting information on the study.

This study evaluated express bus service, shoulder bus lanes, and HOV lane alternatives for Corridor 18 which included MD 100. The results of this report indicated that express bus service was a viable alternative for commuter travel within the corridor. HOV lanes and regular bus service along MD 100 were not shown to be effective.

Although this report did not justify bus service or HOV lanes on MD 100, SHA and MTA have made provisions in the design efforts to include bus service,

with access to the $410\pm$ space park and ride lots, previously cited. This coordination also resulted in the design of a facility that would be able to accommodate HOV lanes in the future when potential ridership increases. If HOV lanes become viable after the design year, MD 100 would support or accommodate the construction of these lanes within the median.

4. Public Transit Capital and Operational Improvements

The MD 100 project will include a major park and ride facility located at U.S. 29/MD 100/Long Gate Parkway interchange. This facility is designed to fully accommodate MTA bus services. This expanded service would provide access for the major growth areas to the new Dorsey Rail Station, located east of I-95 as well as the BWI Airport.

5. Pedestrian Access

Since MD 100 would be a controlled access facility, pedestrian access will not be permitted. However, for the design of the park and ride along the mainline alignment, pedestrian safety will be a primary issue. The park and ride lot located at the western end of MD 100 has been coordinated with the Howard County Department of Recreation and Parks. Howard County has plans to construct a multi-recreational use park located adjacent to the park and ride facility. The design of this park and ride facility will allow for expanded park parking and pedestrian trails to the active and passive recreational areas of the park. Pedestrian access from the adjacent communities will be via a sidewalk on the Long Gate Parkway Bridge, however, no dedicated bikeways are provided.

6. Congestion Pricing

A report prepared by the MD Transportation Authority in January 1992, entitled "MD 100 Toll Facility Study," which utilized traffic volumes developed by the Baltimore Metropolitan Planning Organization, summarized the effects on the corridor if MD 100 was a toll facility. Toll revenues would vary between an estimated 11 to 49 percent. Generally, tolls are considered on facilities that attract a significant volume of "Out-of-State" or occasional users. MD 100 would be primarily a commuter route, therefore little "Out-of-State" money would be attracted. Also, because of the existing roadway network within the MD 100 corridor, a significant percentage of potential users would direct to parallel routes if tolls were charged on MD 100. Dorsey Road and MD 32 are just two of the potential diversion routes if MD 100 were a toll facility.

7. Access Management Techniques

Being a controlled access facility, the interchanges associated with the MD 100 project have been strategically located within the growth areas of the corridor. By doing this, MD 100 supports planned development in the vicinity of these access points. MD 100 promotes regional economic growth and provides better access to BWI Airport and the industrial development adjacent to the airport.

8. Growth Management

Consistent with the Howard County General Plan, MD 100 will be a controlled access highway through eastern Howard County connecting to Anne Arundel County. The eastern portion of Howard County has been designated as a growth area and the MD 100 corridor is vital to its development. MD 100 will support local and regional traffic to and from major economic centers within the County and adjacent counties. This project will reduce the overall travel time within the corridor and is projected to distribute local and regional traffic within the existing and proposed roadway networks reducing the overall energy consumptions. MD 100 also provides opportunities for future mass transit/HOV within the entire corridor. As a controlled access facility, MD 100 promotes development in the vicinity of these access points.

F. Cultural Resources

1. Impacts on Historic Sites

The 1992 update of the original historic survey for this project determined that the Curtis-Shipley property is eligible for the National Register of Historic Places. Although the total size of the tax parcel is approximately 76.6 acres, only 49.8 acres have been included within the historic boundaries. Alternative 3 - Option D Revised and its modifications each pass through a portion of this property along a common alignment and impact 1.0 acres. No standing historic structures are within the rights-of-way for these alternatives. The State Historic Preservation Officer (SHPO) has issued a no-effect determination for Alternative 3 - Option C Revised and Modification 1. However, Alternative 3 - Option D Revised and its modifications including Option D Modification 2A (Selected Alternative) were determined to have an adverse effect (see Section V). For mitigation, the SHPO has recommended that SHA prepare a National Register nomination for the property and/or repair the Shipley graveyard.

2. Impacts on Archaeological Sites

In 1992 two sites, 18H052 and 18H0193, were determined to be potentially significant, and a Phase II evaluation was conducted to evaluate their eligibility

for the National Register. Archaeological site 18H0193 is located within the proposed right-of-way for Alternative 3 - Option D Revised and its modifications. Archaeological site 18H052 is located within the proposed right-of-way for all of the alignment alternatives under consideration, including Option D Modification 2A (Selected Alternative).

Based on the results of the Phase II evaluation, archaeological sites 18H0193 and 18H052 were determined ineligible for inclusion in the National Register of Historic Places (see Section VIII) and no additional investigation is warranted.

G. Topography and Geology

Impacts to the topography and geology in the project area resulting from the construction of Alternative 3 are the same as those reported in the 1989 FEIS. For all of the alignment alternatives under consideration, impacts would be similar to Alternative 3.

The topography in the project area presents some minor limitations to highway development. These limitations, common to all alternatives, include steep slopes in certain areas and associated erosion hazards. Slope limitations will be overcome through proper design, incorporating structural setbacks for the formation of stable slopes. Erosion will be minimized through the use of Best Management Practices (BMP) for erosion control. These BMP procedures are further discussed in the following section.

H. Soils

1. Soil Erosion

Study area soils, in general, have low to moderate erosion potential. Exceptions occur on steeper slopes adjacent to streams where the proposed improvements may cause moderate to severe erosion impacts.

Erosion potential associated with Alternative 3 has not changed since the 1989 FEIS. Most of the potential erosion problems associated with this alternative focus on its crossing of Deep Run southwest of Hunt Country Estates. Due to the shallow angle at which this alternative spans Deep Run, crossing lengths approach 1,400 feet. Slopes are steep along the creek's channel and severe erosion could result from construction activities.

In comparison, all of the alignment alternatives have shorter spanning distances across Deep Run and can be expected to present less severe erosion potential

along the creek's banks. Alternative 3 - Option D Revised and its modifications would provide the greatest distance between the road and the creek's sharpest contours and would likely present a marginal improvement to potential erosion during construction. Erosion and sedimentation problems can be addressed through proper design and construction practices. Specific techniques for erosion/sedimentation control may include:

- Limited tree cutting, grubbing, and shrub removal.
- Retaining streams in natural state.
- Temporary sediment traps and/or basins.
- Stone embedded baffles in concrete channels to act as energy dissipators.
- Berming of fills and installation of temporary slope drains.
- Permanent slope pipes at no-cut, no-fill intersections.
- Construction of serrated cuts where soils permit.
- Riprap ditches for velocity control.
- Permanent seeding and mulching as soon as possible after grading, temporary seeding where grading will be exposed for an extended period.
- Use of sheeting at critical locations to minimize excavation.

These techniques reflect the priority listing of measures to minimize erosion as recommended by the Fisheries Division of the Department of Natural Resources.

2. Prime and Important Farmlands

Anticipated impacts to prime and important farmlands resulting from the construction of Alternative 3 have not changed from the 1989 FEIS. While lands designated as Prime and Important will be acquired, impacts to prime farmlands are not considered significant because current zoning in the project area indicates mixed land use (residential, commercial, and institutional development). Many of these areas have been subdivided or are no longer used for agricultural purposes.

I. Water Resources

1. Surface Waters

Highway improvements and other land use changes associated with urbanization have a number of potentially adverse effects on water resources. For example, increases in impervious surface areas result in less rainwater infiltration and may reduce stream base flows. Similarly, unrestricted runoff from these urban impervious surfaces can drastically increase normal stream peak flow rates resulting in high levels of sedimentation and bank erosion.

Highway use results in the accumulation of potential water pollutants from roadway runoff which will collect on the road surface and nearby vegetation. Other sources of contamination include chemicals such as deicing compounds and abrasives applied to roadway surfaces, as well as fertilizers, defoliants, and pesticides used to control vegetation in natural areas. Untreated runoff from impervious surfaces can result in the discharge of high levels of these pollutants into receiving surface waters during rain events.

In addition to these potential long-term impacts, several short-term impacts to surface water systems are associated with highway construction. These impacts consist mainly of sedimentation and erosion during project construction and the removal of or damage to riparian vegetation.

As previously discussed, Deep Run is the major stream which drains the study area. Each of the build alternatives under evaluation vary in crossing points and degree of impact to the Deep Run system. Common to all alternatives and modifications is the relocation of approximately 600 feet of an unnamed tributary to Deep Run located at Wetland 7. This relocation occurs just west of the regional stormwater management facility and north of the Villages of Montgomery Run. Potential long-term impacts resulting from this relocation include soil erosion, siltation of stream beds, loss of natural stream meanders, and displacement of aquatic habitat. Because this stream drains directly into the regional stormwater facility, some of these impacts should be mitigated. Additional mitigation will be developed through coordination with appropriate environmental agencies. Coordination will be maintained throughout the design and construction phase of this project.

As indicated in Table IV-4, the largest impact to the Deep Run system will occur from Alternative 3, which uses standard 2:1 slopes. This alternative requires the relocation of approximately 1,400 feet of the main channel of Deep Run. This relocation would occur downstream from the regional stormwater management facility and west of Hunt Country Estates. Total channel impacts which include main channel and

TABLE IV-4

SUMMARY OF TOTAL CHANNEL AND TRIBUTARY IMPACTS (IN LINEAR FEET)

Avoidance/ Minimization Measure	1989	Alternative 3 Option C			Alternative 3 Option D			
	FEIS Alt. 3	Revised	Mod 1	Revised	Mod 1	Mod 2	Mod 3	Modification 2A (Selected Alternative)
Standard Slopes (2:1)	4,505	3,050		3,025				
Steep Slopes (1:1)		-	2,390		2,775	2,500	2,525	
Walls Along Wetlands		-	2,100		2,300	2,300	2,310	2,200
Bridges Across Channel			2,100		2,300	2,300	2,310	***
Bridges Across Wetlands			1,200		1,000	1,180	1,000	
Bridges Across Floodplains			1,200		1,000	1,180	1,000	

⁻⁻⁻ Avoidance/Minimization Measure not analyzed for this alternative.

tributary relocations as well as stream length in culvert is 4,505 feet with Alternative 3. The long-term and short-term impacts to Deep Run are high with this alternative and a major mitigation effort would be required to minimize impacts to the Deep Run system. No other alternative under evaluation would require this stream relocation.

Alternative 3 - Option C Revised avoids the main channel stream relocation by following an alignment shift to the north. However, this alternative would require the construction of a large culvert at Deep Run just south of the regional stormwater management facility. Total channel impact with Option C Revised using standard slopes is 3,050 feet.

Option C Modification 1 further reduces channel impacts. This modification is the same as Option C Revised; however, by incorporating steep slopes (1:1) or bridge structures to carry MD 100 over Deep Run wetlands, channel impacts are minimized to 2,390 feet and 1,200 feet, respectively.

Alternative 3 - Option D Revised follows a southern alignment between the regional stormwater management facility and Old Montgomery Road. This results in no direct mainline crossing of Deep Run itself, but does require two crossings of small unnamed tributaries to Deep Run. The southern alignment followed by this alternative also eliminates the need for a Snowden River Parkway crossing of Deep Run. It should be noted that Option D Revised crosses Deep Run at the existing Old Montgomery Road bridge over Deep Run. However, the MD 100 mainline would span this crossing on bridge structures and would not directly impact Deep Run. Total channel and tributary impacts with Option D Revised using standard slopes is 3,025 feet.

As stated previously, the four modifications associated with Option D Revised are a result of further refinements to minimize impacts to the main channel and tributaries of Deep Run and adjacent wetlands. Table IV-4 shows that the use of a bridge structure across wetlands or floodplains would minimize impacts to Deep Run to 1,000 feet with Option D Modifications 1 and 3. With the four modifications to Option D Revised, the greatest impact to this system is 2,775 feet with Modification 1 using steep slopes (1:1) as an avoidance and minimization measure. Option D Modification 2A (Selected Alternative) impacts 2,200 feet of stream channel. This alternative includes a cantilevered retaining wall at Wetlands 6A and 8 as well as retaining walls located at the edge of the roadway shoulder to protect or minimize impacts to the other wetlands.

Alternative 3 - Option D Modification 2A (Selected Alternative) will be designed in accordance with the Maryland Stormwater Management Act which limits increases in downstream discharges. By limiting the discharges into streams, the quantity of pollutants can also be limited.

Because of the proximity of the alignment alternatives to Deep Run, stormwater management is critical to maintaining water quality in the study area. Stormwater management features will be incorporated into the design of the project in the following order:

- On-site infiltration
- Flow attenuation by open swales and natural depressions
- Stormwater retention structures
- Stormwater detention structures

These measures can significantly filter out roadway pollutants as well as control the rate of runoff. Future runoff will not exceed present rates for existing land uses.

Stormwater runoff for the proposed project will be managed in accordance with the Maryland Department of the Environment's "Stormwater Management Guidelines for State and Federal Projects."

2. Groundwater

The construction of roadway projects can affect groundwater systems in several ways. During construction, cut and fill operations may expose groundwater aquifers resulting in a general lowering of water levels and flow rates. Once exposed, groundwater quality could be affected through contact with deicing compounds, trace metals, hydrocarbons, and herbicides associated with highway operations.

In addition, since groundwater in the study area is recharged primarily by rainfall, any increase of impervious surfaces in the study area could potentially influence groundwater recharge rates. Although the impervious surfaces associated with MD 100 will not in themselves influence area recharge rates, the continued development of the study area may result in an overall decline of study area recharge rates.

Preliminary evaluations of potential groundwater impacts were completed by the SHA in May 1993. The results indicate that all of the alignment alternatives considered could adversely impact the groundwater base flow to Deep Run. This limited study was not intended to produce sufficient information to quantify impacts or determine which alternative would have the greatest impact. A more comprehensive study is necessary to make this determination. If soil boring analysis determines that a more comprehensive study is required, this study will be initiated by SHA during the

design phase of this project in coordination with environmental review agencies. However, it is anticipated that the difference in impact between alternatives would be minimal.

It was also noted in this evaluation that the Snowden River Parkway interchange will have greater groundwater impacts than the MD 100 mainline alignment. These impacts are due to the considerable excavation needed to connect this County project to the MD 100 alignment.

J. Floodplains

Regulatory floodplains were identified in accordance with Executive Order 11988 - Floodplain Management and 23 CFR 650.111. All of the alignment alternatives cross floodplains associated with Deep Run. Although the 100-year floodplain boundaries have been identified from FEMA Flood Insurance Rate Maps, the construction of the regional stormwater management facility and numerous residential developments has likely diminished the 100-year floodplain along the Deep Run portion of the study area.

The Selected Alternative was planned and designed with special emphasis on minimizing impacts to the natural environment. Some of these design techniques include 2:1 slopes and/or retaining walls to minimize longitudinal encroachments to wetlands and floodplains and to reduce the fill area where the Selected Alternative crosses perpendicular to the tributaries. In the area of Wetland 6a and Wetland 8, a cantilevered retaining wall was planned and will be designed to minimize longitudinal encroachments to the wetlands and floodplains along the main channel of Deep Run. This cantilevered retaining wall also provides a buffer between the floodplain and the proposed roadway. This results in a distance of 18 feet minimum between the top of stream bank and the face of the retaining wall.

The use of standard hydraulic design techniques for all waterway openings would incorporate structures to limit upstream flood level increases and approximate existing downstream flow rates. The inverts of all proposed culverts would be set at least 1-foot below the existing stream invert to allow the formation of a "naturalized" stream bed to reform within the culvert. A second culvert located adjacent to the primary "daily flow" structure will provide additional capacity for anticipated flood levels and animal passage.

Use of the most advanced sediment and erosion control techniques and stormwater management controls available will ensure that none of the encroachments will result in risks or impacts to the beneficial floodplain values or provide direct or indirect support to further development within the floodplain.

K. Ecology

1. Effects on Terrestrial Habitat

All of the alignment alternatives will have some level of impact on terrestrial systems. For purposes of this discussion, impacts will focus on three types of upland systems: forested areas, old fields, and active agricultural lands. Cleared land, roadways, or residential developments were not considered due to the small degree of habitat value that they provide to area wildlife populations.

2. Forested Uplands

As discussed previously in Section III, eight different forested upland systems were identified as potentially being affected by the MD 100 project. Table III-7 provides background information on each of these areas, while Table IV-5 provides a summary of each alternative's impact.

A review of Table IV-5 indicates that Alternative 3 has the least impact to forested uplands, while Alternative 3 - Option C Revised and Option D Revised have the greatest impact. The table also shows that impacts for all of the alternatives are identical for forested upland systems F7 and F9 through F11. All variations in impacts are found with forested upland systems F8, F12, F13, and F14 and are due to the various wetland impact avoidance and minimization features incorporated into each alternative. It should be noted that the Snowden River Parkway will not impact any forested system within the study area.

Since variation in impacts between alternatives occurs with only four of the forested upland systems, the following discussion will focus on these areas.

Forest system F8 is located northwest of MD 104 and east of the Howard County Senior High School. The forest is adjacent to Wetland 5 and is a healthy, diverse system of mixed hardwoods including Chestnut Oak, Northern Red Oak, American Beech and Red Maple. It is a mesic system and exhibits an area of transition from an upland forest to the Wetland 5 system. Alternative 3 would not impact this system since its interchange ramps are located on the southeast side of MD 104. All other alignment alternatives including Option D Modification 2A (Selected Alternative) incorporate an interchange design intended to avoid impacts to Wetland 6. This requires placing the eastbound on/off ramps on the west side of MD 104, resulting in 4.4 acres of impact to this forested site.

TABLE IV-5
SUMMARY OF UPLAND FOREST IMPACTS
(IN ACRES)

		Alterna Optic	ative 3 on C	Alternative 3 Option D						
Forest No.	FEIS Alt. 3	Revised	Mod 1	Revised	Mod 1	Mod 2	Mod 3	Mod 2A (Selected Alternative)		
7	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0		
8	0.0	4.4	4.4	4.4	4.4	4.4	4.4	4.4		
9	5.8	5.8	5.8	5.8	5.8	5.8	5.8	5.8		
10	5.9	5.9	5.9	5.9	5.9	5.9	5.9	5.9		
11	0.3	0.3	0.3	0.3	0.3	0.3	0.3	0.3		
12	2.5	1.8	1.8	1.9	1.8	1.8	1.8	1.8		
13	10.2	9.9	9.9	9.9	9.9	9.9	9.9	8.9		
14	3.5	5.5	4.4	3.4	3.4	3.4	3.4	3.4		
Total	30.2	35.6	34.5	33.6	33.5	33.5	33.5	32.5		

Forest system F12 is located south of the Brightfield subdivision adjacent to Wetland 11. This is a healthy and diverse mesic system located in a non-wetland floodplain. Typical species include White Oak, Chestnut Oak, Red Maple, and Tulip Tree. Option C Revised and the four modifications to Option D Revised have the least impact of any alternative on this system. Alternative 3 has slightly greater impacts due to the northern location of the alignment east of Old Montgomery Road at Wetland 11, resulting in additional impacts to the adjacent upland forests. Option D Modification 2A (Selected Alternative) impacts 1.8 acres of forest system F12.

Forest system F13 is located at the southern terminus of the project adjacent to Wetland 13 and the I-95 interchange. It is a diverse mesic system which transitions into Wetland 13. It is also the largest continuous forest stand in the study area. Typical species include Red Maple, Tulip Tree, Northern Red Oak, and Flowering Dogwood.

Alternative 3 has the greatest impacts to forest system F13. Option C Revised, Option C Modification 1, and Option D Revised and Modifications 1, 2, and 3 have the least impacts because they follow a more southerly alignment between MD 103 and the I-95 interchange. As previously discussed, the intent of this alignment shift is to avoid and minimize impacts to Wetlands 11 and 12. Option D Modification 2A (Selected Alternative) impacts 8.9 acres of forest system F13.

Forest system F14 is located south and southeast of both Hunt Country Estates and Montgomery Meadows. This is a second growth mesic system on sloped areas transitioning to Wetlands 6A, 8, 9, and 10. Typical tree species include Northern Red Oak, Red Maple, and Green Ash.

Alternative 3 - Option C Revised has the greatest impacts to forest system F14 as a result of the alignment crossing a large portion of this system in the vicinity of Wetlands 6A and 8. Option D Revised and its modifications have the least impacts because the alignment shifts approximately 250 feet to the south in this area. Option D Modification 2A (Selected Alternative) impacts 3.4 acres of this forest system.

In summary, Alternative 3 has the least impacts to forested upland systems. Alternative 3 - Option C Revised has the greatest impacts to forested upland systems. Option D Modification 2A (Selected Alternative) impacts 33.5 acres of upland forest. The increase in impacts with this modification over Alternative 3 is the result of alignment shifts to avoid and minimize wetland and stream channel impacts.

L. Wetlands

Pursuant to Executive Order 11990, Protection of Wetlands, wetland areas potentially affected by each of the proposed alternatives were identified. All identified wetlands are palustrine and non-tidal with the majority being forested systems. A summary of the 13 wetland sites in terms of location, classification, plant species composition, and functional value is contained in Table III-8. These sites were reviewed in the field with environmental agencies on April 2, 1993, September 29, 1993, and November 30, 1993.

Table IV-6 presents a summary of the total wetland acreage impacts for each alternative corresponding to the various proposed design configurations. The design configurations correspond with the various wetland avoidance or minimization measures.

Avoidance/minimization measures include using engineered steep slopes (1:1), retaining walls and bridges spanning channels, wetlands, and floodplains. Tables IV-7 through IV-12 address each avoidance/minimization measure investigated and tabulate the impacts to the individual wetland systems.

The following provides a discussion of each wetland site which was field delineated and surveyed to quantify impacts to each wetland. The acreages identified in this discussion represent the greatest and least impacts to each wetland. The corresponding wetlands avoidance/minimization measure used at each site is also identified.

Wetland 4A is located west of MD 104 near the Timber Run development. This previously excavated area with emergent vegetation and disturbed soils was constructed in conjunction with the Timber Run development. Wetland 4A will not be impacted by any of the alignment alternatives for this project.

Wetland 5 is located south of the Timber Run subdivision and adjacent to Howard County Senior High School. It is a palustrine forested stream channel system closely associated with forest system F8. Wetland 5 will experience 0.2 acres of impacts with each of the alternatives at this location.

Wetland 6 is located on the east side of MD 104 adjacent to MD 108. It is a mixed palustrine forest/emergent system and forms the upper reaches of an unnamed tributary to Deep Run. Alternative 3 would result in approximately 4.2 acres of impact to this system. These impacts are mainly due to the location of proposed ramps for the MD 100/MD 104 interchange. Option D Modification 2A (Selected Alternative) and all other alternatives relocate these ramps to the west side of MD 104 and reduce impacts to the Wetland 6 system to 0.6 acres.

TABLE IV-6

SUMMARY OF WETLAND IMPACTS (IN ACRES)

		Alterna Optic		Alternative 3 Option D					
Design Configuration	FEIS Alt. 3	Revised	Mod 1	Revised	Mod 1	Mod 2	Mod 3	Mod 2A (Selected Alterntive)	
Standard Slopes (2:1)*	15.0	8.8		6.8			••		
Steep Slopes (1:1)	**		6.7	÷	6.2	6.0	6.0		
Walls Along Wetlands			5.5		5.1	5.1	5.1	**4.9	
Bridges Across Channel		••	5.7		5.3	5.1	5.1		
Bridges Across Wetlands			4.0	**	3.9	4.0	3.9		
Bridges Across Floodplains			4.0		3.9	4.0	3.9		

 ^{2:1} slopes were analyzed prior to development of any modifications. Following development of these
modifications, only steep (1:1) slopes were analyzed.

^{**} Option D Modification 2A was analyzed solely with walls along wetlands.

TABLE IV-7
WETLAND IMPACTS WITH STANDARD SLOPES (2:1)*

(IN ACRES)

		Alterna Optio									
Wetland No.	FEIS Alt. 3	Revised	Mod 1	Revised	Mod 1	Mod 2	Mod 3	Mod 2A (Selected Alternative)			
4A	0.0	0.0		0.0							
5	0.2	0.2		0.2							
6	4.2	0.6		0.6							
6A	0.1	0.0		0.3	••						
7	0.6	0.7	••	0.6							
8	2.7	1.2		. 0.7							
9	1.7	1.7		0.0		<u> </u>					
10	1.0	1.0		0.7							
10A	0.0	0.0	.	0.2							
11	1.6	0.3		0.3			<u> </u>				
Conserv. Areas 1 and 2**	0.0	1.2	-	1.3							
11A	0.0	0.3		0.3		<u></u>					
12	1.8	0.8		0.8							
13	1.1	0.8		0.8		-					
Totals	15.0	8.8		6.8							

 ^{2:1} slopes were analyzed prior to development of any modifications. All modifications were analyzed with
 1:1 slopes.

^{**} Conservation Areas 1 and 2 located west of MD 103.

TABLE IV-8
THAND IMPACTS WITH STEEP SLOPES (1.1)

WETLAND IMPACTS WITH STEEP SLOPES (1:1)* (IN ACRES)

		Alterna Optic						
Wetland No.	FEIS Alt. 3	Revised	Mod 1	Revised	Mod 1	Mod 2	Mod 3	Mod 2A (Selected Alternative)
4A			0.0		0.0	0.0	0.0	
5			0.2		0.2	0.2	0.2	
6			0.6		0.6	0.6	0.6	••
6A			0.0		0.2	0.2	0.2	
7			0.6		0.6	0.6	0.6	••
8			0.7		0.6	0.4	0.4	
9			0.3		0.0	0.0	0.0	••
10			1.0		0.5	0.5	0.5	
10A			0.0		0.1	0.1	0.1	••
11			0.3	••	0.3	0.3	0.3	••
Conserv. Areas 1 and 2**			1.2		1.3	1.3	1.3	
11A			0.3		0.3	0.3	0.3	
12			0.7		0.7	0.7	0.7	
13			0.8		0.8	0.8	0.8	••
Totals			6.7		6.2	6 .0	6.0	

^{*} Alternative 3 - Option C Revised and Option D Revised were analyzed with 2:1 slopes only.

^{**} Conservation Areas 1 and 2 located west of MD 103.

TABLE IV-9
WETLAND IMPACTS WITH WALLS ALONG WETLANDS*
(IN ACRES)

			Deption C Alternative 3 Option C Option D						
Wetland No.	FEIS Alt. 3	Revised	Mod 1	Revised	Mod 1	Mod 2	Mod 3	Mod 2A (Selected Alternative)	
4A			0.0		0.0	0.0	0.0	0.0	
5			0.2		0.2	0.2	0.2	0.2	
6			0.6		0.6	0.6	0.6	0.6	
6A			0.0		0.1	0.1	0.1	0.1	
7 ·			0.6		0.6	0.6	0.6	0.6	
8			0.6		0.2	0.2	0.2	0.1	
9			0.3		0.0	0.0	0.0	0.0	
10			0.3		0.3	0.3	0.3	0.3	
10A			0.0		0.1	0.1	0.1	0.1	
11			0.2		0.2	0.2	0.2	0.2	
Conserv. Areas 1 and 2**			1.2		1.3	1.3	1.3	1.3	
11A		Ī	0.3		0.3	• 0.3	0.3	0.3	
12			0.4		0.4	0.4	0.4	0.3	
13			0.8		0.8	0.8	0.8	0.8	
Total			5.5	••	5.1	5.1	5.1	4.9	

^{*} Alternative 3 - Option C Revised and Option D Revised were analyzed with 2:1 slopes only.

^{••} Conservation Areas 1 and 2 located west of MD 103.

TABLE IV-10
WETLAND IMPACTS WITH BRIDGES ACROSS CHANNEL*
(IN ACRES)

		Alterna Optio		Alternative 3 Option D						
Wetland No.	FEIS Alt. 3	Revised	Mod 1	Revised	Mod 1	Mod 2	Mod 3	Mod 2A (Selected Alternative)		
4A			0.0		0.0	0.0	0.0			
5			0.2	••	0.2	0.2	0.2			
6			0.6		0.6	0.6	0.6			
6A			0.0		0.2	0.2	0.2			
7 .	••		0.6		0.6	0.6	0.6	••		
8			0.7		0.6	0.4	0.4			
9	**		0.3		0.0	0.0	0.0	••		
10			0.4		0.1	0.1	0.1	••		
10A			0.0		0.1	0.1	0.1			
11			0.2		0.1	0.1	0.1			
Conserv. Areas 1 and 2**	••		1.2		1.3	1.3	1.3			
11A			0.3		0.3	0.3	0.3			
12			0.4		0.4	0.4	0.4	••		
13	••		0.8		0.8	0.8	0.8	••		
Totals	••		5.7	••	5.3	5.1	5.1			

^{*} Alternative 3 - Option C Revised and Option D Revised were analyzed with 2:1 slopes only.

^{**} Conservation Areas 1 and 2 located west of MD 103.

TABLE IV-11
WETLAND IMPACTS WITH BRIDGES ACROSS WETLANDS*
(IN ACRES)

		Alterna Optio		Alternative 3 Option D							
Wetland No.	FEIS Alt. 3	Revised	Mod 1	Revised	Mod 1	Mod 2	Mod 3	Mod 2A (Selected Alternative)			
4A			0.0		0.0	0.0	0.0	••			
5			0.2	•	0.2	0.2	0.2	••			
6			0.6		0.6	0.6	0.6	••			
6A			0.0		0.0	0.1	0.0	••			
7			0.6		0.6	0.6	0.6				
8			0.0		0.0	0.0	0.0				
9			0.3		0.0	0.0	0.0	•-			
10	-		0.0		0.0	0.0	0.0	••			
10A			0.0	-	0.1	0.1	0.1	••			
11			0.0		0.0	0.0	0.0	••			
Conserv. Areas 1 and 2**			1.2		1.3	1.3	1.3				
11A			0.3		0.3	0.3	0.3	•			
12		-	0.0		0.0	0.0	0.0				
13			0.8		0.8	0.8	0.8				
Total			4.0		3.9	4.0	3.9	<u>-</u>			

^{*} Alternative 3 - Option C Revised and Option D Revised were analyzed with 2:1 slopes only.

^{**} Conservation Areas 1 and 2 located west of MD 103.

TABLE IV-12
WETLAND IMPACTS WITH BRIDGES ACROSS FLOODPLAINS*
(IN ACRES)

		Alterna Optic			Alternative 3 Option D						
Wetland No.	FEIS Alt. 3	Revised	Mod 1	Revised	Mod 1	Mod 2	Mod 3	Mod 2A (Selected Alternative)			
4A			0.0		0.0	0.0	0.0				
5			0.2	••	0.2	0.2	0.2				
6	••		0.6		0.6	0.6	0.6				
6A			0.0		0.0	0.1	0.0				
7			0.6		0.6	0.6	0.6	••			
8			0.0	<u>:-</u>	0.0	0.0	0.0	**			
9			0.3		0.0	0.0	0.0				
10			0.0		0.0	0.0	0.0	••			
10A			0.0		0.1	0.1	0.1				
11			0.0	••	0.0	0.0	0.0	••			
Conserv. Areas 1 and 2**		<u></u>	1.2		1.3	1.3	1.3	••			
11A	-		0.3		0.3	0.3	0.3	••			
12			0.0		0.0	0.0	0.0	**			
13			0.8	••	0.8	0.8	0.8				
Total			4.0		3.9	4.0	3.9				

^{*} Alternative 3 - Option C Revised and Option D Revised were analyzed with 2:1 slopes only.

^{**} Conservation Areas 1 and 2 located west of MD 103.

Wetland 6A is a palustrine forested stream channel located on a tributary of the main channel of Deep Run. Wetland 6A links Wetland 8 to Wetland 6. Option D Revised with slopes (2:1) would result in 0.3 acres of impact to this system. Option C Modification 1 shifts the roadway alignment approximately 250 feet to the north to avoid Wetland 6A, thus resulting in no impacts. Option D Modification 2A (Selected Alternative) impacts 0.1 acres of this wetland.

Wetland 7 is a palustrine forested upland stream channel located west of the regional stormwater management facility and the Villages of Montgomery Run. Option C Revised will result in 0.7 acres of impact to this wetland; however, a slight southern shift to the alignment in the vicinity of this system minimizes the impact to 0.6 acres with Option C Modification 1 and the four modifications to Option D Revised. This includes Option D Modification 2A (Selected Alternative).

Wetland 8 consists of a length of the main channel of Deep Run located just downstream from the regional stormwater management facility. Alternative 3 would impact approximately 2.7 acres of this wetland and require the relocation of approximately 1,400 feet of stream channel. Option C Modification 1 and Option D Modifications 1, 2, and 3 do not result in any impacts to Wetland 8 if bridges are used to span wetlands or floodplains. Option D Modification 2A (Selected Alternative) impacts 0.1 acres of Wetland 8.

Wetland 9 is a small palustrine scrub-shrub/emergent system which drains into Deep Run. Alternative 3 and Option C Revised have approximately 1.7 acres of impact. The level of impact associated with these alternatives is mainly the result of a shift in the footprint of the proposed Snowden River Parkway/MD 100 interchange. Option D Revised and its modifications avoid impacts to this system by following a more southerly alignment. This includes Option D Modification 2A (Selected Alternative).

The 1989 FEIS reported no impacts associated with Alternative 3 and Wetland 10. However, if the location of the proposed Snowden River Parkway is considered, 1.0 acres of this system would be impacted. Approximately the same impacts would also occur for Option C Revised. Option D Revised reduces impacts to 0.7 acres by following a southern route which avoids the need for the Snowden River Parkway to cross Wetland 10. The use of bridge structures across wetlands or floodplains eliminates impacts to Wetland 10 with Option C Modification 1 or Option D Modifications 1, 2, and 3. Option D Modification 2A (Selected Alternative) impacts 0.3 acres of this wetland.

Wetland 10A is a small wetland pocket which drains into Wetland 10. It was not reported in the 1989 FEIS because it is located outside the limits of the originally proposed right-of-way. The modifications of Option D Revised including Option D

Modification 2A (Selected Alternative) impact approximately 0.1 acres of this system. This impact is the result of the Snowden River Parkway/MD 100 interchange.

Wetland 11 is a large palustrine forested stream channel system draining into Deep Run. Alternative 3 impacts approximately 1.6 acres of this system versus no impacts with Option C Modification 1 and Option D Modifications 1, 2, and 3 using bridges over wetlands or floodplains. Wetland 11 would not be impacted by these modifications because they span the wetlands with bridge structures. Option D Modification 2A (Selected Alternative) impacts 0.2 acres of this wetland.

Two wetland mitigation sites were created (by others) to mitigate wetland impacts from the Brightfield development. These sites, designated as Conservation Areas 1 and 2, are located west of MD 103 and south of Alternative 3 (1989 FEIS Selected Alternative). Option C Revised and Option C Modification 1 will impact 1.2 acres of these conservation areas. Option D Revised and its modifications including Option D Modification 2A (Selected Alternative) will result in 1.3 acres of impact.

Wetland 11A is a small palustrine forested drainage swale which drains on active pasture land. This wetland was not described in the 1989 FEIS because it is located outside of the original right-of-way limits. Option C Revised and Option D Revised and their modifications including Option D Modification 2A (Selected Alternative) impact this system by approximately 0.3 acres. This is a result of the more southerly alignment these alternatives follow to avoid and minimize impacts to Wetlands 11 and 12.

Wetland 12 is a large palustrine forested system forming the upper reaches of a unnamed tributary to Deep Run. The greatest degree of impact to this system, 1.8 acres, would result with Alternative 3. Option D Modification 2A (Selected Alternative) reduces these impacts to 0.3 acres by utilizing retaining walls adjacent to the wetlands. There would be no impacts to Wetland 12 by bridging across the wetland or floodplain.

Wetland 13 is a palustrine forested system located northeast and adjacent to the I-95 interchange. The wetland is part of a diverse habitat area including upland forest system F13 and old field OF-2. Alternative 3 results in 1.1 acres of impact to this system. Option C Revised, Option C Modification 1, Option D Revised and Option D Modifications 1, 2, and 3 reduce these impacts to 0.8 acres. Option D Modification 2A (Selected Alternative) also impacts 0.8 acres of Wetland 13. However, these alternatives pass through the high quality forested area F13.

Total wetland impacts within the study area indicate that the greatest impacts occur with standard slopes (2:1) as minimization. This design configuration

requires 15.0 acres of wetland impacts with Alternative 3. These impacts are reduced to 8.8 acres and 6.8 acres with Option C Revised and Option D Revised, respectively.

The least impacts would occur by constructing bridge structures to span wetlands or floodplains. These impacts vary between 3.9 to 4.0 acres with Option D Modifications 1 and 3, and Option C Modification 1, respectively.

A cost benefit analysis of constructing retaining walls or bridges versus wetland impact was performed. The results indicated that a combination of retaining walls and bridges would provide the best wetland avoidance and minimization for the overall cost. This combination is Alternative 3 Option D Modification 2A (Selected Alternative) which impacts 4.9 acres of wetlands.

As minimization of impacts to wetlands, stream channel bottom, and small mammal crossings, the SHA investigated using bottomless culverts versus pipe or box culverts at crossings of Deep Run and its tributaries. These options were evaluated for scour potential, risk of failure, ability to carry heavy fill, construction methods, maintenance, and cost. It was the recommendation of the SHA that bottomless culverts not be used for the following reasons: susceptibility to scour and risk of failure; limited ability to carry the heavy fills necessary on this project; history of uneven deformation (warping) and required maintenance should this occur; and the excessive cost of bottomless culverts as compared to pipe or box culverts. In addition, it was also noted that pipe or box culverts could be constructed to maintain the native stream bottom and provide sufficient space for small mammal crossings.

A final wetland mitigation plan will be developed for Option D Modification 2A (Selected Alternative) during the design phase of this project. The planning and design of this mitigation will be fully coordinated with appropriate Federal and State resource agencies. A description of the conceptual wetland mitigation plan is contained in Subsection "T" located at the end of Section IV of this document.

M. Active Agricultural Lands

As previously discussed, four active agricultural areas were identified as potentially being affected by the MD 100 project. Table IV-13 provides a summary of impacts by alternative to each of these systems.

The 77-acre Curtis-Shipley farm is the only active farm in the study area that is cultivated for crops. Option C Revised and Option C Modification 1 do not impact this site because they both follow a northern alignment shift to minimize impacts to Deep Run. Alternative 3 has slight impacts to the farm (1.3 acres), while Option D Revised and Option D Modification 2 and Modification 2A (Selected Alternative) have

TABLE IV-13

SUMMARY OF IMPACTS TO ACTIVE AGRICULTURAL LANDS (IN ACRES)

Agricultural Land	FEIS Alt. 3	Option C Revised	Option C Mod 1	Option D Revised	Option D Mod 1	Option D Mod 2	Option D Mod 3	Option D Mod 2A (Selected Alternative)
Curtis-Shipley Farm	1.3	0.0	0.0	10.8	9.7	10.8	9.7	10.8
University of Maryland Farm	35.9	35.9	26.4	26.2	21.6	21.6	21.6	21.6
County Farm East of Old Montgomery Road	8.7	11.4	11.4	11.4	10.1	10.1	10.1	10.1
Private Farm South of MD 103	8.9	11.5	11.0	11.5	11.0	11.0	11.0	11.0
Total	54.8	58.8	48.8	59.9	52.4	53.5	52.4	53.5

the greatest impacts (10.8 acres). The impacts from this alternative and modifications result from the southern alignment shift between the Villages of Montgomery Run and Old Montgomery Road. The alignment shift is intended to avoid and minimize impacts to the Deep Run system.

The University of Maryland farm, approximately 88 acres, is located adjacent to the Curtis-Shipley property and has pasture land located on both sides of Deep Run. For all of the alternatives, the major cause of impacts is the Snowden River Parkway. The modifications associated with Option D Revised including Modification 2A (Selected Alternative) have the least impacts (21.6 acres) due to the southern alignment shift and the reduced length of Snowden River Parkway required to tie in with MD 100. Alternatives 3 and Option C Revised have the greatest impact (35.9 acres) because they follow a more northerly alignment resulting in a longer connection for the Snowden River Parkway between MD 108 and MD 100.

The Howard County pasture land is located south of and adjacent to Old Montgomery Road. Alternative 3 - Option C Revised, Option C Modification 1, and Option D Revised have the greatest impact (11.4 acres) because they follow an alignment that passes through the center of this property. As previously discussed, the intent of this shift is to minimize impacts to wetlands. Alternative 3 results in the least impact to this property (8.7 acres) because the MD 100 alignment is farther north than the other alignment options. Option D Modification 2A (Selected Alternative) impacts 10.1 acres of this property.

The private farm located south of MD 103 (zoned low density residential) is affected by all of the alternatives. Alternative 3 has the least impacts (8.9 acres), while Option C Revised and Option D Revised have the greatest impacts (11.5 acres). Again, the greater impacts associated with Option C Revised and Option D Revised are due to their southern route to avoid and minimize wetland impacts. Option D Modification 2A (Selected Alternative) impacts 11.0 acres of this property.

In summary, Alternative 3 - Option C Modification 1 has the least impacts to active agricultural lands, 48.8 acres, while Alternative 3 - Option D Revised has the greatest impacts, 59.9 acres. Option D Modification 2A (Selected Alternative) impacts 53.5 acres of active agricultural land. A major source of these impacts is the proposed extension of Snowden River Parkway between MD 108 and MD 100. Variations in impacts between each alternative are the result of various alignment shifts developed to avoid or minimize impacts to wetlands.

N. Old Fields

As previously discussed, two old field systems are located within the study area. Table IV-14 presents a summary of impacts each alternative would have on these two systems. As indicated, all of the alternatives have the same degree of impact (3.4 acres) to the OF-1 system. This is the youngest of the old field systems identified. The summary also indicates that all of the alternatives have 4.0 acres of impact to the OF-2 system. The OF-2 system is very diverse and provides excellent habitat for a variety of upland wildlife species.

O. Wildlife Habitat

Table IV-15 provides a summary of total habitat impacts for each of the alternatives. Impacts range from a low of approximately 94.7 to 97.4 acres for Alternative 3 - Option C Modification 1 to a high of approximately 110.7 acres for Alternative 3 - Option C Revised. Option D Modification 2A (Selected Alternative) impacts 98.3 acres of total habitat. Key differences between alternatives are in the categories of wetlands and forested upland habitats. However, in some cases where an alternative avoids a wetland system, it impacts an adjacent high quality upland system. In such cases, the impacts to wildlife are expected to be similar.

Further fragmentation of existing habitats will occur with Alternative 3 and its various modifications, especially at crossing points of Deep Run and some of its tributaries. This stream channel and the wooded floodplains surrounding it form ideal migration corridors for medium to large mammalian species such as deer, opossum, and raccoon. Alternative 3 and its associated 1,400 feet of Deep Run stream channel relocation would severely impact this type of wildlife corridor.

The highest quality wildlife habitat within the study area is located east of MD 103 and west of the I-95 interchange. This is a large undeveloped tract of land containing a diverse mix of wetlands, hardwood forest, and old field habitats. This portion of the study area contains Wetland 13, forest area F-13, and old field OF-2. These three systems are adjacent to one another and are mutually supportive in terms of wildlife habitat. All of the alignment alternatives require approximately 15.0 acres of these three systems.

The loss of quality habitat will result in a proportional loss in wildlife populations inhabiting these areas. Although most resident forms of vertebrates will move to adjacent habitats, these individuals will likely perish due to competition and the loss of many adjacent habitats to development.

TABLE IV-14
SUMMARY OF OLD FIELD IMPACTS
(IN ACRES)

		Alterna Optio		Alternative 3 Option D			
Site No.	FEIS Alt. 3	Revised	Mod 1	Revised	Mods 1, 2, 3	Mod 2A (Selected Alternative)	
OF-1	3.4	3.4	3.4	3.4	3.4	3.4	
OF-2	4.0	4.0	4.0	4.0	4.0	4.0	
Total	7.4	7.4	7.4	7.4	7.4	7.4	

TABLE IV-15
SUMMARY OF TOTAL HABITAT IMPACTS

(IN ACRES)

			Alternative 3 Alternation C Option C Option					· -		
Habitat Type	FEIS Alt. 3	Revised	Mod 1	Revised	Mod 1	Mod 2	Mod 3	Mod 2A (Selected Alternative)		
Upland Forest	30.2	35.6	34.5	33.6	33.5	33.5	33.5	32.5		
Active Agriculture	54.8	58.8	48.8	59.9	52.4	53.5	52.4	53.5		
Old Field	7.4	7.4	7.4	7.4	7.4	7.4	7.4	7.4		
Wetland*										
• Standard Slopes (2:1)	15.0	8.8		7.0						
• Steep Slopes (1:1)			6.7		6.2	6.0	6.0			
• Walls Along Wetlands			5.5		5.1	5.1	5.1	4.9		
Bridges Across Channel			5.7		5.3	5.1	5.1			
 Bridges Across Wetlands 			4.0		3.9	4.0	3.9			
Bridges AcrossFloodplains			4.0		3.9	4.0	3.9			
Total	107.4	110.6	94.7- 97.4*	107.9	97.2- 99.5*	98.4- 100.4*	97.2- 99.3*	98.3		

^{*}Range of totals reflect various alignment design configurations.

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A reforestation and wetland mitigation program will be incorporated into the final design of Option D Modification 2A (Selected Alternative). Coordination with the Maryland State Forester and appropriate wetland regulatory agencies will be maintained throughout the project.

P. Fisheries Resources

Fisheries habitat within the study area is limited to Deep Run. Deep Run is experiencing stress from land development and unchanneled and untreated stormwater runoff. Additional stress factors include high levels of sedimentation from ongoing upland construction activities and bank erosion from increased peak stream flows.

All of the build alternatives require 600 feet of stream relocation of a tributary to Deep Run at Wetland 7. As previously discussed, downstream erosion and siltation resulting from this relocation should be mitigated by the regional stormwater management facility as well as adherence to the soil and sedimentation control practices outlined by the Fisheries Division of the Department of Natural Resources and the Maryland Department of the Environment.

An unavoidable impact from this stream relocation is the direct loss of aquatic habitat. Since this habitat loss will occur upstream of the regional stormwater facility, it does not represent a loss of potential anadromous fish habitat. However, it does represent lost habitat for benthic invertebrates and the variety of chub and minnow species known to inhabit this stream system.

Mitigation efforts will include the construction of a new stream channel incorporating an appropriate mix of riparian shade vegetation, channel meanders, and pool and riffle habitat. The mitigation design will be fully coordinated with the appropriate fish and wildlife resource agencies.

With the exception of Alternative 3, no other study options require any additional stream relocations. Alternative 3 requires the relocation of approximately 1,400 feet of Deep Run removing a large segment of potential anadromous fish habitat. It could potentially result in erosion and sedimentation control problems. Given these factors, Alternative 3 has the greatest impact on fisheries and aquatic habitat.

The remaining options would have essentially identical impacts on fisheries and aquatic habitat. Option C Revised, Option D Revised, and their modifications have a number of crossings of Deep Run and its tributaries, but none require any additional stream relocations. Long-term impacts resulting from these crossings are expected to be minimal. Short-term sedimentation and bank erosion problems can be addressed through proper construction practices and adherence to proper sedimentation control procedures.

Q. <u>Hazardous Materials</u>

The results of the Initial Site Assessment for the former rendering plant indicated that a Phase II investigation be performed for the area which would be impacted by the construction of MD 100. With the exception of a former lagoon site, the major areas of potential contamination fall outside the proposed right-of-way and limit of disturbance for construction. However, due to the potential for groundwater contamination and transport of hazardous materials, it is possible that areas of contamination could be discovered during construction.

R. Air Quality

1. Objectives and Methodology

The objective of this air quality analysis is to compare the carbon monoxide (CO) concentrations from estimated traffic volumes using each alternative with the State and National Ambient Air Quality Standards (S/NAAQS). The S/NAAQS for CO are identical: 35 parts per million (ppm) for the maximum one-hour period and 9 ppm for the maximum consecutive eight-hour period.

A microscale CO pollutant diffusion simulation analysis based on free-flow conditions was conducted. This analysis consisted of calculating one-hour and eight-hour CO concentrations resulting from automobile emissions at various receptor sites. All calculations were performed for the year 1995 (completion year) and 2015 (design year). The emission factors were calculated using the U.S. Environmental Protection Agency (EPA) MOBILE 5a computer program. Line source CO dispersion estimates were calculated using the third generation California Line Source Dispersion Model, CALINE 3QHC.

Detailed information concerning this analysis is contained in the MD 100 Air Quality Analysis Report which is available at the Maryland State Highway Administration, 707 North Calvert Street, Baltimore, Maryland 21202.

2. Receptor Sites

Site selection of receptors was made on the basis of proximity to roadway, type of adjacent land use, and changes in traffic patterns on the roadway network. Seventeen (17) receptor sites were chosen for this analysis. Eight of the sites are existing single-family residences. Two sites are multi-family units, two are institutional, and one is a church. Two sites are located on the Curtis-Shipley property. The site locations were verified during study area visits on June 10, 1992. The

approximate receptor site locations are shown on Figure III-7 and a description of each site is presented in Table IV-16.

3. Results of Microscale Analysis

The results of the modeling for CO concentrations at each sensitive receptor site for the No-Build Alternative and the Build Alternatives are shown for the 1995 one-hour levels in Table IV-17 and the 2015 one-hour levels in Table IV-18. The 1995 eight-hour CO levels are shown in Table IV-20 for these alternatives. The values shown consist of predicted CO concentrations attributable to traffic on various roadway links plus projected background levels. A comparison of these values with the S/NAAQS indicates that no violations will occur for the No-Build Alternative or any of the Build Alternatives in 1995 or 2015 for the one-hour or eight-hour concentrations of CO. The projected CO concentrations vary between alternatives depending on receptor location related to the roadway network and traffic patterns associated with each alternative.

4. Conformity with Regional Air Quality Plans

The project is in an air quality non-attainment area which has transportation control measures in the State Implementation Plan (SIP). This project conforms with the SIP since it originates from a conforming transportation improvement program.

5. Construction Impacts

The construction phase of the proposed project has the potential for temporarily increasing the amount of fugitive dust in the immediate vicinity. Appropriate procedures outlined in the <u>Standard Specifications for Construction and Materials</u> established by the SHA will be followed to minimize impact. These procedures have been found to be consistent with the Code of Maryland Regulations (COMAR) 26.11.06.03D (Regulations Governing the Control of Air Pollution in the State of Maryland) by the Maryland Air Management Administration and have proven effective in minimizing adverse air quality impacts during this type of construction.

6. Agency Coordination

The Air Quality Analysis Report prepared for this project is available at the Maryland Air Management Administration and the U.S. Environmental Protection Agency.

TABLE IV-16

RECEPTOR SITE DESCRIPTIONS

Site	Description/Location
3	Brightfield Townhomes - Brightridge Court
5	Single-Family Residence - 8067 Fetlock Court
6	Villages of Montgomery Run Condominiums - Montgomery Run Road
7	Single-Family Residence - 8401 Mitzy Lane
8	Single-Family Residence - 8602 Spruce Run Court
18	Single-Family Residence - 5311 Waterloo Road (MD 104)
20	Single-Family Residence - Bramhope Lane
21	Mt. Pisgah AME Church - MD 108
22	Howard County Senior High School Benfield - MD 108
23	Future Single-Family Residence - Elko Drive
24	Villages of Montgomery Run Condominiums - Montgomery Run Road
25	Single-Family Residence - Fetlock Court
26	Villages of Montgomery Run Condominiums - Montgomery Run Road
27	MD School for the Deaf - MD 108/Old Montgomery Road
28	University of MD Husbandry Farm - MD 108
29	NRE Curtis-Shipley Property - MD 108
30	NRE Curtis-Shipley Property Right-of-Way - MD 108
31	Single-Family Residence - Hunt Chase Terrace
32	Commercial Site - MD 103
33	Single-Family Residence - Mullineaux Road

TABLE IV-17

1995 1-HOUR CO CONCENTRATIONS¹ (PARTS PER MILLION)

				Alter	rnative 3	
Receptor	No- Build	Alternative 3	Option C Revised and Modification 1	Option D Revised	Option D Modifications 1, 2, 3	Option D Mod 2A (Selected Alternative)
3	4.0	5.9	5.6	5.6	5.6	5.6
5	4.0	6.1	Take	5.9	6.1	6.1
6	4.4	5.8	5.8	5.8	5.8	5.8
7	4.7	7.5	7.4	7.4	7.4	7.4
8	5.6	7.0	7.0	7.0	7.0	7.0
18	5.1	6.2	6.2	6.2	6.2	6.2
23	4.2	7.8	8.4	6.8	7.2	7.2
24	4.3	5.9	5.3	5.7	5.3	5.3
25	3.9	6.3	Take	6.1	6.2	6.2
26	4.2	5.9	5.4	6.2	6.1	6.1
27	4.8	5.0	5.0	5.7	5.6	5.6
28	4.7	5.7	5.1	6.8	6.8	6.8
29	6.7	7.0	7.0	7.0	7.0	7.0
30	4.4	6.0	6.4	6.5	6.5	6.5
31	4.2	6.8	9.8	6.7	6.9	6.9
34	4.2	5.2	6.0	6.0	6.0	6.0
35	5.0	5.8	6.6	6.2	6.2	6.2

The S/NAAQS for 1-hour CO is 35 ppm.

¹ Includes background concentration of 3.6 ppm.

TABLE IV-18

2015 1-HOUR CO CONCENTRATIONS¹ (PARTS PER MILLION)

	- t- VVI			Alte	rnative 3	
Receptor	No- Build	Alternative 3	Option C Revised and Modification 1	Option D Revised	Option D Modifications 1, 2, 3	Option D Mod 2A (Selected Alternative)
3	2.6	4.7	4.3	4.3	4.3	4.3
5 .	2.5	5.1	Take	4.8	5.0	5.0
6	3.1	4.7	4.7	4.8	4.8	4.8
7	3.5	6.8	6.8	6.8	6.8	6.8
8	4.6	5.9	5.9	5.9	5.9	5.9
18	4.0	5.3	5.3	5.3	5.3	5.3
23	. 2.9	7.1	8.2	5.8	6.4	6.4
24	2.9	4.8	4.2	4.5	4.2	4.2
25	2.4	5.3	Take	5.1	5.3	5.3
26	2.8	4.9	4.2	5.1	4.9	4.9
27	3.5	3.6	3.6	4.5	4.3	4.3
28	3.3	4.6	3.6	5.9	6.0	6.0
29	5.9	5.8	5.8	5.8	5.8	5.8
30	2.9	4.8	5.3	5.4	5.4	5.4
31	2.7	6.0	9.8	6.1	6.0	6.0
34	2.8	3.8	4.7	4.7	4.7	4.7
35	4.4	5.0	5.7	5.2	5.2	5.2

The S/NAAQS for 1-hour CO is 35 ppm.

¹ Includes background concentration of 2.0 ppm.

TABLE IV-19

1995 8-HOUR CO CONCENTRATIONS¹ (PARTS PER MILLION)

				Alter	native 3	
Receptor	No- Build	Alternative 3	Option C Revised and Modification 1	Option D Revised	Option D Modifications 1, 2, 3	Option D Mod 2A (Selected Alternative)
3	3.5	3.9	3.7	3.6	3.6	3.6
5	3.5	3.8	Take	3.8	3.8	3.8
6	3.5	3.7	3.7	3.7	3.7	3.7
7	3.5	4.1	4.1	4.1	4.1	4.1
8	3.6	3.8	3.8	3.8	3.8	3.8
18	3.6	3.9	3.9	3.9	3.9	3.9
23	3.5	4.0	4.1	4.0	4.0	4.0
24	3.5	3.7	3.7	3.8	3.7	3.7
25	3.5	3.8	Take	3.7	3.8	3.8:
26	3.5	3.7	3.7	3.8	3.7	3.7
27	3.6	3.6	3.6	3.7	3.7	3.7
28	3.6	3.7	3.7	3.9	3.9	3.9
29	3.7	3.7	3.7	3.7	3.7	3.7
30	3.5	3.6	3.7	4.0	4.0	4.0
31	3.5	3.9	4.4	3.8	3.9	3.9
34	3.5	3.7	3.9	3.9	3.9	3.9
35	3.6	3.7	3.8	3.8	3.8	3.8

The S/NAAQS for 8-hour CO is 9 ppm.

¹ Includes background concentration of 3.5 ppm.

TABLE IV-20

2015 8-HOUR CO CONCENTRATIONS¹ (PARTS PER MILLION)

				Al	Iternative 3	
Receptor	No- Build	Alternative 3	Option C Revised and Modification 1	Option D Revised	Option D Modifications 1, 2, 3	Option D Mod 2A (Selected Alternative)
3	1.9	2.3	3.0	2.0	2.0	2.0
5	1.9	2.2	Take	2.2	2.2	2.2
6	1.9	2.2	2.2	2.2	2.2	2.2
7	1.9	2.5	2.5	2.5	2.5	2.5
8	2.0	2.2	2.2	2.2	2.2	2.2
18	2.0	2.3	2.3	2.3	2.3	2.3
23	1.9	2.4	2.5	2.4	2.4	2.4
24	1.9	2.1	2.1	2.2	2.1	2.1
25	1.9	2.2	Take	2.2	2.3	2.3
26	1.9	2.1	2.1	2.2	2.1	2.1
27	2.0	2.0	2.1	2.1	2.1	2.1
28	2.0	2.0	2.0	2.2	2.2	2.2
29	2.1	2.1	2.1	2.1	2.1	2.1
30	1.9	2.1	2.1	2.4	2.4	2.4
31	1.9	2.3	2.8	2.2	2.3	2.3
34	1.9	2.1	2.3	2.3	2.3	2.3
35	2.1	2.1	2.2	2.2	2.2	2.2

The S/NAAQS for 8-hour CO is 9 ppm.

¹ Includes background concentration of 1.9 ppm.

S. Noise Analysis

1. Noise Abatement Criteria

This noise analysis was completed in accordance with the FHWA regulations 23 CFR, Part 772, "Procedures for Abatement of Highway Traffic Noise and Construction Noise." FHWA noise abatement criteria are provided on Table IV-21. The following factors were considered in identifying noise impacts:

- Identification of noise sensitive land uses
- Existing noise levels
- Prediction of future design year noise levels
- Potential traffic increases

The noise impacts estimated for this project are based on the relationship of the projected noise levels to the FHWA noise abatement criteria and to the ambient noise levels. Noise impacts occur when the FHWA noise abatement criteria are approached or exceeded or when the predicted traffic noise levels are substantial or exceed the existing noise levels. The SHA defines approach as 1 dBA below the FHWA Noise Abatement criteria and uses a 10 dBA increase to define a substantial increase. Noise abatement or mitigation measures are evaluated when a noise impact is identified.

The factors considered when determining whether mitigation is reasonable and feasible are as follows:

- Whether a feasible method is available to reduce the noise;
- Whether the noise mitigation is cost-effective for those receptors that are impacted - approximately \$40,000 per impacted residence; and
- Whether the mitigation is acceptable to the affected property owners.

An effective barrier should, in general, extend in both directions to four times the distance between receiver and roadway (source). In addition, an effective barrier should provide a 7 to 10 dBA reduction in the noise level as a preliminary design goal. However, any impacted noise receptor which will receive a 5 decibel reduction is considered when determining the cost-effectiveness of a barrier.

TABLE IV-21
NOISE ABATEMENT CRITERIA

Activity Category	$L_{eq}(h)$	Description of Activity Category					
A	57 (Exterior)	Lands on which serenity and quiet are of extraordinary significance and serve an important public need and where the preservation of those qualities is essential if the area is to continue to serve its intended purpose.					
В	67 (Exterior)	Picnic areas, recreation areas, playgrounds, active sport areas, parks, residences, motels, hotels, schools, churches, libraries, and hospitals.					
С	72 (Exterior)	Developed lands, properties, or activities not included in Categories A or B above.					
D		Undeveloped lands.					
E	52 (Interior)	Residences, motels, hotels, public meeting rooms, schools, churches, libraries, hospitals, and auditoriums.					

Reference: 23 CFR, Part 772.

Cost-effectiveness is determined by dividing the total number of impacted sensitive sites in a specified noise sensitive area, that will receive at least a 5 dBA reduction of noise levels, into the total cost of the noise mitigation. For the purpose of comparison, a total cost of \$16.50 per square foot is assumed to estimate total barrier cost. This cost figure is based upon current costs experienced by the SHA and includes the costs of panels, footing, drainage, landscaping, and overhead. The SHA has established approximately \$40,000 per residence protected as being the maximum cost for a barrier to be considered reasonable.

Consideration is based on the size of the impacted area (number of structures, spatial distribution of structures, etc.), the predominant activities carried on within the area, the visual impact of the control measure, practicality of construction, feasibility, and reasonableness.

A total of 16 receptors have been analyzed, which includes 5 contained in the 1989 FEIS (numbered 3 through 18). Table IV-16, previously referenced, contains the receptor site descriptions. The remaining 11 sites have been added since the 1989 FEIS since further development has resulted in the identification of additional noise receptors. Figure III-7 depicts the location of each site, while Table IV-22 summarizes the results of the modeling.

2. Alternative 3

Under this alternative, four Noise Sensitive Areas (NSA's) were analyzed for abatement: NSA B, NSA C, NSA K, and NSA L. NSAs B and C were combined under this alternative and the analysis included receptors representing the proposed development of Montgomery Meadows. NSA K and NSA L were analyzed individually. Table IV-23 contains an abatement summary, which is described below.

a. NSAs B and C

There are a total of 61 impacted residences within this combined NSA, including 22 in NSA B, 24 in NSA C, and 15 undeveloped lots in the proposed development of Montgomery Meadows. A barrier beginning along the ramp from eastbound MD 100 to MD 104, north of MD 100, and continuing along MD 100 to a point near Old Montgomery Road would protect 60 of the 61 impacted residences. The total length of this barrier is 6,340 feet, with an average height of 20 feet. The total cost of this barrier is \$2,092,000 based on an average cost of \$16.50 per square foot of barrier. The cost-per-residence benefitted is \$34,870.

TABLE IV-22

NOISE MODELING SUMMARY (All Levels in $L_{eq}(h)$, dBA)

Noise Sensitive Site	Noise Sensitive Area	1992 Monitored Levels	No-Build Alternative	Alternative 3	Alternative 3 Option C Revised	Alternative 3 Option C Modification 1
3	L	55		68*	65*	63
5	В	47		67*	Take	Take
6	K	50		68*	68*	66*
7	С	52		70*	70*	70*
18	С	64		70*	70*	70*
23	•	47		71*	72*	72*
24	K	51		70*	68*	67*
25	В	47		68*	Take	Take
26	K	52		69*	65	65
27	0	54	54	58	58	59
28	0		56	61	60	60
29	0	68*	65	64	64	64
30	0		52	63	61	61
31	В	47		67*	67*	67*
34	Α	52		Take	Take	70*
35	A		65	65*	65*	65*

^{*}Approaches or exceeds FHWA noise abatement criteria, or 10 dBA increase over ambient. Note: All noise levels shown are predicted levels without abatement.

TABLE IV-22 (Cont'd)

Noise Sensitive Site	Noise Sensitive Area	1992 Monitored Levels	No-Build Alternative	Alternative 3 Option D Revised	Alternative 3 Option D Modification 1	Alternative 3 Option D Modification 2	Alternative 3 Option D Modification 3	Alternative 3 Option D Modification 2A (Selected Alternative)
3	L	55	••	63	62	62	62	62
5	В	47		64*	65*	65*	65*	65*
6	K	5 0		69*	66*	66*	66*	66*
7	С	52		70*	70*	70*	70*	70*
18	С	64		70*	70*	70*	70*	70*
23	•	47		70*	72*	72*	72*	72*
24	K	51	••	73*	69*	69*	69*	69*
25	В	47		65*	66*	66*	66*	66*
26	K	52		73*	70*	70*	70*	70*
27	0	54	54	64	64	64	64	64
28	0	••	5 6	68*	68*	68*	68*	68*
29	0	68*	65	65	65	65	65	65
30	0		52	63	64	64	64	64
31	В	47		63	64	64	64	64
34	Α	52		Take	70*	70*	70 *	70*
35	Α	••	65	65*	65*	65*	65*	65*

^{*}Approaches or exceeds FHWA noise abatement criteria, or 10 dBA increase over ambient.

Note: All noise levels shown are predicted levels without abatement.

NOISE ABATEMENT SUMMARY ALTERNATIVE 3

TABLE IV-23

Noise	Description	Noise	2015 L _{eq} (h) Unabated/ Abated Noise Level	Residences Impacted	Barrier					
Sensitive Area-		Sensitive Site			Length (Ft.)	Average Height (Ft.)	Cost*	Residences Benefitted ^b	Cost Per Residence	
В, С	North of Alternative 3 from MD 104 to Snowden River Parkway, Glen Mar, Montgomery Meadows, Hunt Country Estates	5 23 25 31 7 18	*67/62 *71/63 *68/62 *67/62 *70/60 *70/*66	61	6,340	20.00	\$2,092,200	60	\$34,870	
K	South of Alternative 3 from East of MD 104 to Snowden River Parkway - Ashton Woods and Villages of Montgomery Run	6 24 26	*66/58 *70/64 *69/62	254	4,710	16.11	\$1,252,400	124	\$10,100	
L	East of Alternative 3 South of Old Montgomery Road - Brightfield	3	*68/62	37	2,090	20.00	\$ 689,000	37	\$18,600	

Based on \$16.50 per square foot of barrier.
 Impacted residence receiving a 5 dBA reduction in noise levels.

^{*}Approaches or exceeds FHWA noise abatement criteria of 67 dBA.

b. NSA K

A total of 254 residences will be impacted in this area, which include the first, second, third, and fourth floor units of the condominiums in both Ashton Woods and the Villages of Montgomery Run. A barrier beginning approximately 400 feet east of MD 104, south of MD 100, and continuing to a point approximately 900 feet west of Snowden River Parkway would protect 124 residences, most of which are located on the first and second floors. The total length and average height of this wall is 4,710 feet and 16.11 feet, respectively. The construction cost is approximately \$1,252,400 with a cost-per-residence of \$10,100.

c. NSA L

A total of 37 townhomes will be impacted by this alternative. A barrier 2,090 feet long, 20 feet high would protect the 37 residences at a cost of \$689,700. The barrier would be located along the north side of MD 100 between Old Montgomery Road and MD 103. The cost per residence is \$18,600.

3. Alternative 3 - Option C Revised

Four noise sensitive areas were analyzed for abatement with this option: NSAs A, B, C, and K. As with Alternative 3, NSAs B and C were analyzed together. Table IV-24 contains the abatement summary for this option which is described below.

a. NSA A

With this alternative, four single-family residences on Mullineaux Road will be impacted. A barrier 1,830 feet long, 16 feet high located between MD 103 and I-95, south of MD 100 would protect these impacted residences. The total cost and cost-per-residence of this barrier would be \$483,120 and \$120,780, respectively.

b. NSAs B and C

A single barrier extending from MD 104 to the vicinity of Snowden River Parkway along the north side of MD 100 would provide abatement to 63 of the 65 existing residences and future residences impacted in these NSAs. The total length of the barrier is approximately 6,440 feet, with an average height of 19 feet. The total cost for this barrier is \$2,014,780, with an approximate cost per residence of \$31,980.

TABLE IV-24

NOISE ABATEMENT SUMMARY ALTERNATIVE 3 - OPTION C REVISED

Noise		Noise	2015 L _{eq} (h) Unabated/ Abated Noise Level	Residences Impacted			Barrier		
Sensitive Area	Description	Sensitive Site			Length (Ft.)	Average Height (Ft.)	Cost*	Residences Benefitted ^b	Cost Per Residence
Α	Southwest of Alternative 3 Option C Revised - Residences on Mullineaux Road	34	*70/63	4	1,830	16.00	\$ 483,120	4	\$120,780
В, С	North of Alternative 3 Option C Revised from MD 104 to Snowden River Parkway - Glen Mar, Montgomery Meadows, Hunt Country Estates	5 23 25 31 7 18	Take *72/63 Take *67/62 *70/60 *70/*66	65	6,440	18.96	\$2,014,780	63	\$ 31,980
K	South of Alternative 3 Option C Revised from East of MD 104 to Snowden River Parkway - Ashton Woods and the Villages of Montgomery Run	6 24 26	*66/58 *67/61 65/60	215	4,450	16.28	\$1,194,570	124	\$ 9,640
K 2nd Floor	As NSA K, Barrier Analysis to Achieve 5 dBA Reduction at 2nd Floor	6-2nd FL 24-2nd FL 26-2nd FL	*69/62 *68/62 65/60	. 215	4,450	18.01	\$1,321,550	152	\$ 8,695
L .	East of Alternative 3 Option C Revised South of Old Montgomery Run - Brightfield	3	63/NA	0					

Based on \$16.50 per square foot of barrier.

Impacted residence receiving a 5 dBA reduction in noise levels.

^{*}Approaches or exceeds FHWA noise abatement criteria of 67 dBA.

c. NSA K

A total of 215 residential units are projected to be impacted by this alternative. This includes the first, second, third, and fourth floor units within the Villages of Montgomery Run and Ashton Woods developments. Two scenarios were investigated in this area for this alternative.

The first scenario provided a noise barrier design for the first floor units only. This barrier had a total length of 4,450 feet and an average height of 16.3 feet. The barrier begins approximately 400 feet east of MD 104 and continues within the right-of-way to a point near the southwest quadrant of the Snowden River Parkway interchange. A total of 124 impacted units would receive at least a 5 dBA reduction in noise levels. The total cost and cost-per-residence of this barrier is \$1,194,570 and \$9,640, respectively.

The second scenario utilized the same horizontal alignment for the barrier; however, the height was increased to an average of 18 feet to provide a minimum of 5 dBA noise reduction to the second floor units. This increase in barrier height resulted in 28 additional second floor units being protected. The total cost and cost-per-residence of this scenario is \$1,321,550 and \$8,695, respectively.

4. Alternative 3 - Option C Modification 1

For this alternative, the same NSAs were analyzed as were for Option C Revised. For NSA A and NSA K, the abatement results are the same as for Option C Revised, only NSAs B and C have slightly different results. Table IV-25 contains the abatement summary for this alternative, which is described below.

a. NSAs B and C

With this alternative, an additional four receptors in Hunt Country Estates are impacted as compared with Alternative 3 - Option C Revised as a result of minor vertical alignment shifts. These receptors received an increase in noise levels of only 1 dBA, however, this resulted in an increase over the ambient noise levels of 10 dBA. The horizontal and vertical locations of the barrier described under Option C would provide a minimum 5 dBA reduction at the five additional impacted residences. Thus, a total of 68 residences would be protected.

The total cost of abatement for this area is the same as with Option C Revised, \$2,014,780, but the cost-per-residence reduces to \$29,630.

Noise		Noise	2015 L _{eq} (h) Unabaled/ Abated Noise Level	Residences Impacted			Barrier		
Sensitive Area	Description	Sensitive Site			Length (Ft.)	Average Height (Ft.)	Cost ^a	Residences Benefitted ^b	Cost Per Residence
A	Southwest of Alternative 3 Option C Modification 1 - Residences on Mullineaux Road	34	*70/63	4	1,830	16.00	\$ 483,120	4	\$120,780
В, С	North of Alternative 3 Option C Modification 1 from MD 104 to Snowden River Parkway - Glen Mar, Montgomery Meadows, Hunt Country Estates	5 23 25 31 7 18	Take *72/63 Take *67/61 *70/*66	69	6,440	18.96	\$2,014,780	68	\$ 29,630
К	South of Alternative 3 Option C Modification 1 from East of MD 104 to Snowden River Parkway - Ashton Woods and the Villages of Montgomery Run	6 24 26	*66/58 *67/61 65/60	215	4,450	16.28	\$1,194,570	124	\$ 9,640
K 2nd Floor	As NSA K, Barrier Analysis to Achieve 5 dBA Reduction at 2nd Floor	6-2nd FL 24-2nd FL 26-2nd FL	*69/62 *68/61 65/60	215	4,450	18.01	\$1,321,550	152	\$ 8,695
.L	East of Alternative 3 Option C Modification 1 South of Old Montgomery Run - Brightfield	3	63/NA	0					

Based on \$16.50 per square foot of barrier.
 Impacted residence receiving a 5 dBA reduction in noise levels.

^{*}Approaches or exceeds FHWA noise abatement criteria of 67 dBA.

5. Alternative 3 - Option D Revised

NSAs A, B, C, and K were analyzed for abatement with this alternative. In the vicinity of NSA A, the alignment of Option D Revised is identical to Option C Revised, and thus the abatement results are the same as Option C Revised. The results for NSAs B, C, and K are described below, while Table IV-26 contains an abatement summary for all NSAs analyzed with this alternative.

a. NSAs B and C

A total of 62 residences will be impacted under this alternative. A barrier beginning at MD 104 and continuing along the north side of MD 100 to the Snowden River Parkway interchange would protect 58 of the 62 impacted residences. This barrier would be 6,190 feet in length and have an average height of 19.3 feet. The total cost and cost-per-residence would be \$1,972,290 and \$34,010, respectively.

b. NSA K

Under this alternative, 254 residential units will be impacted in this area. As with Option C Revised, two scenarios were analyzed. For the protection of first floor units, a barrier 4,920 feet long with an average height of 15.8 feet would protect 129 of the impacted units. The barrier would begin approximately 400 feet east of MD 104 and follow along the south side of MD 100 to a point adjacent to the ramp at Snowden River Parkway. The total cost and cost-per-residence of this scenario is \$1,279,310 and \$9,920, respectively.

The second scenario results in an increase in the average height of 16.2 feet. The total cost and cost-per-residence are \$1,319,240 and \$7,670, respectively. An additional 43 units are protected.

6. Alternative 3 - Option D Modification 1

As with Option D Revised, four noise sensitive areas were analyzed. The abatement analysis for NSA A is the same as Option C Revised. The remaining NSAs are described below, while all NSAs for this alternative are summarized in Table IV-27.

Noise		Noise	2015 L _{eq} (h) Unabated/ Abated Noise Level				Barrier		
Sensitive Area	Description	Sensitive Site		Residences Impacted	Length (Ft.)	Average Height (Ft.)	Cost*	Residences Benefitted ^b	Cost Per Residence
A	Southwest of Alternative 3 Option D Revised - Residences on Mullineaux Road	34	*70/63	4	1,830	16.00	\$ 483,120	4	\$120,780
В, С	North of Alternative 3 Option D Revised, from MD 104 to Snowden River Parkway - Glen Mar, Montgomery Meadows, Hunt Country Estates	5 23 25 31 7 18	64/58 *70/62 65/58 63/58 *70/60 *73/*66	62	6,190	19.31	\$1,972,290	58	\$ 34,010
К	South of Alternative 3 Option D Revised, from East of MD 104 to Snowden River Parkway - Ashton Woods and the Villages of Montgomery Run	6 24 26	*66/58 *73/62 *73/63	254	4,920	15.75	\$1,279,310	129	\$ 9,920
K 2nd Floor	As NSA K, Barrier Analysis to Achieve 5 dBA Reduction at 2nd Floor	6-2nd FL 24-2nd FL 26-2nd FL	*69/64 · *75/66 73/66	254	4,920	16.24	\$1,319,240	172	\$ 7,670
L	East of Alternative 3 Option D Revised, South of Old Montgomery Run - Brightfield	3	63/NA	0					

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Based on \$16.50 per square foot of barrier.
 Impacted residence receiving a 5 dBA reduction in noise levels.

^{*}Approaches or exceeds FHWA noise abatement criteria of 67 dBA.

TABLE IV-27

NOISE ABATEMENT SUMMARY ALTERNATIVE 3 - OPTION D MODIFICATION 1

	2015 L _{eq} (h) Noise Unabated/						Barrier				
Noise Sensitive Area	Description	Sensitive Site	Abated Noise Level	Residences Impacted	Length (Ft.)	Average Height (Ft.)	Cost*	Residences Benefitted ^b	Cost Per Residence		
A	Southwest of Alternative 3 Option D Modification 1 - Residences on Mullineaux Road	34	*70/63	4	1,830	16.00	\$ 483,120	4	\$120,780		
B, C	North of Alternative 3 Option D Modification 1 from MD 104 to Snowden River Parkway - Glen Mar, Montgomery Meadows, Hunt Country Estates	5 23 25 31 7 18	65/59 *72/63 *66/58 64/59 *70/60 *70/*66	62	5,600	19.30	\$1,780,850	58	\$ 30,700		
К	South of Alternative 3 Option D Modification 1 from East of MD 104 to Snowden River Parkway - Ashton Woods and the Villages of Montgomery Run	6 24 26	*66/59 *69/61 *70/62	254	4,730	15.66	\$1,221,360	129	\$ 9,470		
K 2nd Floor	As NSA K, Barrier Analysis to Achieve 5 dBA Reduction at 2nd Floor	6-2nd FL 24-2nd FL 26-2nd FL	*69/63 *70/63 *70/65	254	4,730	16.17	\$1,261,300	172	\$ 7,330		
.·L	East of Alternative 3 Option D Modification 1 South of Old Montgomery Run - Brightfield	3	62/NA	0							



Based on \$16.50 per square foot of barrier.
 Impacted residence receiving a 5 dBA reduction in noise levels.

^{*}Approaches or exceeds FHWA noise abatement criteria of 67 dBA.

a. NSAs B and C

A total of 62 residences will be impacted with this alternative. A barrier beginning at MD 104 and continuing along the north side of MD 100 to Snowden River Parkway would protect 58 of the 62 impacted residences. The length of this wall is 5,600 feet and has an average height of 19.3 feet. The total cost and cost-per-residence are \$1,780,850 and \$30,700, respectively.

b. NSA K

A total of 254 residential units will be impacted with this alternative. As with Option D Revised, two scenarios were analyzed. The first, providing the abatement design goals of 7 to 10 dBA noise level reduction at first floor residences, resulted in a 4,730-foot barrier averaging 15.7 feet high to protect 129 residences. The limits are approximately the same as with Option D Revised, with the exception of the eastern limit which stops 200 feet more to the west. The total cost and cost-per-residence are \$1,221,360 and \$9,470, respectively.

For the second scenario, increasing the average height to 16.2 feet would result in the protection of 43 additional second floor residences. This height increase would result in a total cost of \$1,261,300 and a cost-per-residence of \$7,330.

7. Alternative 3 - Option D Modification 2

For this alternative, the abatement analysis for NSA A is the same as Option D Revised. The abatement analyses for NSAs B, C, and K are described below, while Table IV-28 contains the abatement summary for all NSAs analyzed for this alternative.

a. NSAs B and C

A total of 62 residences will be impacted with this alternative. Two abatement scenarios for these NSAs were considered. The first was to provide abatement based on the design goals, but taking into consideration construction feasibility. This included a maximum height of 22 feet on structures that pass over Deep Run. With this limitation, a barrier 5,190 feet long with an average height of 20.1 feet would provide protection to 54 residences at a cost of \$1,721,510. The cost-per-residence of this barrier is \$31,880.

The second scenario increased the height of the barrier such that the same residences benefitted with a barrier in Alternative 3 - Option D Modification 1 would also be protected with this alternative. This was accomplished by raising the

TABLE IV-28

NOISE ABATEMENT SUMMARY ALTERNATIVE 3 - OPTION D MODIFICATION 2

Noise		2015 L _{eq} (h) Noise Unabated/			Barrier					
Sensitive Area	Description Sensitive Sensitive Site Noise Level	Abated	Residences Impacted	Length (Ft.)	Average Height (Ft.)	Cost*	Residences Benefitted ^b	Cost Per Residence		
Α	Southwest of Alternative 3 Option D Modification 2 - Residences on Mullineaux Road	34	*70/63	4	1,830	16.00	\$ 483,120	4	\$ 120,780	
В, С	North of Alternative 3 Option D Modification 2 from MD 104 to Snowden River Parkway - Glen Mar, Montgomery Meadows, Hunt Country Estates	5 23 25 31 7 18	65/60 *72/63 *66/60 64/59 *70/60 *70/*66	62	5,190	20.10	\$1,721,510	54	\$ 31,880	
B, C Addition	Same as NSA B, C, Barrier Analysis to Achieve Same Noise Level Reduction as Alternative 3 Option D Modification 1	5 23 25 31 7 18	65/59 *72/63 *66/60 64/58 *70/60 *70/*66	62	5,190	21.32	\$1,825,820	58	\$ 31,480	
В	Northeast of Alternative 3 Option D Modification 2 from East of MD 104 to Old Montgomery Road - Hunt Country Estates Only	5 25	65/60	15	1,820	26	\$ 781,640	12	\$ 65,140	
С	North of Alternative 3 Option D Modification 2 from MD 104 East Approximately 2,500 Feet - Glen Mar	7 18	*70/60 *70/*66	26	2,590	20	\$ 854,700	25	\$ 34,200	
K	South of Alternative 3 Option D Modification 2 from East of MD 104 to Snowden River Parkway - Ashton Woods and the Villages of Montgomery Run	6 24 26	*66/59 *69/62 *70/65	254	4,730	15.66	\$1,221,360	129	\$ 9,470	
K 2nd Floor	As NSA K, Barrier Analysis to Achieve 5 dBA Reduction at 2nd Floor	6-2nd FL 24-2nd FL 26-2nd FL	*69/63 *70/63 *70/65	254	4,730	16.78	\$1,308,420	172	\$ 7,610	
L	East of Alternative 3 Option D Modification 2 South of Old Montgomery Run - Brightfield	3	62/NA	0						

^{*} Based on \$16.50 per square foot of barrier.

b Impacted residence receiving a 5 dBA reduction in noise levels.

^{*}Approaches or exceeds FHWA noise abatement criteria of 67 dBA.

average height to 21.3 feet. However, this requires sections of barrier on structures that would reach 26 feet. With this adjustment, 58 residences would be protected at a total cost and cost-per-residence of \$1,825,820 and \$31,480, respectively.

b. NSA B Only

For this alternative, NSAs B and C were also analyzed separately. For NSA B, a total of 15 residences would be impacted. A barrier 1,820 feet long and 26 feet high would provide the minimum 5 dBA reduction to 12 impacted residences. The total cost and cost-per-residence of this barrier would be \$781,640 and \$65,140, respectively. This scenario would require barriers 26 feet in height on structures over Deep Run.

c. NSA C Only

A total of 26 single-family residences will be impacted by this alternative. A barrier 20 feet high beginning approximately 50 feet east of MD 104 and continuing for 2,590 feet along the westbound lanes of MD 100 would protect 25 of the 26 impacted residences. The total cost and cost-per-residence of this barrier is \$854,700 and \$34,200, respectively.

d. NSA K

A total of 254 residential units will be impacted by this alternative. As with the previous Option C Revised and Option D Revised, two scenarios were analyzed. For the first floor units, a barrier 4,730 feet long with an average height of 15.7 feet would protect 129 impacted residences. The barrier location is the same as with Option D Modification 1. The total cost and cost-per-residence is \$1,221,360 and \$9,470, respectively.

Increasing the average barrier height to 16.8 feet would protect a total of 172 of the 254 impacted residences. The total cost and cost-per-residence of this scenario is \$1,308,420 and \$7,610, respectively.

8. Alternative 3 - Option D Modification 3

For this alternative, the same NSAs were considered for abatement as with Option D Modification 2. Also, NSA A and NSA D are the same as Option D Revised. The remaining areas analyzed are described below. Table IV-29 contains the abatement summary for this alternative.

TABLE IV-29

NOISE ABATEMENT SUMMARY ALTERNATIVE 3 - OPTION D MODIFICATION 3

Noise	Description	Noise Sensitive Site	2015 L _{eq} (h) Unabated/ Abated Noise Level	Residences Impacted	Barrier						
Sensitive Area					Length (Ft.)	Avcrage Height (Ft.)	Cost*	Residences Benefitted ^b	Cost Per Residence		
А	Southwest of Alternative 3 Option D Modification 3 - Residences on Mullineaux Road	34	* 70/63	4	1,830	16.00	\$ 483,120	4	\$120,780		
B, C	North of Alternative 3 Option D Modification 3 from MD 104 to Snowden River Parkway - Glen Mar, Montgomery Meadows, Hunt Country Estates	5 23 25 31 7 18	65/65 *72/62 *66/65 64/60 *70/60	62	4,380	19.85	\$1,433,260	39	\$ 36,750		
B, C Addition	Same as NSA B, C, Barrier Analysis to Achieve Same Noise Level Reduction as Alternative 3 Option D Modification 1	5 23 25 31 7 18	65/59 *72/62 *66/60 64/58 *70/60 *70/*66	62	5,190	23.10	\$1,978,480	58	\$ 34,110		
К	South of Alternative 3 Option D Modification 3 from East of MD 104 to Snowden River Parkway - Ashton Woods and the Villages of Montgomery Run	6 24 26	66/59 *69/61 *70/62	254	4,730	15.66	\$1,221,360	129	\$ 9,470		
K 2nd Floor	As NSA K, Barrier Analysis to Achieve 5 dBA Reduction at 2nd Floor	6-2nd FL 24-2nd FL 26-2nd FL	*69/63 *70/63 *70/65	254	4,730	16.17	\$1,261,300	172	\$ 7,330		
L	East of Alternative 3 Option D Modification 3 South of Old Montgomery Run - Brightfield	3	62/NA	0							

Based on \$16.50 per square foot of barrier.

Impacted residence receiving a 5 dBA reduction in noise levels.

^{*}Approaches or exceeds FHWA noise abatement criteria of 67 dBA.

a. NSAs B and C

As with Option D Modification 2, two scenarios were considered. A barrier 4,380 feet long averaging 19.9 feet in height would provide abatement to 39 of the 62 impacted residences without exceeding 22 feet on the structure over Deep Run. The total cost and cost-per-residence of this barrier would be \$1,433,260 and \$36,750, respectively.

The second scenario, which provides the same abatement as Option D Modification 1, would require increasing the barrier length as well as height. This barrier would be 5,190 feet long with an average height of 23.1 feet. This would protect 58 residences at a cost of \$1,978,480 and cost-per-residence of \$34,110. This barrier would require heights in excess of 30 feet on the structure over Deep Run which was not considered reasonable.

b. NSA K

Abatement considerations for this alternative are identical to those for Option D Modification 1.

9. Alternative 3 - Option D Modification 2A (Selected Alternative)

The abatement analysis for this alternative is the same as described for Alternative 3 - Option D Modification 2. NSAs A, B, C, and K were analyzed for abatement with this alternative. The results for each NSA are described below, while Table IV-30 summarizes the abatement analysis for this alternative.

a. NSA A

With this alternative, four single-family residences on Mullineaux Road will be impacted. A barrier 1,830 feet long, 16 feet high located between MD 103 and I-95, south of MD 100 would protect these impacted residences. The total cost and cost-per-residence of this barrier would be \$483,120 and \$120,780, respectively. Based on the total cost and cost-per-residence, noise abatement at this NSA is not considered reasonable.

b. NSAs B and C

A total of 62 residences will be impacted with this alternative. Two abatement scenarios for these NSAs were considered. The first was to provide abatement based on the design goals, but taking into consideration construction

TABLE IV-30

NOISE ABATEMENT SUMMARY ALTERNATIVE 3 - OPTION D MODIFICATION 2A (SELECTED ALTERNATIVE)

Noise		Noise	2015 L _{eq} (h) Unabated/ Abated Noise Level	Residences Impacted	Barrier				
Sensitive Area	Description	Sensitive Site			Length (Ft.)	Average Height (Ft.)	Cost*	Residences Benefitted ^b	Cost Per Residence
Α	Southwest of Alternative 3 Option D Modification 2A - Residences on Mullineaux Road	34	*70/63	4	1,830	16.00	\$ 483,120	4	\$ 120,780
В, С	North of Alternative 3 Option D Modification 2A from MD 104 to Snowden River Parkway - Glen Mar, Montgomery Meadows, Hunt Country Estates	5 23 25 31 7 18	65/60 *72/63 *66/60 64/59 *70/60 *70/*66	62	5,190	20.10	\$1,721,510	54	\$ 31,880
B, C Addition	Same as NSA B, C, Barrier Analysis to Achieve Same Noise Level Reduction as Alternative 3 Option D Modification 1	5 23 25 31 7 18	65/59 *72/63 *66/60 64/58 *70/60 *70/*66	62	5,190	21.32	\$1,825,820	58	\$ 31,480
В	Northeast of Alternative 3 Option D Modification 2A from East of MD 104 to Old Montgomery Road - Hunt Country Estates Only	5 25	65/60	15	1,820	26	\$ 781,640	12	\$ 65,140
С	North of Alternative 3 Option D Modification 2A from MD 104 East Approximately 2,500 Feet - Glen Mar	7 18	*70/60 *70/*66	26	2,590	20	\$ 854,700	25	\$ 34,200
К	South of Alternative 3 Option D Modification 2A from East of MD 104 to Snowden River Parkway - Ashton Woods and the Villages of Montgomery Run	6 24 26	*66/59 *69/62 *70/65	254	4,730	15.66	\$1,221,360	129	\$ 9,470
K 2nd Floor	As NSA K, Barrier Analysis to Achieve 5 dBA Reduction at 2nd Floor	6-2nd FL 24-2nd FL 26-2nd FL	*69/63 *70/63 *70/65	254	4,730	16.78	\$1,308,420	172	\$ 7,610
L	East of Alternative 3 Option D Modification 2A South of Old Montgomery Run - Brightfield	3	62/NA	0					

^{*} Based on \$16.50 per square foot of barrier.



Impacted residence receiving a 5 dBA reduction in noise levels.

^{*}Approaches or exceeds FHWA noise abatement criteria of 67 dBA.

feasibility. This included a maximum height of 22 feet on structures that pass over Deep Run. With this limitation, a barrier 5,190 feet long with an average height of 20.1 feet would provide protection to 54 residences at a cost of \$1,721,510. The cost-per-residence of this barrier is \$31,880.

The second scenario increased the height of the barrier such that the same residences benefitted with a barrier in Alternative 3 - Option D Modification 1 would also be protected with this alternative. This was accomplished by raising the average height to 21.3 feet. However, this requires sections of barrier on structures that would reach 26 feet. With this adjustment, 58 residences would be protected at a total cost and cost-per-residence of \$1,825,820 and \$31,480, respectively.

A commitment has been made by the SHA to provide noise abatement along the north side of MD 100. This abatement will provide protection for noise sensitive areas B and C which includes the communities of Glen Mar, Montgomery Meadows, and Hunt Country Estates Subdivisions. The final barrier length and height will be determined during final design.

c. NSA B Only

For this alternative, NSAs B and C were also analyzed separately. For NSA B, a total of 15 residences would be impacted. A barrier 1,820 feet long and 26 feet high would provide the minimum 5 dBA reduction to 12 impacted residences. The total cost and cost-per-residence of this barrier would be \$781,640 and \$65,140, respectively. This scenario would require barriers 26 feet in height on structures over Deep Run. Based on the cost-per-residence, abatement at this NSA is not considered reasonable.

d. NSA C Only

A total of 26 single-family residences will be impacted by this alternative. A barrier 20 feet high beginning approximately 50 feet east of MD 104 and continuing for 2,590 feet along the westbound lanes of MD 100 would protect 25 of the 26 impacted residences. The total cost and cost-per-residence of this barrier is \$854,700 and \$34,200, respectively. Based on the cost-per-residence, abatement for this NSA is considered reasonable.

e. NSA K

A total of 254 residential units will be impacted by this alternative. As with the previous Option C Revised and Option D Revised, two scenarios were analyzed. For the first floor units, a barrier 4,730 feet long with an average height

of 15.7 feet would protect 129 impacted residences. The barrier location is the same as with Option D Modification 1. The total cost and cost-per-residence is \$1,221,360 and \$9,470, respectively. Based on the cost-per-residence, abatement at this NSA is considered reasonable. Noise abatement measures at this location will be evaluated during final design.

Increasing the average barrier height to 16.8 feet would protect a total of 172 of the 254 impacted residences. The total cost and cost-per-residence of this scenario is \$1,308,420 and \$7,610, respectively. Based on the cost-per-residence, abatement at this NSA is considered reasonable. Noise abatement measures at this location will be evaluated during final design.

10. Earth Berm Feasibility

A supplemental analysis was undertaken to determine the feasibility and effect of placing earth berms adjacent to the noise sensitive areas in the project area should there be excess material after MD 100 is constructed. Feasibility refers to the ability to construct earth berms given the existing topography and the proposed vertical and horizontal alignment of Alternative 3 - Modification 2A (Selected Alternative). Earth berms have the potential effect of reducing noise levels and abatement costs. This analysis was performed with the following assumptions:

- Berms would be constructed with 2:1 side slopes and a 5-foot-wide bench at the top;
- All construction would be within the proposed right-ofway, except where it could be assumed that easements could be obtained from homeowner association properties;
- No existing wetland systems would be encroached upon; and
- No additional costs for berm construction would be incurred since this project will most likely result in excess excavated material. If this is not the case, additional costs for berm construction would need to be determined.

An initial screening of Alternative 3 - Modification 2A (Selected Alternative) indicated that all berms would need to be constructed within the proposed right-of-way except near NSA K, where homeowner association property exists adjacent to the proposed right-of-way. A summary of the feasibility and effect of earth berm construction is provided below by noise sensitive area.

a. NSA A

Adjacent to NSA A, two separate berms can be constructed within the proposed right-of-way. The first would extend from just east of MD 103 to just west of the Wetland 11A at Station 235+00. The second berm would begin just east of this wetland and extend to just west of the previously constructed portion of MD 100.

These berms would range in height from 1 to 4 feet and require approximately 5,370 cubic yards of material to construct. These berms would lower the necessary height of the abatement walls by 1 to 4 feet. The total cost and cost-per-residence would be \$399,020 and \$99,750, respectively. There would be no impacts to forested lands as a result of constructing these berms. Due to the substantial cost associated with abatement at this location, this option was not considered reasonable.

b. NSA B

As with NSA A, two separate berms can be constructed within the proposed right-of-way. The first berm would be located north of the westbound lanes of MD 100, from Station 155+00 to 162+00. This berm would average 2 feet in height. A second berm, also to the north, would extend from Station 168+00 to 177+00 and vary from 1 to 3 feet in height. The combination of these two berms would require approximately 2,775 cubic yards of material to construct.

These berms would lower the height of the abatement walls in certain areas from 1 to 3 feet. The new cost and cost-per-residence for NSA B would be \$738,030 and \$61,500. Construction of these berms would result in approximately 0.49 acres of impact to adjacent forested lands. Due to the substantial cost per residence, noise abatement at this NSA is not considered reasonable.

c. NSA C

A single berm, beginning just east of MD 104 and continuing to Station 145+00 to the north of MD 100 could be constructed within the proposed right-of-way. This berm would vary in height from 1 to 4 feet and require approximately 4,260 cubic yards of material to construct. This would lower the required height of the noise abatement barrier for this NSA. The new cost and cost-per-residence of this berm/barrier would be \$637,750 and \$25,510, respectively. A total of 0.93 acres of forested land would be impacted with the construction of this berm. This noise abatement option will be evaluated further during the final design phase of this project.

d. NSA K

At NSA K, homeowner association property exists adjacent to the right-of-way, which would allow for much higher berms to be constructed. A single berm to the south of MD 100 beginning at Station 131+00 and continuing to Station 161+00 could be constructed. With the additional width from the homeowner association property, this berm will vary in height from 3 to 36 feet and vary in width from 25 to 165 feet. This berm would tie into and increase the height of the existing berm that is adjacent to the majority of the Villages of Montgomery Run. A total of 118,800 cubic vards of material will be needed to construct this berm.

This berm would reduce the necessary height of the noise abatement barrier for this NSA. With the berm, the new cost and cost-per-residence of the abatement barrier for this NSA would be \$550,450 and \$4,270, respectively. A total of 1.38 acres of forested lands would be impacted by the construction of this berm. This barrier/berm combination will be evaluated further during the final design phase of this project.

e. NSA L

This NSA is not eligible for abatement under this alternative. However, should excess material be available during construction, two berms could be constructed within the proposed right-of-way adjacent to this NSA. These berms, located to the north of MD 100, would extend between Old Montgomery Road and MD 103 separated by the wetland at Station 211+00. The height of these berms would vary between 3 and 4 feet, and require 4,260 cubic yards of material to construct. This berm would impact 0.17 acres of forested land and would not result in a measurable reduction in noise levels. Therefore, it is not considered a reasonable or feasible noise abatement option.

f. NSA O

Within NSA O, there are three specific noise sensitive sites that were analyzed for noise impacts, none of which were considered for abatement. However, as with NSA L, should excess material be available during construction, berms could be constructed within the proposed right-of-way adjacent to these sites. Due to the limited height of the berms, the noise contribution of other area roadways and the lack of a measurable reduction in noise levels, berms at this location are not considered reasonable or feasible.

For the Curtis-Shipley property, two 4-foot-high berms could be constructed south of MD 100 and west of the proposed Snowden River Parkway extending from Station 167+00 to approximately 200 feet north of MD 108. These two

berms would be separated by the wetland at Station 177+00. Combined, these berms would require approximately 3,700 cubic yards of material to construct. No forested impacts would occur with the construction of these berms.

The University of Maryland Husbandry Farm could also have two berms constructed within the proposed right-of-way. Extending from just north of MD 108 to Station 194+00, these berms would be east of the proposed Snowden River Parkway and south of MD 100. A wetland at Station 185+00 would separate these two berms which range in height from 1 to 4 feet. A total of 2,960 cubic yards of material would be needed for construction and the construction would not impact any forested lands.

The Maryland School for the Deaf could have one berm constructed within the proposed right-of-way south of MD 100 between Old Montgomery Road and the wetland at Station 211+00. This berm would range between 2 and 4 feet in height and require approximately 2,040 cubic yards of material to construct. There would be no impact to forested land with this construction.

Existing development or property owners can dedicate land beyond the MD 100 right-of-way for earth berm construction. This will be considered during final design only if excess material is available after construction of MD 100 is complete. A commitment has been made by the SHA to connect the two existing earth berms associated with NSA K. This will extend the earth berm through the BGE right-of-way and will include landscaping compatible with the existing berms. No other earth berms will be provided by the SHA east of MD 104 unless excess material is available after construction of MD 100 is complete. Construction of any additional earth berms would be coordinated with area residents.

11. Traffic Management Measures

Traffic management measures which could be used for noise abatement include traffic control devices and signing for prohibition of certain vehicles (heavy trucks), time use restrictions for certain types of vehicles, modified speed limits, and exclusive lane designations. However, prohibiting heavy trucks on MD 100 would not be consistent with FHWA policy for this type of facility or with the intent of the project to provide a link from U.S. 29 to I-95. Any modification to the speed limit would cause an inadequate level of service for the projected traffic volumes.

12. Alterations of Horizontal and Vertical Alignment

The project is heavily developed and all potential horizontal alignments have been analyzed. Vertical alignments have also been adjusted. Due to

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other environmental constraints and the existing topography, any further adjustment for noise mitigation would create impacts to other sensitive environmental resources.

13. Acquisition of Real Property or Property Rights to Establish Buffer Zones

For properties where development plans are not yet approved, the developer will be responsible for noise mitigation. In existing developments, there is insufficient space to provide a buffer large enough to reduce noise levels below impact levels. Some developments constructed after 1989 have included some earth berms as required by Howard County.

The Villages of Montgomery Run were constructed with the alignment of MD 100 being public knowledge. In fact, at the County's request, the alignment was moved to permit these units to be constructed. Alternative 3 - Option D Modification 2A, the 1994 Selected Alternative has revised the 1989 alignment and is located closer to 8611 and 8613 Falls Run Way (Building D) of the Villages of Montgomery Run. To provide reasonable noise mitigation for these units that are now closer to MD 100, the SHA offered the owners two options. The first option would provide a noise barrier to protect the first and second floor units and purchase the third floor, while the second allowed for the optional buyout of all three floors. The SHA could not justify providing both a noise wall and a three floor buyout option at public expense, thus at the request of the residents, the SHA has agreed to an optional buyout for all three floors of this building as noise mitigation. The units will be resold with full knowledge and disclosure of the MD 100 Selected Alternative alignment. This buyout offer was made based on an understood commitment from SHA in 1989 that MD 100 would not get any closer to existing communities. No other community is any closer to MD 100 than in 1989.

14. Construction Impacts

An increase in project area noise levels would occur during the construction of the proposed improvements. Construction noise differs significantly from the noise generated by normal traffic due to its unusual spectral and temporal nature. The actual level of noise impact during this period will be a function of the number and types of equipment being used, as well as the overall construction procedure.

T. Mitigation

A conceptual mitigation plan has been developed to replace the 4.9 acres of wetlands impacted by Alternative 3 Option D Modification 2A (Selected Alternative).

Preliminary evaluations indicate that the 4.9 acres of lost wetland functions can be replaced with the two mitigation sites by providing the following:

- Sediment trapping, nutrient retention, and flood desynchronization by allowing storm flows to spread out over the mitigation area by either a hydrologic connection or overbank flows;
- Sediment trapping and nutrient retention of overland flow;
- Food chain support by creating habitat conducive to wildlife from aquatic invertebrates to mammals and birds where little or no food chain support exists;
- Groundwater discharge by creating seeps in the area; and
- Wildlife habitat that will support volunteer wetland growth and help continue two wildlife corridors along these two stream channels.

The anticipated wetland impacts to Wetlands W-4a, W-5 through W-13, and Conservation Areas 1 and 2 total 4.9 acres for the MD 100 project between MD 104 and I-95. The total impact is the result of considering the use of walls to minimize wetland impacts. Further refinements to the interchanges at Snowden River Parkway and MD 103 have provided additional reductions in wetland impacts. Application of replacement ratios result in a total of 8.2 acres of required mitigation. Table IV-31 describes the wetland impacts in detail.

An exhaustive site search has been conducted to locate all potential wetland mitigation sites in the Deep Run, Stony Run, and Sawmill Watersheds to offset impacts due to the construction of MD Route 100 from U.S. 29 to I-97. MD 100 is being designed in two stages and involves two site searches for potential wetland mitigation properties, one west of I-95 and the other east of I-95. The two site searches, encompassing a total of 49 properties, were evaluated for potential wetland creation and/or stream restoration to replace ecological functions associated with unavoidable impacts to wetlands in the Deep Run, Stony Run, and Sawmill Watersheds.

The MD 100 site search, east of I-95, evaluated 23 sites for wetland replacement. Only five of these 23 sites were considered viable and all are currently being designed and/or constructed to satisfy mitigation requirements for MD 100 impacts from I-97 to I-95.

TABLE IV-31

WETLAND IMPACTS MITIGATION ACREAGE MD 100 FROM MD 104 TO I-95 ALTERNATIVE 3 - OPTION D MODIFICATION 2A SELECTED ALTERNATIVE

Wetland No.	Total Impacts (Acres)	Forested Wetland Impacts (Acres)	Non-Forested Wetland Impacts (Acres)
4a	0.0	0.0	0.0
5	0.2	0.2	0.0
6	0.6	0.6	0.0
6a	0.1	0.1	0.0
7	0.6	0.6	0.0
8	0.1	0.1	0.0
9	0.0	0.0	0.0
10	0.3	0.3	0.0
10a	0.1	0.0	0.1
11	0.2	0.2	0.0
Cons. 1 and 2	1.3	1.3	0.0
11a	0.3	0.2	0.1
12	0.3	0.3	0.0
13	0.8	0.7	0.1
Total Impacts	4.9	4.6	0.3
Required Mitigation	8.2 Total Acres of PFO and PEM	7.9 Acres of PFO (Using a 2:1 Replacement Ratio Except for Cons. 1 and 2)	0.3 Acres of PEM (Using a 1:1 Replacement Ratio)

The wetland mitigation site search for MD 100 from I-95 to U.S. Route 29 resulted in a total of 26 possible sites. Only two of the 26 sites are considered suitable by the environmental regulatory agencies. The sites' conditional approval is based on further groundwater study, NEPA documentation, and archeological investigations. The remaining potential wetland creation sites were discarded for a variety of reasons, including steepness of slopes, lack of hydrology, inaccessibility of stream banks, and presence of utilities. Other reasons include disinterested property owners and unfavorable economic conditions.

The two sites conditionally approved by the environmental agencies for the construction of MD 100 from MD 104 to I-95 are the University of Maryland Horse Farm and the Zeltman property. The University of Maryland Horse Farm, which can accommodate 7.9 acres of the required 8.2 acres of mitigation, is being pursued by the Maryland State Highway Administration (SHA) as the primary mitigation site. The location of the University of Maryland Horse Farm mitigation site is shown on Figure IV-1. Groundwater monitoring wells are currently being monitored at the University of Maryland Horse Farm. Also, the University of Maryland has shown an interest in releasing the property. The Zeltman property is no longer being considered a viable option due to cost.

SHA is proposing to accommodate the remaining 0.3 acres of mitigation at the Deep Run Mitigation Site in Anne Arundel County. The Deep Run Mitigation Site is required by U.S.C.O.E. Permit No. CENAB-OP-RW-89-3255-3 for the creation of 4.0 acres of PEM. However, final design plans, which are due to the agencies by October 1994, will show 5.7 acres of wetlands creation. The difference between required and proposed mitigation at the Deep Run Mitigation Site is 1.7 acres of excess PEM acreage. The application of 0.3 credit acres of PEM toward the University of Maryland Horse Farm Mitigation Site will leave the Anne Arundel County Deep Run Mitigation Site with 1.4 acres of excess PEM acreage.

The University of Maryland Horse Farm is characterized by grazed pasture, contiguous with a riparian corridor along the Deep Run mainstem, and is downstream of Wetland 9. The potential mitigation site would be dependent on groundwater discharge as well as overland flow. Due to the site's existing palustrine forested wetland (PFO) stream border, augmentation of the existing wetland system is proposed. Initial mitigation concepts reveal that approximately 7.9 acres of PFO could be created on the University of Maryland Horse Farm (see Figure IV-2).

The impacts of the highway project are based on current design detail and may be reduced with detailed minimization during the highway design process. The mitigation site plan will be adjusted based on the final highway impacts.

In addition to replacing the required wetland acreage, the current evaluation indicates that the functions of the impacted wetlands can also be replaced at both potential mitigation sites.

The primary goal of the University of Maryland Horse Farm mitigation site is to provide a larger wildlife corridor and to create wildlife habitat through the establishment of vegetation, enhanced water quality, and food chain support. This will be accomplished by creating a habitat conducive to wildlife, including aquatic invertebrates, mammals, and birds.

The secondary functional goal is to provide water quality benefits by sediment trapping and nutrient retention, and by retaining overland flows. The establishment of vegetative cover will also contribute to increased water quality.

Section V

Section 4(f) Statement

V. SECTION 4(f) EVALUATION

A. Introduction

Section 4(f) of the Department of Transportation Act, 49, U.S.C. 303(c), requires that the proposed use of land from a significant publicly owned park, recreation area, or wildlife and waterfowl refuge, or any significant historic site be given particular attention. Final action requiring the acquisition of such land must document that there are no feasible and prudent alternatives to the use of land from the property, and that the proposed action includes all possible measures to minimize harm to the property.

1. Proposed Action

The Maryland State Highway Administration (SHA) proposes to complete the section of MD 100 between MD 104 and I-95 in Howard County, Maryland. The proposed facility would consist of a six-lane roadway on new location with a 60 mile per hour design (mph) speed and fully controlled access from MD 104 to I-95. A description of the alternatives under consideration is provided in Section II.

2. Description of Section 4(f) Resources

One National Register eligible historic site, the Curtis-Shipley property, is architecturally significant and is a remnant of the rural nature of the eastern end of Howard County. Most small farm houses are not as ornate or lavish as the Curtis-Shipley house. Changes made after World War II do not compromise the historic nature of the complex, which includes the house, a cemetery, and several outbuildings. The stone dairy and a portion of the house date to the early 19th century. Only 49.8 acres of the westernmost (lower left corner of Figure V-1) portion of the 77 acre tax parcel is considered eligible for the National Register. Impacts only occur to the northeastern portion of the National Register Eligible segment of the property.

3. Impacts on Section 4(f) Properties

Alternative 3 - Option D Modification 2A (Selected Alternative) passes through the eastern portion of the Curtis-Shipley property eligible for the National Register and impacts 1.0 acres (see Figure V-1). No standing historic structures are within the right-of-way of this alternative. The State Historic Preservation Officer has determined that this alternative has an adverse effect on this property.

Noise and air analyses have been completed for the Curtis-Shipley property. The L_{eq} ambient noise level for the area (NSA 29) is 68 dBA. The modeled design year L_{eq} noise level for Option D Modification 2A (Selected Alternative) is 64

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dBA. An air analysis for NSA 29 revealed a minor increase over existing carbon monoxide concentrations. There would be no violations of state or national ambient air quality standards.

4. Avoidance and Minimization Alternatives

The No-Build Alternative avoids impacts to the Curtis-Shipley property since there will be no roadway on new location. Under the No-Build Alternative, only minor roadway improvements to MD 103, 104 and 108 are planned, along with interchanges at US 29 and at MD 103 and 108 (either constructed or under construction). Even with these minor improvements, the entire MD 100 corridor, which consists of MD 103, 104, and 108, will function at level of service "E" east of MD 104, and level of service "F" west of MD 104 by the design year 2015. Safety conditions will diminish severely with the projected increase in traffic volumes.

Shifting the alignment to avoid the historic portion of the Curtis-Shipley property results in greater residential and/or wetland impacts. Other alignment alternatives considered do not impact this site, but require the acquisition of at least two additional homes from the Hunt Country Estates subdivision. Any shift beyond those proposed in Option C Revised and its modification would result in additional residential impacts. Alternative 3 (1989 FEIS Selected Alternative) requires no further residential acquisitions, but significantly impacts the Deep Run wetland system which traverses the Curtis-Shipley property.

Minimization, which has been an integral part of the MD 100 planning process has reduced impacts to the Curtis-Shipley property to 1.0 acres of the eastern portion of the property with the Selected Alternative and the majority of the historic portion (98 percent) of the property will remain intact. To further minimize impacts to the Curtis-Shipley property from the MD 100/Snowden River Parkway diamond interchange, relocation of the eastbound on/off ramps was investigated. The ramps can be positioned closer to MD 100 with retaining walls placed between the ramps and MD 100. This measure, along with retaining walls placed outside the ramps in the vicinity of the Curtis-Shipley property, further reduces impacts to the historic property to 0.2 acres. However, the additional cost associated with the measure is approximately \$825,000. This reduction in acreage will not eliminate or reduce the nature of the adverse impact associated with the Selected Alternative on this property. The additional expense of this minimization effort is not justified.

5. Mitigation Measures

Mitigation for the impact to the Curtis-Shipley property National Register eligible historic site has been documented in a memorandum of agreement (MOA) and coordinated with the Maryland Historical Trust, the Advisory Council on Historic Preservation, and the Federal Highway Administration (see Section VIII C1).

Typical landscaping measures are not appropriate as mitigation since the historic complex (i.e., buildings and cemetery) will not change due to construction. The Maryland Historical Trust has proposed two mitigation measures: 1) SHA prepares a National Register nomination form; and 2) SHA repairs and restores the graveyard. All mitigation will be done in consultation with the current owners and Shipley family organization. Concurrence with the SHPO and the Advisory Council on Historic Preservation can be found in Section VIII, C1.

Section VI

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Ms. Georgianna Brickner, President Ellicott Hills Neighborhood Association 3610 Rusty Rim Court Ellicott City, MD 21043 Mr. Donald Fulton, President First District Improvement Association 5412 Montgomery Road Ellicott City, MD 21043

Mr. Raymond Johnson, President Hilltop Housing Association 3649 Mt. Ida Drive Ellicott City, MD 21043

The Hunt Country Estates Community Association 8070 Fetlock Court Ellicott City, MD 21043

Mr. John Hartman, President King Charles Commons Cluster Association 8934 Blade Green Columbia, MD 21045

Mr. Larry Strow, President Lawyers Hill-Rockburn Association 6507 Lawyers Hill Drive Elkridge, MD 21227

Ms. Sharah Uphouse, Village Manager Long Reach Community Association 8775 Cloudleap Court Columbia, MD 21045

Ms. Pauline Steverding, President Mayfield Avenue Citizens Association 8012 Northwind Court Elkridge, MD 21227

Mr. Michael V. McNeal, President Montgomery Woods Condominium, Inc. 5882 Critter Court Elkridge, MD 21227 Mr. William Harrigon, President Montgomery Knolls Improvement Association 4926 Grace Court Ellicott City, MD 21043

Mr. Donald R. Harrigon, President Montgomery Knolls Community Association 5126 Avoca Avenue Ellicott City, MD 21043

Mr. Robert Bradford, President St. Johns Community Association, Inc. 9012 Dunloggin Road Ellicott City, MD 21043

Mr. Donald Johnson Stonecrest Improvement Association 4442 Stonecrest Drive Ellicott City, MD 21043

Ms. Patricia Myers, President Valley View Community Association 8430 Jopenda Drive Ellicott City, MD 21043

Mr. Bill Kotraga, Chairman Wooded Ridge Community Group 9041 Lambskin Lane Columbia, MD 21045

Section VIII

Comments and Coordination

Section VIII-A

Summary of and Responses to Public Hearing Comments

PART A SUMMARY OF MARYLAND ROUTE 100 SUPPLEMENTAL COMBINED LOCATION/DESIGN PUBLIC HEARING

This section presents a summary of all oral comments received during the formal Public Hearing for this project. The hearing was held on December 1, 1992, beginning at 7:00 p.m. in the auditorium of the Howard Senior High School in Ellicott City, Maryland. Attendees were provided with a brochure which summarized the study alternatives and associated impacts contained in the Daft Supplemental Environmental Impact Statement (DSEIS) circulated in October 1992.

At the Hearing, presentation of the project's history and recent development were made by State Highway Administration (SHA) personnel, after which a representative of the U.S. Army Corps of Engineers presented the current status of the Section 404 Joint Permit Application for the project. This was followed by a presentation of State right-of-way acquisition and residential relocation programs as well as compliance with Title VI of the Civil Rights Act. At the conclusion of the formal presentation, opportunity was provided by the SHA for comment by anyone in attendance. The comments presented have been summarized below with a response immediately following each comment.

1. MR WILLIAM MUNN, PRESIDENT, HOWARD COUNTY CHAMBER OF COMMERCE

Mr. Munn, whose organization represents over 900 county businesses, spoke in favor of the Route 100 project. He cited the role of Route 100 in providing not only a much-needed link in the regional transportation network, but also its ability to relieve

congestion on numerous local roads currently providing east-west traffic movement. As spokesperson for the Chamber of Commerce, he urged the prompt construction of the road in a manner sensitive to both the environment and the economic viability of Howard County.

Response:

The Selected Alternative 3-Option D Modification 2A minimizes impacts to the natural, socioeconomic and cultural environment and provides additional east/west traffic capacity relieving congestion on the local roadway network.

Extensive coordination was undertaken during the project planning process with citizens in all affected communities, elected Officials and appropriate permitting agencies culminating in this Selected Alternative.

It is anticipated that construction will begin mid year 1997.

2. MR. MICHAEL DAVIS, HOWARD COUNTY ECONOMIC FORUM

Mr. Davis spoke on behalf of the Forum, which is a consensus organization comprised of a range of homeowner, agricultural, realty, and land developer associations. He urged the SHA to select an alignment for Route 100 and construct it as soon as possible.

Response:

See response to 1. above.

3. MR. TOM O'BRIEN, 8066 FETLOCK COURT

Mr. O'Brien, speaking on his own behalf, suggested that the proposed project be put on hold until several apparent inconsistencies in the historical project development process are explained and/or cleared up. He offered the following as evidence of the inconsistencies:

- a. Letter from Lawrence Mack to Delegate Morgan, in which the writer suggests that the SHA was aware of the homes in Hunt County Estates as well as the presence of wetlands "prior to the 1989 amendment".
- b. 1985 letter from Mr. Curtis to the County Council noting that the road would run adjacent to Hunt Country Estates.
- c. 1985 letter from Tom Harris to Lawrence Mack stating his concurrence with a northern alignment shift if it would not impact residences along Old Montgomery Road and in Hunt County Estates.

Mr. O'Brien concluded his testimony by stating that these letters indicate that the SHA and Howard County had knowledge of the existence of the Hunt Country Estates subdivision prior to the generation of alternative alignments which would impact new homes.

Response:

SHA admitted that a mistake was made, but rectified that mistake by shifting the alignment away from that community. The current Selected Alternative (Alternative 3 Option D Modification 2-A) is even further away from this community than the 1989 approved alternative.

4. MR. DICK BUCZEK, 8385-I MONTGOMERY RUN ROAD

Mr. Buczek, who is on the Board of directors for the Villages of Montgomery Run, stated that his groups would favor either Option A or Option C, since they place the roadway farther from their community. His opposition to the other options was based on the following comments:

a. Noise impacts will only be reduced for first-floor residents, leaving the second- and third-floor condominium unprotected and uncompensated.

Response:

Several options are currently under consideration to minimize noise impacts for all affected residences. A decision as to which mitigation option will be implemented will be determined during the final design phase of the project.

b. Noise impacts will reduce property values in the adjacent units and will ultimately affect the entire development.

Response:

Those units determined to be susceptible to significant noise increases (#8911 and #8913 Falls Run Way) have been offered a buy-out option. It is not anticipated that property values of the remaining units would be adversely affected.

5. CHARLES LEASE

The speaker, a resident of Hunt Country Estates, raised several objections to the project planning process for the project and claimed that the following events had occurred:

a. SHA moved the MD 100 alignment out of Hunt Country Estates only long enough to allow the condominiums on the other side of the road to be built and then moved it back in it's original location.

Response:

At the time the project planning study was under way for the MD 100 project, the Montgomery Run subdivision plats had already been approved by Howard County. The Selected Alternative (Option D Modification 2A) reduces impacts to Hunt Country Estates beyond what was originally proposed for the Selected Alternative (Alternative 3) approved in the 1989 Final Environmental Impact Statement (FEIS).

b. A 1986 letter from John Bruck confirms Mr. Lease's assumption that the roadway alignment had been committed to sometime ago, even at the potential risk of the loss of federal funding.

Since approval of the 1989 FEIS, the environmental process has been reopened. The MD 100 alignment in the vicinity of Hunt Country Estates and the Villages of Montgomery Run has been reevaluated, and several shifts were made to address the concerns of both permitting agencies and citizens in affected communities.

c. The Robb alignment developed by residents of Hunt Country Estates was labeled "not preferred" by SHA due to its minority displacements, when in fact at least seven of the ten identified properties were not minority-owned.

Response:

The Robb alignment was labeled not preferred not only due to impacts to a minority community, but also because of impacts to two buildings in Ashton Woods, two 12-unit buildings in the Villages of Montgomery Run, and one single-family residence on Elko Drive for a total of 40 required relocations. This alignment also requires the relocation of a small existing stormwater management pond in Ashton Woods. The Robb alignment would require the direct taking of 19.4 acres from the historic Curtis-Shipley property and would landlock an additional 15.5 acres of the historic portion of this site. Although wetland impacts were reduced by 2.8 acres beyond what was proposed in the 1989 FEIS, the current Selected Alternative has reduced overall wetland impacts by 10.1 acres. Due to the extensive impacts of this alignment over the Selected Alternative, the Robb Alignment was not preferred.

d. SHA also manipulated the wetland impact numbers to make the Robb alignment less favorable than their in-house alignments.

The wetland impacts of the Robb alignment were subjected to the same level of scrutiny and analysis as all other alternatives considered in this planning study.

e. Route 100 will not provide the traffic diversion claimed by SHA, which means that Routes 108, 104, and 103 will still have to be widened in the future.

Response:

The 1994 Consolidated Transportation Program does not identify any widening to occur on MD 108, MD 104, and MD 103. The traffic diversion afforded by the construction of MD 100 should minimize the need to widen these roadways in the foreseeable future.

f. Since Route 108 will have to be widened and will severely impact the ten "minority" homes anyway, the Robb alignment should be selected to save the additional eight homes that would be required by Option D.

Response:

As noted in the response to comment 5. c. above, the Robb alignment would require a total of 40 residential relocations. The Selected Alternative would require only four residential relocations.

g. The Maryland 100 alignment has been developed to accommodate the future development of the Curtis property.

The Selected Alternative (Option D, Modification 2A) was developed because it best meets the environmental, cultural, engineering, transportation, and regulatory requirements for a project of this type. Future development and/or zoning density changes which may occur following construction of the roadway are outside the scope of this project.

h. Construction of Route 100 will allow certain property owners along the roadway to change their current zoning to a higher density.

Response:

See response to 5. g. above

6. VALERIE MCGUIRE, 8070 FETLOCK COURT

Ms. McGuire presented a detailed discussion of her involvement in the planning process since 1990. The following comments were made during the course of her presentation:

a. The SHA told the Hunt Country Estates residents that a southern shift alignment would be too costly since it would take three to five buildings from the Montgomery Run community. This was contrary to an agreement SHA had already come to with Hunt Country Estates to move the alignment out of their community.

The Selected Alternative (Option D Modification 2A) has been shifted to the south when compared to the Selected Alternative 3 alignment approved in the 1989 FEIS.

b. The Montgomery Run developer shifted the alignment to the north without any studies being done and without consulting adjacent property owners.

Response:

The Selected Alternative (Option D Modification 2A) alignment is the alignment which best minimizes impacts to the natural, socioeconomic and cultural environments and is not based on any decision of the Montgomery Run developer.

c. Three agencies also recommended a southern or southwesterly shift of the roadway away from Hunt Country Estates.

Note: Evidence of this was quoted out of a letter from the "U.S. Department of the Interior, Baltimore District Corps of Engineers."

Response:

The environmental agencies requesting a southern or southwesterly shift of the alignment away from Hunt Country Estates were doing so to avoid the longitudinal crossing of the mainstem of Deep Run.

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d. The Lazy "S" alignment (which she developed) would effectively deal with several key issues since it: reduces wetland impacts; takes no homes from either Hunt Country Estates or Montgomery Run; allows for the Snowden River Parkway to be built out of the wetlands and with a reduced length and cost; follows the recommendations of various State and federal agencies, and is cost effective.

Response:

The Selected Alternative (Option D Modification 2A) for this project closely replicates the proposed "Lazy S" alignment. The noted reduction in impacts was an important factor in selecting this alternative.

e. Buyers of Montgomery Run condominiums who would be closer to the proposed road under the Lazy "S" alternative should have been made aware of the Memorandum of Understanding between SHA and NEWMISS. If they were not, they should seek legal action against NEWMISS.

Response:

Due to an alignment change between the 1989 Selected Alternate 3 alignment and the current Selected Alternative 3 - Option D Modification 2A, one of the Village of Montgomery Run condominium buildings is now located closer to the Selected Alternative alignment. The SHA has agreed to an optional buyout for all three floors of this building as noise mitigation.

f. In addition, Montgomery Run residents will receive noise mitigation, whereas Hunt Country Estates will not. Montgomery Run residents bought

with the knowledge of the "vicinity of the proposed Route 100," while Hunt Country residents bought before Route 100 was put back in the General Plan.

Response:

As indicated in Table IV-31 of this FSEIS, the Selected Alternative does not adversely impact the noise levels at Hunt Country Estates. See data for Receptor Site 31.

g. Hunt Country Estates homeowners were denied due process in the decision to make a 1,500 foot shift in the roadway toward their community. The Howard County Council did not hold a public hearing on this major alignment shift and passed it through resolution, all of which was done to build high-density housing for low to noderate incomes.

Response:

The Selected Alternative does not incorporate a northern alignment shift in the area of the Hunt Country Estates.

h. In the area of Deep Run, SHA should not have been influenced by the developer. Information that SHA had in their files was not used to assure an alignment that did not interfere with existing communities.

In the area of Deep Run, all refinements to reach the Selected Alternative alignment were based on reducing the wetland impacts associated with Deep Run and eliminating the longitudinal crossing which was part of the 1989 FEIS Selected Alternative alignment. Extreme care has been taken during this project planning process to ensure a minimal impact to existing communities.

i. Mr. Curtis has gained recent National Register eligibility for his property even though his farm was not considered eligible back in 1989 (based on a file which is now lost). Mr. Curtis intends to develop his property in accordance with the mixed-use zoning from the 1990 General Plan and further intends to use his property's historic designation as a way of limiting the corridor alignment of Route 100, eliminating the Robb alignment, and giving himself more land on which to build high-density housing.

Response:

Subsequent to the approval of the 1989 FEIS, the MD 100 project area was evaluated for historic and archeological site impacts. Based on that review, the Maryland Historical Trust (MHT) determined that the Curtis-Shipley Property was eligible for inclusion in the National Register of Historic Places.

j. Development of the Curtis property with a mixed use of high commercial density and low residential density would generate 66,000 additional trips per day. SHA has no plans to widen Route 108 to accommodate these 66,000 trips.

The intention of Mr. Curtis to develop his farm in accordance with the mixed-use zoning from the 1990 General Plan can only be addressed by the Howard County Department of Planning and Zoning, which grants such zoning. The development of the Curtis property at this point is mere speculation as Mr. Curtis has not initiated any formal discussions to indicate that this will take place.

k. A Howard County official wrote her a letter in 1991 that stated that the County considers Hunt Country Estates' parkland to be significant, while another County official wrote SHA in 1992 that the same lands were not significant. The Howard Country Government does not intend to reaffirm the priority of parklands in the General Plan and will "look the other way" if the delegation and the Council vote for either Option A or C. The Howard County Executive and Council refuse to address Mr. Bourne's decision that community park land is insignificant and will therefore allow a northern alignment shift through parkland.

Response:

The Howard County Department of Recreation and Parks has determined that the County Open Spaces identified in the MD 100 study corridor "... do not play a significant role in meeting the recreation, park, wildlife or waterfowl refuge objectives of the community involved...".

1. While the Lazy 'S' provides the fairest compromise for the communities, the No-Build Alternative is also a logical compromise. Since Howard County is currently up-zoning remaining parcels of land in the eastern part of the

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County, the purpose of Route 100 must be questioned. The No-Build Alternative should be reassessed because it addresses the environmental and socioeconomic concerns better than the "build" alternatives.

Response:

The Selected Alternative closely replicates the Lazy "S" horizontal configuration. The 1989 FEIS clearly established the need to construct the MD 100 roadway to effectively reduce both existing and future traffic congestion on the local roadway network in eastern Howard County. In establishing this need, the inability of the No-Build Alternative to satisfy future traffic demands was used as the basis for eliminating this alternative from further study.

m. Options B, D, and the Robb alignment should be looked at again in detail.

Response:

All three of these alternatives were evaluated in detail in the Draft Supplemental Environmental Impact Statement (DSEIS).

n. An investigation of SHA practices should be undertaken by the Federal Highway Administration and the U.S. Attorney's Office.

Response:

The entire project planning process for the MD 100 project has been developed in close coordination with and with the approval of the Federal Highway Administration.

7. BONNIE JOHNSON, HOWARD COUNTY SIERRA CLUB

Ms. Johnson presented her group's support for Alternative 3-D "if this road must be built." She then recounted the Sierra Club's policy statement on wetland protection, replacement, and enhancement, noting that the surrounding communities will benefit from the maximum protection of existing wetlands. She concluded by thanking SHA for its "willingness to protect this essential part of the environment."

Response:

The Selected Alternative is a modification of Alternative 3-Option D presented in the DSEIS.

8. ROBERT GARDNER, 5558 HUNTING HORN DRIVE

Mr. Gardner made a general statement that the DSEIS contains numerous errors and should be re-evaluated and corrected. He offered to provide appropriate corrections.

Response:

A detailed response to Mr. Gardner's written comments presented at the Public Hearing is addressed in Part D - Citizen Correspondence.

9. CHARLES HOLCOMB, 5848 MONTGOMERY ROAD (MULLINEAUX ROAD RESIDENT)

Mr. Holcomb, whose house would be taken by the alignment shift to avoid Wetland 13, noted that Wetland 13 is a low-quality wetland, that adjacent land is

available for mitigation, and that his house should not have to be taken in order to avoid this low-quality system.

Response:

The Selected Alternative will not require the relocation of the residences along Mullineaux Road.

10. LORI LEASE, HUNT COUNTRY ESTATES

Ms. Lease offered several comments on the Route 100 planning process and the DSEIS:

a. SHA and Howard County knew that Hunt Country Estates existed from the very beginning of the project. SHA has worked with Howard County to deceive Hunt Country residents and others in every phase of the project.

Response:

A total of four coordination meetings were held between September 1991 and October 1992 with the residents of Hunt Country Estates. These meetings have resulted in numerous supplemental studies to address specific concerns raised by various citizens in this community.

b. The decision to shift Route 100 through Hunt Country Estates was made in 26 days and without any studies.

The Selected Alternative does not include a northern shift through Hunt Country Estates.

c. The DSEIS studies a "bogus" alignment which would take 264 homes and then determines the Robb alignment as non-preferred due to the high value of Wetland 6, which was not concurred with by the environmental agencies.

Response:

None of the alternatives retained for further study in the DSEIS require the relocation of more than ten residential properties. The high quality rating of Wetland 6 has been concurred with by all federal and state regulatory agencies.

d. Impacts to Wetland 6 were erroneously omitted from the wetland impacts of the preferred alternative.

Response:

Table IV-9 of this FSEIS indicates the impact to Wetland 6 from the Selected Alternative.

e. The Federal Highway Administration should stop the funding for the project and investigate the entire process.

The project planning process for the MD 100 project has been performed in close coordination with and with the approval of the Federal Highway Administration.

f. The only acceptable alternatives are the No-Build, Option D, and the Robb alignment.

Response:

The Selected Alternative is a modification of Option D.

Ms. Lease also submitted to the public record extensive files containing copies of documents which she had obtained from various federal, state, and local agencies.

11. SUSAN GRAY

Ms. Gray, a resident of Highland, cited a series of documents beginning with the 1985 corridor study to make a series of comments on the proposed project.

a. Construction of Route 100 will not affect local traffic volumes for all practical purposes. Route 100 will add substantially to existing traffic problems and not provide any relief.

Response:

The traffic analysis performed for the MD 100 project indicates that local roadway traffic volumes in 2015 will be 26 to 83 percent greater under the no-build

condition than if MD 100 is constructed, indicating a substantial diversion onto the new roadway.

b. Howard County has been using the presence of Route 100 in its General Plan as a tool to change low density residential land into high-density mixed use development. Examples of changes to the Curtis, Maryland Horse Farm, and Greer-Miller properties were cited from the new Master Plan.

Response:

Decisions regarding changes in zoning density for Howard County comes under the jurisdiction of Howard County Department of Planning and Zoning.

c. Concurrent with this rezoning, SHA changed Route 100 from a six-lane to an eight-lane design, though the road is still being characterized as a six-lane highway. Even with the eight-lane roadway most of the adjacent roads still provide an inadequate level of service.

Response:

The current design for the MD 100 project provides for three lanes in each direction with right-of-way acquired to provide for the possible future expansion to four lanes in each direction when traffic volumes warrant. With the proposed six-lane facility expandable to eight lanes, it is expected that the existing roadway network will experience improvement in levels of service.

d. "Is anybody going to address the issue of the Curtis Farm and the fact that this county is in the process of changing the zoning now?" If it is rezoned,

what will happen? Despite SHA's response to environmental agencies' questions that the Curtis property and Maryland Horse Farm properties would retain their R-20 zoning, up to 2.9 million square feet of office space or up to 1,500 more homes could be built there under current County proposals.

Response:

See response to 11.(b) above.

e. The traffic analysis in the DSEIS reflects densities that are higher than those actually planned for in the Ground Plan.

Response:

The 1992 DSEIS does not contain a traffic analysis section as it was not an issue for consideration in the supplemental studies. The 1989 FEIS does contain information on levels of service for a range of alternatives considered at that time.

f. "...[H]ave you looked at what will happen if the Greer-Miller property builds out at 1.7 million square feet of office space, which is what it's zoned for?"

Response:

The traffic analyses performed for this project utilized the maximum density allowed for all future land use types as indicated in the 1990 General Plan.

g. County or State Case Law (sic) explicitly precludes the requirement of the developer to build the two-lane roadway between U.S. 29 and MD 104.

Response:

The Maryland SHA routinely seeks to establish partnerships with local developers in the construction of both new and rehabilitated roadways throughout the state.

h. SHA was acknowledging five acres of impact to Brampton Hills Park for this project while negotiating a 10-acre trade of land for another (unrelated) 10 acres of parkland impact.

Response:

All impacts associated with the Brampton Hills Park were documented in the 1989 FEIS and can be found in the segment between U.S. 29 and MD 104. The FSEIS for this project covers the segment of MD 100 from MD 104 to I-95.

i. There will be "major problems" if the project is not re-evaluated.

Response:

As the MD 100 project advances through final design, it will be reevaluated to ensure that all commitments have been complied with. This is a standard procedure.

12. **JEFFREY WELLEN, 8071 FETLOCK COURT**

Mr. Wellen, whose home is one of the two to possibly be acquired under Option A or C, made several specific and general comments concerning the project:

a. While Route 100 is being constructed as a regional transportation facility, it is the local communities adjacent to the new roadway who will pay a disproportionate cost in terms of air and noise pollution as well as community disruption. Residents of Fetlock Court will be adversely affected by all alternatives except for No-Build. Even though construction of Route 100 will raise Hunt Country Estate's noise level to an estimated 74 dBA, no noise abatement would be provided since it is not cost-effective.

Response:

The Selected Alternative (Option D Modification 2A) minimizes community impacts to residences of Hunt Country Estates by shifting south of the 1989 FEIS Selected Alternative. At Hunt Country Estates, the current Selected Alternative will raise the noise level to a projected 66 dBA. SHA is currently evaluating noise mitigation options and will make a final decision during the final design phase of the project.

b. The noise study in the DSEIS seriously underestimates the future noise levels.

The noise studies for the DSEIS have been reviewed and reevaluated for errors or omissions, none were found.

c. Regardless of the alternative chosen, residents of Fetlock Court "deserve" noise barriers. Several texts dealing with the physiological and psychological effects of noise were cited to substantiate this point.

Response:

There were three noise sensitive receptors monitored at the Hunt Country Estates Subdivision, noise receptors 5, 25, and 31. None of these noise sensitive receptors exceeded the FHWA noise abatement criteria of 67 dBA. SHA is currently evaluating noise mitigation options and will make a final decision during the final design phase of the project.

d. If noise barriers are not constructed, the Fetlock Court residents "deserve compensation for the harm being caused by the SHA highway project". "Failure to fairly compensate all adversely impacted residents for direct and indirect cause is, in effect, a taking of property from these people."

Response:

At Hunt Country Estates, the Selected Alternative will raise the noise level to a projected 66 dBA. SHA is currently evaluating noise mitigation options and will make a final decision during the final design phase of the project.

e. If the State needs Route 100, it should build it in a way that treats all impacted residents fairly.

Response:

The MD 100 project has been documented in accordance with the Federal Highway Administration Technical Advisory which requires the assessment of proposed highway project impacts on residence and communities.

f. The \$40,000 cost-per-residence criteria for noise barrier cost effectiveness hasn't changed in seven years and should be updated to \$60,000 in current dollars. If this were done, Fetlock Court would be entitled to abatement. Either pay for the noise barriers, or pay for all the residents to move. If the State believes that noise impacts will not affect property values, it is in a better position to buy them and resell them. The road should not be built if it takes equity from the local residents.

Response:

Two residences along Fetlock Court were monitored for noise abatement, noise receptors 5 and 25. Neither of these sites exceed the FHWA noise abatement criteria of 67 dBA.

g. SHA "has an obligation to the community" to provide noise abatement even if it exceeds the cost-per-residence criteria.

The Selected Alternative (Option D Modification 2A) results in cost-per-residence of \$31,880 for the Hunt Country Estates Subdivision. SHA is currently evaluating noise mitigation options and will make a final decision during the final design phase of the project.

Mr. Wellen then commented on the noise analysis:

h. The modeling results are "unacceptably inaccurate."

Response:

The noise studies for the DSEIS have been reviewed and reevaluated for errors or omissions, none were found.

i. SHA designs the wall much longer than it is supposed to, thus driving up the cost of the barrier.

Response:

A review of the noise technical reports indicates that the length of an effective barrier is generally twice the distance from the receptor to the source.

j. The recent ambient monitoring program disclosed that noise in Hunt Country Estates has fallen 2 dBA. This indicates that all the numbers used in the analysis are too low.

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Response:

The noise levels in the DSEIS show a 2 dBA reduction when compared to that shown in the FSEIS for Hunt Country on an average day.

k. "A 3dB difference is about the difference between a loud conversation and a freight train. That's equivalent to a factor of two."

Response:

A two to three dBA difference in noise levels produce only minor recognizable sound differences. A 10 dBA increase is considered a doubling of sound.

1. In Hunt Country Estates, this doubling of protected homes would lower the cost-per-residence to \$39,000. The length of the barrier for Hunt Country Estates has increased from 1,675 feet to over 5,000 feet and includes 20 empty lots. The State is now including these undeveloped lots which it stated in 1989 were not considered part of the Route 100 project. It is the addition of these lots and the barrier to protect than that has made the Hunt Country Estates barrier no longer cost effective. Using the 1989 barrier and the 1992 barrier cost-per-foot results in a cost-per-residence of \$38,000, which qualifies Hunt Country Estates for noise abatement.

Response:

See response to comment 12. g. above.

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13. <u>KEITH FITCH, VILLAGES OF MONTGOMERY RUN CONDOMINIUM ASSOCIATION, SECTION II</u>

Mr. Fitch spoke on behalf of his association's Board of Directors who represent 354 homeowners in Section II. He expressed his group's strong opposition to Option B and D based on the following:

a. The two options are "poorly engineered solutions" due to traffic flow problems at Snowden River Parkway (a March 1992 letter from the Corps of Engineers to SHA was cited) and potential safety problems as a result of its "excessive and unnecessary curvature".

Response:

The Selected Alternative (Option D Modification 2A) is composed of two curves, both of which meet the design criteria of the American Association of State Highway and Transportation Officials (AASHTO).

b. Increased noise levels from these two alignments directly impact the value of all 588 homes in Montgomery Run. Noise abatement measures will not be effective for second- and third-floor units and may jeopardize future FHA and VA loans.

Response:

After careful consideration of the impacts and costs associated with the Selected Alternative (Option D Modification 2A), original owners in buildings 8611 and

8613 Falls Run Road will be offered some combination of a noise wall, wall/berm combination, or voluntary purchase by the SHA.

c. A minimum of eight families per building will be "affected by displacement if Options B and D are imposed." "Options B and D have already affected the sales of several Montgomery Run units. Homeowners have complained to the State and Montgomery Run's Board that they have been unable to sell their homes at reasonable prices." "The depreciation of Route 100 affected units affects all our community. A 10 percent reduction in pricing equates to over \$5.4 million in lost Montgomery Run homeowner equity." "Designing Route 100 to minimize impacts to wetlands is not a holistic environmental approach."

Response:

The National Environmental Policy Act requires a multi-disciplinary approach to evaluating impacts due to roadway improvements. This multi-disciplinary approach will consider effects on socioeconomic, natural and cultural environments.

d. The SHA and EPA should evaluate the amounts of carbon monoxide, carbon dioxide, and sulphur pollutants that would be released if Options B or D were implemented.

Response:

An air quality analysis was performed for all alternatives retained for detailed study.

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e. "... Options B and D will waste of 100,000 gallons of fuel per year by 1995.

Option B will waste close to 200,000 gallons of fuel per year by 2015. And

Option D will waste over 236,000 gallons of fuel each year by 2015.

Response: No response required.

f. The impacts to the two unnamed Deep Run tributaries have been overlooked.

Response:

All surface waters were evaluated to determine impacts and to develop impacts minimization alternatives.

g. "... [P]roposals by Robert Curtis have shown that lost wetlands could be mitigated at a rate of 4:1 in the Deep Run watershed with Options A and C." Options A and C are environmentally preferred for reasons of air quality, wetland mitigation, and the least impact to the natural systems.

Response:

The Selected Alternative (Option D Modification 2A) reduces wetland impacts beyond any other alternative retained for detailed study and is most cost effective. SHA's first obligation is to Avoid, second is to Minimize and third is to Mitigate. SHA has met these obligations.

h. Has the State, the EPA, or the Corps of Engineers considered the Forest Conservation Act?

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Response:

The project study corridor was coordinated with the MD State Forester to determine forest land impacts during the preparation of the 1989 FEIS.

i. If Option B or D are selected, the SHA would be in violation of its written agreements of November 1985 and September 1989.

Response:

The MD 100 project has been coordinated with the MD State Forester to determine appropriate mitigation for unavoidable forest land impacts.

14. R. LEE CURTIS, WATERLOO ROAD

Mr. Curtis, the owner of the Curtis-Shipley Farm, presented his support for Option A or Option C. He "strongly" opposed Option B, as it would take 10 to 20 acres, of "the best prime property in this section of the County, eliminating farming, job opportunities, affordable housing, and very important, the serious loss to the County of accessible tax base." Option B will cross Deep Run and its tributaries four times, disrupting wildlife populations, be more damaging to water quality, and result in stream pollution and sedimentation. The two farms involved are too valuable to be used for a six-lane highway. It is wasteful and economically unsound and does not protect the long-term best interest of Howard County.

Mr. Curtis concluded by again urging the State to select one of the northern alignments.

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The Selected Alternative (Option D Modification 2A) results in the reduction of social and natural environmental impacts and was determined to be the best of all alternatives studied. The benefits of this alignment far outweigh the disadvantages.

15. DR. AELRED GEIS, 5710 TROTTER ROAD

Dr. Geis, a resident of Clarksville, identified himself as the former head of the U.S. Fish and Wildlife Services Urban Wildlife Research Program. He offered a range of comments related to wetland issues for this project:

a. The Alternative 3 Options (A, B, C, D) are "clear examples of how current wetlands regulations prompt socially and ecologically illogical results." The new options displace more homes, appear to be longer, and are much more expensive.

Response:

The Selected Alternative (Option D Modification 2A) provides the least impacts to sensitive environmental features of all of the alternatives retained for detailed study.

b. The original Alternative 3 should be used and the loss of wetlands mitigated by the construction of wetlands of superior quality to those lost. These new wetlands could be in the form of marshes that would benefit a much richer variety of wildlife than the present wetlands. Such marshes

207

would result in important environmental benefits such as nutrient retention, sediment removal, and mitigation of highway stormwater discharge.

Response:

The original Alternative 3 alignment approved in the 1989 FEIS was not a permittable project due to wetland impacts. SHA was instructed by the environmental agencies to study alternatives that would avoid or minimize wetland impacts.

c. Most of the existing wetlands are rather dry, and over half of them contain plant species that are also found in upland areas.

Response:

The determination as to whether an area qualifies as a wetland is the responsibility of the Army Corps of Engineers in consultation with other natural environment agencies.

d. The wetland discussions in the DSEIS indicate that the existing wetlands have minimal and/or non-existent amphibian, reptile, fish, mammal, and bird populations, which means that the newly created marshes could greatly improve this situation.

It is the goal of the wetland replacement activities to replicate the function and values of the wetlands impacted by the highway projects, not to create wetlands which provide functions out of character with those impacted.

e. The cost of this mitigation would only be a portion of the \$4.5 to \$8.5 million saved by using the original Alternative 3, and would be least disruptive to current and potential land use activities.

Response: The original Alternative 3 alignment was not considered an environmental sensitive alternative alignment and is therefore no longer the preferred alignment.

f. All four options that have been proposed for Alternative 3 should be rejected. By using the original Alternative 3, Route 100 could be built at the lowest cost and with a net environmental benefit.

<u>Response:</u> The original Alternative 3 alignment is not considered an environmentally sound alignment which balances the public need with environmental consequences and is therefore no longer the preferred alternative.

16. GARY MORGAN, MARSHALEE ESTATES RESIDENT

Mr. Morgan, who lives just out of Route 100 study corridor, spoke on his own behalf with the following comments:

a. "...[T]he main purpose of these alternative (A, B, C, D) are (sic) to have these communities to battle it out among one another and I think the whole County is going to be the loser under that set-up."

Response: The main purpose of these alternatives is to show that various alternatives have been properly evaluated and that the alternative with the least environmental impact will be selected.

b. Route 100 is not a local road, but "a road the developers have used to get a change in zoning because it's going to take away the traffic."

Response: The proposed MD 100 roadway will relieve the traffic congestion experienced on MD Route 103, 108, and 104. It will also provide direct access to two major north-south roadways, I-95 on the east and U.S. Route 29 on the west.

c. Route 100 does not eliminate the traffic problem in Howard County.

Response: Proposed MD 100 greatly improves the roadway capacity and level of service on the local roadway network.

d. The SHA intends to extend U.S. 29 northward from Route 99 to the Baltimore County line.

Response: There are no current plans to extend U.S. 29 beyond its existing termini.

e. Route 100, in combination with other existing and future segments, is really a piece of the outer Baltimore Beltway, proposed 20 years ago and rejected

by the citizens of Howard County. The SHA has already made up its mind and is not interested in what the citizens of Howard County want. Until the SHA can disclose all their intentions, the only possibility for Route 100 is No-Build.

Response:

The MD 10 project is an east/west roadway providing a connection between U.S. 29 and I-95. No outer beltway is proposed with the MD 100 project.

17. JILL WARD, 8077 BRIGHTWOOD COURT

Ms. Ward is a resident of Brightfield Farms and was speaking on her own behalf. Her testimony contains the following two comments:

a. Option C is comparatively the most desirable option.

Response: When all the socioeconomic and natural environmental consequences are evaluated, Option D Modification 2A becomes most desirable.

b. The SHA should "pay attention to what every one is saying."

Response: The SHA has held Alternates Public Work Shops, Public Hearings, and numerous community meetings as well as meetings with individuals to foster an understanding of the project.

18. SANDY BOYD, 8067 FETLOCK COURT

Ms. Boyd, whose house would potentially be acquired under the northern alignments, spoke on behalf of her family and made the following comments regarding their personal situation:

a. They went to an SHA informational meeting in 1985 where they learned that the proposed Route 100 would be 2,000 feet behind their house. Several months later, they discovered from a neighbor that Route 100 was now going through their home. After 17 months of letter writing and meetings they "won" a substantial shift in the alignment away from their home as well as a promise from SHA to construct a 25-foot earth berm as noise abatement. In September of 1991 they attended a community meeting with SHA, where they were told for the first time that Route 100 was once again coming through their home. These fluctuating circumstances have severely impacted their lives emotionally and have precluded their ability to improve and enjoy their home. They are very concerned with the way that they have been treated concerning Route 100, and they "want to get out as soon as possible."

Response: No response required.

19. CRAIG WOODS, 5020 WATERLOO ROAD

Mr. Woods spoke on his own behalf concerning the magnitude of existing local traffic problems and the need to build Route 100. He supported the "original option" which would preserve the Hunt Country Estates homes and the Curtis-Shipley Farm. He did question why Route 100 was taken out of the General Plan and then put back in.

The alignment of MD 100 was removed from the Howard County Master Plan due to a lack of perceived need and public opposition. It was placed back on the Master Plan in 1985 because the rapid development in the area had resulted in a decrease in highway capacity within the U.S. Route 29 to I-95 corridor.

20. BILL SCHULTZ, U.S. FISH AND WILDLIFE SERVICE

Mr. Schultz, who works in the FWS Annapolis Office, spoke on behalf of his agency after pointing out that Dr. Geis, who spoke earlier, was not speaking for FWS when he testified. Mr. Schultz provided an explanation of the FWS role in the planning process as well as several comments and suggestions, most of which he explained would be forwarded to SHA in writing:

a. FWS considers Wetlands 6, 8, 9, 10, 11, and 12 to be high-value systems.

Response: No response required.

- b. FWS prefers Option D with several suggested modifications
 - -- Reduce the median from 54 to 14 feet north of Montgomery Run (Station 155+50 to 190+75) and put in some type of Jersey median barrier.
 - -- Lower the mainline profile to reduce noise impacts.

- -- Construct a retaining wall between the roadway shoulder and the Montgomery Run parking lot.
- -- Grade the outside (westbound) slope at 1:1 and apply geotextile material to stabilize it.
- -- Widen the travel lanes from 12 to 13 feet.
- -- Use outside safety grading of 10 feet.

SHA will investigate these proposed modifications.

Mr. Rose, after verifying that no one else wished to speak, noted that the public record would be kept open until December 16, 1992, and than officially closed the meeting.

Section VIII-B

Elected Official Coordination

EOSCOLIG. BARTLETT

Hal Kassoft response 15

FREJECT: Tom Osbone

Congress of the United States EVELOPHICE

House of Representatives

Mashington, **B**€ 20515–2006

FED 3 3 54 13 193

January 25, 1993 ECENED

FEB 1 1993

SECRETARY OF TRANSPORTATION

Mr. James Lighthizer Secretary Maryland Department of Transportation 10 Elm Road BWI Airport 21240

A4482

Dear Secretary Lighthizer:

We have been contacted by concerned Montgomery Run (Howard County) homeowners and citizens organizations regarding the realignment of Route 100 and its impact on the community. I have attached a sample letter of those sent to my office regarding this important matter and I would appreciate a current report on the project that I can share with those interested in Route 100 and its construction.

Given the pressing nature of this matter, I would welcome a response as soon as possible. Thank you for your assistance in this matter.

Roscoe G. Bartlett

RGB/ps

Dear Sir/Madam:

I wish to express my vehement opposition to any southern shift in the alignment of proposed Route 100. My community, the Villages of Montgomery Run, with more than 1,000 residents, is dramatically, unfairly and unnecessarily hurt by any southern shift. I urge the County Council and the SHA to maintain the existing alignment or to select options A or C. The facts are as follows:

- 1. The existing alignment (Alternative 3) is the result of a series of public hearings in 1985, 1987, 1988 and 1992. Alternative 3 was selected because it maximized land availability for badiy-needed moderate-income housing, and minimized construction costs, land acquisition costs and personal disruption. Any southern shift severely undermines these objectives.
- 2. Alternative 3 and Options A and C are preferred over any southern shift for Impacts on forest and agricultural land, air quality, fuel conservation and operational concerns. Options A and C reduce the impact of Alternative 3 on wetlands by approximately 6 acres and exactly 8 acres, respectively. Options B and D only reduce the impact on wetlands by 8 acres and 9.8 acres, respectively. When considering this minor difference, it is necessary to then look further into environmental impact. For example, Option D, in addition to the wetlands it impacts, will also take an additional 12.6 acres of forests over the Alternative 3 option.

Additionally, a southern shift would increase road length approximately 1,000 feet, adversely affecting air quality and fuel conservation. Options B and D would also, according to an Army Corps of Engineers study, reduce the efficiency of traffic flow through the intersection with Snowden River Parkway.

3. Alternative 3 and Options A and C maintain an "acceptable" level of noise created by the highway. Options B and D, however, produce noise in excess of FHWA criteria that would affect more than 100 families at Montgomery Run. Mitigation devices are neither effective nor required for second- and third-floor residences. According to the SHA's Technical Noise Analysis, developed in 1992, 144 Montgomery Run homes are at or above the 67 dB "acceptable" level of sound transmission. The SHA has proven that sound walls are often ineffective for elevated housing because noise levels increase with elevation; thus, no protection is available for 96 second- and third-floor residences, short of SHA acquisition of these homes, at a cost of nearly \$11.3 million. This expense is not included in the cost assessments for each alternative alignment in SHA studies.

Furthermore, HUD handbook 4150 provides for the <u>rejection of resale loans</u> if a property is subject to excessive noise that seriously affects liability, marketability or the health and safety of its occupants. At least 96 to 144 Montgomery Run properties may be negatively affected by this provision.

- 4. The County tax base will be severely eroded if a southern shift is approved. Property values at Montgomery Run and the adjoining Curtis Farm will fall precipitously, without any positive effect elsewhere. Furthermore, if a southern shift is approved, the Curtis Farm and Maryland Horse Farm—which, according to the General Plan, is slatted for multi-use development including residential, commercial and retail use—will no longer be developable, resulting in significant tax losses for Howard County.
- 5. The existing alignment locates the highway approximately 200 feet from hundreds of homes in Montgomery Run. While Options A and C would maintain or increase that distance, Options B and D reduce the distance to the edge of roadway to only 100 feet. Montgomery Run residents have accepted a considerably greater impact from Route 100 than any other community and should not be further disadvantaged by a closer alignment of the highway.

In conclusion, there are sufficient environmental and economic reasons to maintain the existing alignment or to move Route 100 to the north. Your vote to select Alternative 3, Option A, or Option C, will keep faith with the promise of affordable housing, will minimize costs, achieve environmental goals, and limit the disruption to people's lives. If Route 100 is to be built, it should follow the approved Alternative 3, Option A, or Option C. Thank you for your consideration.

Very truly yours, Jaunia of Santac

Address: 8378-P Montgonisy Run R.L. Ellicott City, MD 31043





William Donald Schaefer
Governor
O. James Lighthizer
Secretary
Stephen G. Zentz
Deputy Secretary

February 16, 1993

The Honorable Roscoe G. Bartlett United States House of Representatives 312 Cannon House Office Building Washington DC 20515-2006

Dear Congressman Bartlett:

Thank you for your recent letter expressing your constituents' concern regarding the proposed MD 100 study.

The original alignment for MD 100 in the vicinity of the Villages of Montgomery Run was selected in 1988 after extensive public input and coordination with Howard County officials. Following completion of a Final Environmental Impact Statement (FEIS), the State Highway Administration (SHA) proceeded with engineering for MD 100. As part of that process, SHA began coordination activities for obtaining a wetland permit from the federal environmental agencies. These agencies expressed serious concerns about the impacts MD 100 would have on the wetlands and floodplain of the Deep Run stream system and asked that alternative alignments be studied. These alternatives were presented in a Supplemental Draft Environmental Impact Statement (SDEIS) and at a public hearing on December 1, 1992.

The federal environmental agencies have indicated an unwillingness to grant a wetland permit for the original alignment for MD 100 because the alternatives presented in the SDEIS (Options A through D) reduce wetland impacts when compared with the original alignment (Alternative 3). Based on input from the public hearing, the federal agencies, and Howard County state and local elected officials, SHA is currently performing additional minimization studies. SHA expects to select a preferred alternative within the next several months. Following that decision, SHA will prepare a Final Supplemental Environmental Impact Statement, and will submit the document to the Federal Highway Administration for review and approval. The public will also have an opportunity to review the document.

The Honorable Roscoe G. Bartlett February 16, 1993 Page Two

As previously stated, Options A through D reduce wetland impacts when compared to Alternative 3 and the environmental agencies have indicated that they will not issue a wetland permit for Alternative 3. Therefore, Options A through D must be compared to each other when identifying impact assessment. The requirements of the permit process as called for in federal regulations are that we must select the alternative that is the least environmentally damaging, with special emphasis placed on wetland avoidance or minimization and the reduction of aquatic impacts.

Based on our preliminary air quality assessment on all of the alternatives and options developed, no air quality violations are expected to occur. The difference in the lengths of the alternatives is not expected to significantly affect air quality. The number of vehicles using the facility, the amount of stop conditions and the congestion of the facility are factors that will likely be most important in affecting air pollution. The Army Corps of Engineers only questioned traffic flow efficiency at Snowden River Parkway. Based on our calculations, the Snowden River Parkway interchange will operate acceptably.

As a result of the additional studies being developed on both Options C and D, a new noise analysis will be performed. The results of additional minimization studies will be made available for review when completed.

With the alignment modifications being studied on Options C and D, there is the potential of increasing the distance between the Villages of Montgomery Run and MD 100 Option D. However, some homes within the Hunt Country Estates will still be approximately 50 feet away from Option C and two homes will still require relocation.

Thank you again for your interest in the MD 100 project. If you have any additional questions or comments, please feel free to contact me or Mr. Hal Kassoff, State Highway Administrator. Mr. Kassoff can be reached at (410) 333-1111.

Sincerely,

O. James Lighthizer

Secretary

cc: Mr. Hal Kassoff

Congress of the United States

House of Representatives

翻ashington, **担**C 20515-2006

March 22, 1993

Mr. Neil Pedersen
Director of Planning and Engineering
State Highway Administration
State of Maryland
707 North Calvert Street
Baltimore, Maryland 21203-0717

PROCESS

Dear Neil:

I want to take this opportunity to thank you and the officials from the Maryland State Highway Administration (SHA) for taking the time recently to meet with me about our interest in the proposed alignment of Route 100 in Howard County.

I found our discussion about the issues tied to the future of Route 100 to be quite useful. Our subsequent tour of the project site was also very productive. I look forward to being keep appraised as to the State's decisions on this project.

Sincerel

Thanks again for your time, information and response to my concerns.

With my best regards.

Roscoe G. Bartlett

RGB/ps



Maryland Department of Transportation State Highway Administration

O. James Lighthizer Secretary Hal Kassoff Administrator

April 15, 1993

The Honorable Thomas Patrick O'Reilly Chairman, Senate Finance Committee James Senate Office Building Presidential Wing Annapolis MD 21401-1991

Dear Senator & Reilly:

Thank you for your recent request for information about the State Highway Administration's (SHA) plan for noise mitigation on the MD 100 project from MD 104 to I-95 in Howard County.

First, let me reiterate that SHA is committed to fully addressing the issue of noise impacts for this project. At this time, we are still evaluating the potential environmental effects of several alternative alignments. This evaluation will take into account the effects upon wetlands, water quality, the noise environment, etc.

We will consider traditional solutions (i.e. noise barriers) to mitigate adverse noise impacts where they meet all of SHA's noise abatement criteria. There may be adverse impacts to multi-story condominium buildings which could not be protected with sound barriers. SHA is exploring the possibility of other ways to compensate other impacted owners.

In sum, we will stay very close to this noise mitigation as the project develops. We will gladly keep you informed of our progress on this issue. Please do not hesitate to contact me if you have any questions in the meantime.

Sincerely

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U.S. Department of Transportation Federal Highway

Administration

Region 3 Maryland Division F. V. I

CPO

6/17/97

The Rotunda
Suite 220
711 West 40th Street
Baltimore, Maryland 21211-2187

June 11, 1993

IN REPLY REFER TO:

Mi. N. J. Pederson For your follow through action E. H

Mr. Hal Kassoff State Highway Administrator State Highway Administration 707 N. Calvert Street Baltimore, Maryland 21203

Dear Mr. Kassoff:

HO 661-201-770
MD-100 US-29 to I-95
Administrate: PE-9727(661)
Chief Engineer

Dir. Office of Admin.
Dir. Office of Plan. & PE
Dir. Office of Peal Estate
Dir. Office of Finance
Spec. Asst. Atty. Gen.
District Engr. - Dist.

Peternate Symigal sections

Your letter of April 28, presented two Exercises Symigal sections for Maryland 100 in Howard County and requested FHWA concurrence in the Option 2 which incorporates a 54 foot median. We have reviewed your request and fully support your preference for Option 2 on the basis of its superior safety characteristics and flexibility.

From a safety standpoint, a forgiving open median is superior to a narrower closed section with barriers. The 54 foot open section eliminates the need for a median barrier and provides more area for errant vehicles to recover without impact. Option 1 provides only 14 feet of recovery area in front of the median barrier. Although, this barrier will be built to current standards, the presence of a fixed object will increase the number and severity of accidents.

Although, we concur with the use of the wide median, we are concerned with the reduction of the clear zone on the outside of the roadway. The reduction of the outside clear zone from 30 feet to 20 feet, reduces the recovery area which is not desirable. However, this is not an issue of standards compliance and we recognize the constraints posed by right of way and wetland issues. We hope that on future projects, the 60 mph clear zone concept will be restored.

With regard to the interior shoulder, we support the plan to construct full depth bituminous interior shoulders. They provide additional flexibility for any lane additions as well as during pavement rehabilitation projects.

If you have any questions, please contact Mr. Angel Correa at 410-962-4440.

Sincerely yours,

A. P. Barrows / Division Administrator



June 30, 1993

The Honorable Roscoe G. Bartlett, Jr. United States House of Representatives Cannon House Office Building Washington DC 20515

Dear Congressman Bartlett:

I wanted to let you know of an issue involving a residential property affected by the proposed northern alignment of MD 100. The owner of this property (8071 Fetlock Court) received a job offer elsewhere in the State and needs to relocate. Until a decision is made regarding the alignment of MD 100, the property owner would not be able to sell his property, causing financial hardship. The owner requested the State Highway Administration (SHA) to initiate acquisition procedures now to help with their situation.

After consultation with our Office of Real Estate and our legal department, we have agreed to proceed with the advance voluntary hardship acquisition of this property. The property owner has been informed that since this is an advance voluntary acquisition, he is not eligible for relocation assistance benefits.

This action is strictly to address a hardship situation, and will not affect the location decision in any way. SHA will sell this property if a decision is reached on the MD 100 alignment that does not require use of the property for the roadway.

If you have any questions or comments, please feel free to call me.

Sincerely.



June 30, 1993

The Honorable Benjamin L. Cardin Member
United States House of Representatives
Cannon Office Building
Washington DC 20515

Dear Congressman Cardin:

I wanted to let you know of an issue involving a residential property affected by the proposed northern alignment of MD 100. The owner of this property (8071 Fetlock Court) received a job offer elsewhere in the State and needs to relocate. Until a decision is made regarding the alignment of MD 100, the property owner would not be able to sell his property, causing financial hardship. The owner requested the State Highway Administration (SHA) to initiate acquisition procedures now to help with their situation.

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If you have any questions or comments, please feel free to call me.

Sincerely



June 30, 1993

The Honorable Charles I. Ecker County Executive 3430 Courthouse Drive Ellicott City MD 21043

Dear County Executive Ecker:

I wanted to let you know of an issue involving a residential property affected by the proposed northern alignment of MD 100. The owner of this property (8071 Fetlock Court) received a job offer elsewhere in the State and needs to relocate. Until a decision is made regarding the alignment of MD 100, the property owner would not be able to sell his property, causing financial hardship. The owner requested the State Highway Administration (SHA) to initiate acquisition procedures now to help with their situation.

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Sincerely,



Maryland Department of Transportation State Highway Administration

O. James Lighthizer Secretary Hal Kassoff **Administrator**

June 30, 1993

The Honorable Robert L. Flanagan Maryland House of Delegates 12400 Clarksville Pike 1505 Clarksville MD 21029

Dear Delegate Flanagan:

I wanted to let you know of an issue involving a residential property affected by the proposed northern alignment of MD 100. The owner of this property (8071 Fetlock Court) received a job offer elsewhere in the State and needs to relocate. Until a decision is made regarding the alignment of MD 100, the property owner would not be able to sell his property, causing financial hardship. The owner requested the State Highway Administration (SHA) to initiate acquisition procedures now to help with their situation.

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Sincerely



June 30, 1993

The Honorable Robert H. Kittleman Maryland House of Delegates 12400 Clarksville Pike Clarksville MD 21029

Dear Delegate Kittleman:

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If you have any questions or comments, please feel free to call me.

Sincerely,



June 30, 1993

The Honorable Martin G. Madden Maryland House of Delegates 11524 Crows Nest Road Clarksville MD 21029

Dear Delegate Madden:

I wanted to let you know of an issue involving a residential property affected by the proposed northern alignment of MD 100. The owner of this property (8071 Fetlock Court) received a job offer elsewhere in the State and needs to relocate. Until a decision is made regarding the alignment of MD 100, the property owner would not be able to sell his property, causing financial hardship. The owner requested the State Highway Administration (SHA) to initiate acquisition procedures now to help with their situation.

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If you have any questions or comments, please feel free to call me.

Sincerely,



June 30, 1993

The Honorable Christopher J. McCabe Maryland State Senate 12400 Clarksville Pike Clarksville MD 21029

Dear Senator McCabe:

I wanted to let you know of an issue involving a residential property affected by the proposed northern alignment of MD 100. The owner of this property (8071 Fetlock Court) received a job offer elsewhere in the State and needs to relocate. Until a decision is made regarding the alignment of MD 100, the property owner would not be able to sell his property, causing financial hardship. The owner requested the State Highway Administration (SHA) to initiate acquisition procedures now to help with their situation.

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If you have any questions or comments, please feel free to call me.

Sincerely,



Maryland Department of Transportation State Highway Administration

O. James Lighthizer Secretary Hal Kassoff Administrator

June 30, 1993

The Honorable Barbara A. Mikulski United States Senate Hart Senate Office Building Washington DC 20510

Dear Senator Mikulski:

I wanted to let you know of an issue involving a residential property affected by the proposed northern alignment of MD 100. The owner of this property (8071 Fetlock Court) received a job offer elsewhere in the State and needs to relocate. Until a decision is made regarding the alignment of MD 100, the property owner would not be able to sell his property, causing financial hardship. The owner requested the State Highway Administration (SHA) to initiate acquisition procedures now to help with their situation.

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Sincerely

Hal Kassoff Administrator F.S. Your of asked to be abled on mutters effecting

Md 100.



Maryland Department of Transportation State Highway Administration

O. James Lighthize Secretary Hal Kassoff Administrator

June 30, 1993

The Honorable John S. Morgan Maryland House of Delegates 8610 Washington Boulevard Suite 210-B
Jessup MD 20794-9499

Dear Delegate Morgan:

I wanted to let you know of an issue involving a residential property affected by the proposed northern alignment of MD 100. The owner of this property (8071 Fetlock Court) received a job offer elsewhere in the State and needs to relocate. Until a decision is made regarding the alignment of MD 100, the property owner would not be able to sell his property, causing financial hardship. The owner requested the State Highway Administration (SHA) to initiate acquisition procedures now to help with their situation.

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If you have any questions or comments, please feel free to call me.

Sincerely,



June 30, 1993

The Honorable Shane Pendergrass Chair, Howard County Council 3430 Courthouse Drive Ellicott City MD 21043

Dear Councilmember Pendergrass:

I wanted to let you know of an issue involving a residential property affected by the proposed northern alignment of MD 100. The owner of this property (8071 Fetlock Court) received a job offer elsewhere in the State and needs to relocate. Until a decision is made regarding the alignment of MD 100, the property owner would not be able to sell his property, causing financial hardship. The owner requested the State Highway Administration (SHA) to initiate acquisition procedures now to help with their situation.

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If you have any questions or comments, please feel free to call me.

Sincerely,



June 30, 1993

The Honorable Virginia M. Thomas Maryland House of Delegates 6153 Forty Winks Way Columbia MD 21045

Dear Delegate Thomas: (. " ")

I wanted to let you know of an issue involving a residential property affected by the proposed northern alignment of MD 100. The owner of this property (8071 Fetlock Court) received a job offer elsewhere in the State and needs to relocate. Until a decision is made regarding the alignment of MD 100, the property owner would not be able to sell his property, causing financial hardship. The owner requested the State Highway Administration (SHA) to initiate acquisition procedures now to help with their situation.

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Sincerely,



Maryland Department of Transportation State Highway Administration

O. James Lighthizer Secretary Hal Kassoff Administrator

June 30, 1993

The Honorable Thomas M. Yeager Maryland State Senate
413 Main Street
Laurel MD 20707

Dear Senator Yeager:

I wanted to let you know of an issue involving a residential property affected by the proposed northern alignment of MD 100. The owner of this property (8071 Fetlock Court) received a job offer elsewhere in the State and needs to relocate. Until a decision is made regarding the alignment of MD 100, the property owner would not be able to sell his property, causing financial hardship. The owner requested the State Highway Administration (SHA) to initiate acquisition procedures now to help with their situation.

After consultation with our Office of Real Estate and our legal department, we have agreed to proceed with the advance voluntary hardship acquisition of this property. The property owner has been informed that since this is an advance voluntary acquisition, he is not eligible for relocation assistance benefits.

This action is strictly to address a hardship situation, and will not affect the location decision in any way. SHA will sell this property if a decision is reached on the MD 100 alignment that does not require use of the property for the roadway.

If you have any questions or comments, please feel free to call me.

Sincerely,

BARBARA A. MIKULSKI MARYLAND

COMMITTEES:

APPROPRIATIONS

United States Senate

TTY: (202) 224-5223

HART SENATE OFFICE BE

(202) 224-4654

WASHINGTON, DC 20510-2003

SELECT COMMITTEE ON ETHICS

LABOR AND HUMAN RESOURCES

WASHINGTON, DC 20510-2003

July 4, 1993

Mr. Hal Kassoff Administrator State Highway Administration 707 North Calvert Street Baltimore, MD 21203-0717

Dear Hal:

Thank you for keeping me informed about the resident living along the proposed alignment of MD 100. I am glad that a compromise could be reached so that the problem could be resolved.

Please feel free to let me know of other such problems if they should arise in the future. Thanks again.

Sincerely,

Barbara A. Mikulski United States Senator

BAM:gll:jfp

STATE HWY ADM

5 JA 95 1: 49



Subject:

MEMORANDUM

TO:

Hal Kassoff

State Highway Administrator

FROM:

Charles I. Ecker hunker

County Executive

RE:

Alignment of Rt. 100

DATE:

August 18, 1993

Attached is a copy of a letter from Larry Macks with a proposed realignment for Rt. 100. This modification, as I understand it, will place the alignment at least as far away from the last building as the original alignment did.

Please let me know if the attached proposal is feasible.

Thank you.

/ld

Attachment

cc: James Irvin, Director, Public Works

NEWMISS LIMITED PARTNERSHIP 4750 Owings Mills Boulevard Owings Mills, Maryland 21117 (410) 356-9900

August 11, 1993

Mr. Charles I. Ecker, County Executive Howard County, Maryland 3430 Courthouse Drive Ellicott City, Maryland 21043

Dear Mr. Ecker:

As we have discussed on several occasions, we as developer of the Village of Montgomery Run Community, are not pleased with the modified alignment which was approved by consensus of elected officials last month. The basic concern that both we and the community have regarding this latest alignment is that it intrudes too far into the property at the property line with the Curtis parcel. While we were all pleased that the elected officials made their approval contingent on proper mitigation to the community and the Curtis's we strongly believe that the best and fairest mitigation would be to move the road away from the community in this vicinity. To that end we are enclosing a small modification of the Option D alignment which would greatly alleviate the fears and concerns that we have. We would appreciate it if you would ask the SHA for a response regarding how this modification could be accomplished and if this is not possible then to give other alternatives for this area which would accomplish the same.

We appreciate your concern for the community and we look forward to your response along with

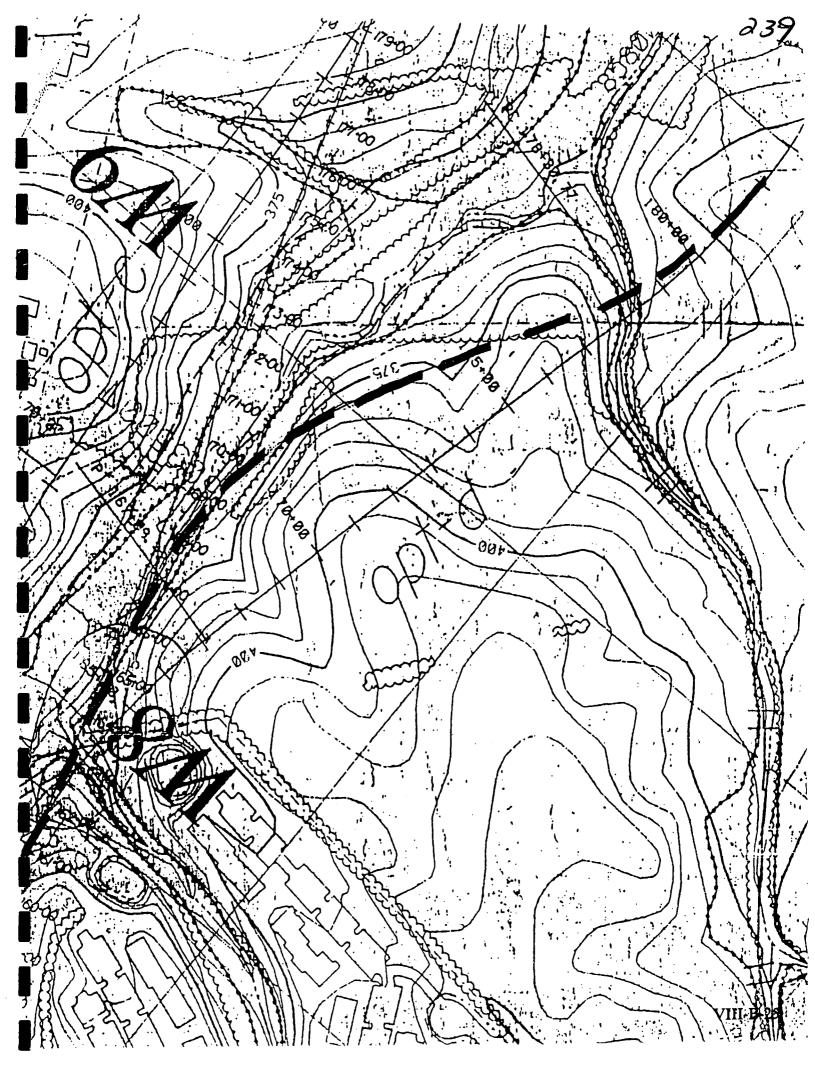
the SHA's.

Sincerely yours

Lawrence M. Macks

cc:

Kim Abramson Terri Hobbs Bob Adams 93 AUG 16 PM I2: 21





August 31, 1993

The Honorable Charles I. Ecker
Howard County Executive
3430 Courthouse Drive
Ellicott City MD 21043

Dear County Executive Ecker:

Thank you for sending me a copy of Mr. Larry Macks' letter to you concerning a proposed realignment of MD 100.

The shift suggested by Mr. Macks significantly encroaches upon the main channel and wetlands associated with Deep Run. This is the same area the environmental agencies are requesting us to avoid. As you are aware, we have worked very closely with the environmental agencies to develop an alternate that serves the transportation needs of the area and minimizes the wetland and water quality impacts. We believe that Option D achieves the objectives and can receive the required permits from the environmental agencies.

Thank you again for your continued interest in the proposed MD 100 project. If you have any additional questions or comments, please feel free to contact me.

Sincerely,

Maryland Department of Transportation State Highway Administration

O. James Lighthizer Secretary Hal Kassoff Administrator

August 30, 1993

The Honorable Charles I. Ecker Howard County Executive 3430 Courthouse Drive Ellicott City MD 21043

Dear County Executive Ecker:

Thank you for your recent letter documenting the consensus position of the Howard County elected officials regarding the alignment options for MD 100 in the vicinity of its crossing of Deep Run.

After careful consideration of input received from the public and environmental agencies, the comparative impact and cost data for each of the options and the consensus position of the Howard County elected officials, we agree that Option D (the "Lazy S") is the most prudent course of action. In conjunction with this selection, we have committed to provide noise mitigation for the buildings at 8611 and 8613 Falls Run Road and to assure that the Curtises are offered full and fair compensation for property required from their farm.

I have enclosed a copy of a paper prepared by the State Highway Administration more fully documenting the basis for our decision.

Thank you again for your support and interest in this project. If you have any additional questions or concerns, please feel free to call me at you convenience.

Sincerely,

Hal Kassoff Administrator

Enclosure

cc: Howard County Council

Howard County Delegates

Howard County Senators

My telephone number is ...

SELECTION OF ALTERNATIVES FOR MD 100 BETWEEN MD 104 AND I-95 IN HOWARD COUNTY

This paper documents the background and considerations which went into selection of the Modified Option D alignment for MD 100 between MD 104 and I-95 in Howard County.

BACKGROUND

In July 1989, the Final Environmental Impact Statement (FEIS) was approved by the Federal Highway Administration (FHWA) for MD 100. The alignment that was approved was based on an alignment jointly developed by Howard County and the Maryland State Highway Administration (SHA) which had been placed on the Howard County Master Plan in 1985 and which was subsequently modified slightly to avoid impacts to the community of Hunt Country Estates.

As SHA proceeded with final engineering for MD 100, during wetland pre-permit coordination meetings with federal and state environmental agencies, concern was expressed about impacts that the MD 100 construction would have on the main channel of Deep Run and associated wetland systems, with particular concern focussed on the area in the vicinity of the communities of Hunt Country Estates and the Villages of Montgomery Run. Federal agencies indicated that the original FEIS

alignment would not obtain approval for a wetland permit. In response to these comments, options were developed which would shift the alignment to the north (Option C) and to the south (Option D) of the original FEIS alignment in the vicinity of the two communities. These options, together with the original FEIS alignment, were presented in a Supplemental Environmental Impact Statement and were the subject of a public hearing in December 1992.

Subsequent to the public hearing, refinement studies were performed which analyzed a series of possible measures to minimize impacts associated with each of the options.

REGULATORY REQUIREMENTS

In order to construct MD 100, it will be necessary to obtain permits for filling wetlands. Permits will be required from the U.S. Army Corps of Engineers and the Maryland Department of Natural Resources and Environment. The agencies issuing the permits receive input from the U.S. Environmental Protection Agency (which can veto a Corps permit), the U.S. Fish and Wildlife Service, the National Marine Fisheries Service and the Maryland Department of the Environment prior to approving a permit.

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Requirements for wetland permits are found in regulations issued pursuant to Sections 401 and 404 of the Clean Water Act. These regulations require that wetland impacts be avoided where "practicable" and where impacts are unavoidable that all reasonable efforts are made to minimize and mitigate the impact.

COMPARISON OF ALTERNATIVES

Deep Run is a targetted watershed as part of the State of Maryland's Chesapeake Bay Initiatives. Measures are being taken to restore the watershed as an anadromous fish spawning ground. The area in the vicinity of Hunt Country Estates and the Villages of Montgomery Run is particularly sensitive because it is near the headwaters and, therefore, is expected to be a major spawning area. Thus, the area of Deep Run is particularly important.

The FEIS alignment would require the physical relocation of 1,800 feet of the main channel of Deep Run. After studying options which would result in less environmental impact, SHA's consultants and the environmental agencies have concluded that the original FEIS alignment is not permittable and the choice of alignment must be made between Option C and Option D. Therefore, SHA decided in January 1993 to no longer pursue the original FEIS alignment.

Following the December 1992 public hearing, the alignment of the southern alternative (Option D) was modified in the vicinity of the Villages of Montgomery Run to keep it north of the earth berm built to separate the Villages of Montgomery Run from MD 100 and to keep it at least as far from the buildings in the Villages of Montgomery Run west of the high tension power lines as the FEIS alignment. This change was made without increasing environmental impacts on Deep Run. Only in the area east of the high tension wire lines is the alignment of Modified Option D closer to a building in the Villages of Montgomery Run than the FEIS alignment. At the building at 8613 Falls Run Road, the edge of the nearest eastbound travel lane is 190 feet away from the closest point on the building as opposed to 216 feet for the FEIS alignment. In the vicinity of the building at 8613 Falls Run Road, it is not possible to shift the Modified Option D alignment further away from the building without significant encroachment on the main channel and wetlands of Deep Run. Other modifications were also made to Option D in the vicinity of the proposed Snowden River Parkway interchange so as to lessen the impacts of the interchange on Deep Run and its wetlands system.

As presented at the public hearing, Option C (the northern shift) resulted in more environmental impact than Option D. It would require two mainline crossings of the main channel of Deep Run (one for the mainline of MD 100 on a sharp skew angle and the other the mainline of Snowden River Parkway), more wetland filled (9.3 acres vs. 7.3 acres), and more linear feet of main channel relocation (3,050 feet vs. 3,025 feet). Therefore, SHA investigated what measures would be required to make Option

C comparable from an environmental impact standpoint to Modified Option D. This would be necessary for Option C to be permittable under Section 404 requirements. SHA and its environmental consultants concluded that to make the options comparable from an environmental impact standpoint, it would be necessary to completely span the wetland crossings where both the mainline of MD 100 and the mainline of Snowden River Parkway cross the main channel of Deep Run. To do so would require an expenditure of several million dollars in excess of the cost to construct Option D and would result in the displacement of a minimum of two residences in Hunt Country Estates and the movement of the alignment much closer to the remaining residences, particularly those along Fetlock Court.

Representatives of the Army Corps of Engineers, the Environmental Protection Agency and the Maryland Department of Natural Resources all acknowledged that with bridging of the wetlands, Option C could be brought close enough to Option D from an environmental impact standpoint and if cost were not a factor and if there were other factors favoring Option C that it could be considered for possible selection. However, they all indicated that they would still favor Modified Option D unless there were truly compelling factors favoring Option C. The representative of the U.S. Fish and Wildlife Service indicated that his agency favored Modified Option D, regardless of other possible factors due to wildlife habitat considerations.

Howard County expressed concern about the impact that Modified Option D could have on the ability to develop a mixed use center in the area east of the Villages of Montgomery Run, north of MD 108, west of Old Montgomery Road and south of Deep Run since Modified Option D would reduce the area which could be developed and would limit access from Snowden River Parkway. Additional concerns were raised regarding impacts to the historic Curtis Farm. Community concerns focussed on how close either Option C or Modified Option D would come to residences in Hunt Country Estates or the Villages of Montgomery Run, respectively, particularly relative to the alignment contained in the FEIS, and the effect shifts in the alignment would have on noise impacts.

After reviewing information regarding each of the options at a meeting on July 22, 1993, most Howard County elected officials developed a consensus position favoring Modified Option D conditioned on providing noise mitigation for the residences at 8613 Falls Run Road and fairly compensating the Curtises for impacts to their farm and property.

<u>DECISION</u>

Based on a balancing of impacts and cost considerations, as well as requirements of federal and state laws and regulations, SHA has selected the Modified Option D

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alignment for MD 100 between MD 104 and I-95. This alignment minimizes environmental impact to the Deep Run main channel and wetland systems. It is at least as far away from residences in the Villages of Montgomery Run as the FEIS alignment except in the easternmost portion of the development in the vicinity of 8613 Falls Run Road. Option C would have resulted in higher costs due to the requirement to bridge the wetland of Deep Run at both the MD 100 mainline and Snowden River Parkway crossings of the main stream channel. It also would have required the displacement of a minimum of two houses in Hunt Country Estates, as well as moved the alignment very close to a number of remaining homes.

Due to the movement of the alignment of MD 100 closer to the residences at 8611 and 8613 Falls Run Road in the Villages of Montgomery Run than shown in the previously approved FEIS, SHA commits to providing noise mitigation for the residences in this building. Preliminary design information shows that mitigation could be provided to the first two floors via a noise wall or earth berm/wall combination. SHA normally requires 75 percent of affected residents to agree on a noise barrier before committing to construction. Residences on the third floor in the building at 8613 or 8611 Falls Run Road cannot be effectively protected with a wall or berm. The owners of those units that are impacted by noise will have the option of selling their residence to SHA at fair market value as if the roadway were not to be constructed adjacent to the property. These units will be sold at auction to the highest bidder. In addition, the option of purchase in lieu of construction of a barrier or barrier/berm will

be discussed with the owners of the units on the first and second floors. Relocation costs would be borne by the owner of each unit. This offer is being made bécause these residents bought their homes based on public knowledge of a previously approved (FEIS) alignment for MD 100 in the vicinity of their residences and the alignment has now been moved closer to their homes. Elsewhere in the Villages of Montgomery Run and Ashton Woods, the alignment of MD 100 is no closer than it was under the FEIS alignment. Because these residences were built and sold with the understanding that MD 100 would be built adjacent to them, and noise mitigation was the responsibility of the developers, additional noise mitigation beyond that provided by the developers will not be constructed by the State. Noise mitigation for the communities along the project will be determined in accordance with adopted SHA noise policy.

The owners of the Curtis property will be offered full fair market value for the property required for MD 100, including any damages to the remainder of the property as established through an independent fair market appraisal.

SHA will proceed to complete a Supplemental Final Environmental Impact Statement and apply for a Section 404 wetland permit for Modified Option D. SHA will also proceed with final engineering for this alignment in order to meet the scheduled construction start in fiscal year 1997.

The State Highway Administration appreciates the time and effort by so many people in the community, and by the professional staff who contributed to this process.

County Council of Howard County

COUNCILMEMBERS

GEORGE HOWARD BUILDING 3430 COURT HOUSE DRIVE ELLICOTT CITY, MARYLAND 210434392

(410) 313-2001

313-2323 Deaf TDD Number 313-3297 - Fax Number

Shane Pendergrass, Chairwoman District 1

Paul R. Farragut, Vice Chairperson District 4

Darrel Drown District 2

Charles C. Feaga District 5

C. Vernon Gray District 3

September 9, 1993

Mr. Hal Kassoff, Administrator MD Department of Transportation State Highway Administration P. O. Box 717 Baltimore, MA 21203-0717

κ¥\$\$off: Dear Mr.

7

I read your letter of August 30, 1993 to Charles Ecker where you indicated that a "consensus of Howard County elected officials" agreed to the "Lazy S" for the Route 100 alignment. I don't think that this is an accurate statement. The vote of the Council was 2 - 2, two votes yes, two votes abstained. I wanted to set the record straight.

Sincerely,

Council Member

CVG/glc

Council Members





September 27, 1993

The Honorable C. Vernon Gray Howard County Council George Howard Building 3430 Court House Drive Ellicott City MD 21043-4392

Elepheth of Homen, Deputy

Dear Councilman Gray:

Thank you for your recent letter concerning the alignment for MD 100 and your clarification of the positions taken by members of the County Council.

Thank you again for your interest in the MD 100 process. If you have any additional questions or concerns, please feel free to contact me.

Sincerely,

My	telephone	number is	·		
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All cms 253

HOWARD COUNTY COUNCIL RECEIVED

93 OCT 20 AM 10: 50

Setareh Pishdad 8337-L Montgomery Run Road Ellicott City, MD 21043 October 14, 1993

Councilman Darrel Drown
Councilman Paul Farragut
Councilman Charles Feaga
Councilman Vernon Gray
Councilman Shane Pendergrass
3430 Courthouse Drive
Ellicott City, Maryland 21043

Dear Councilmen:

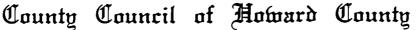
I am a concerned home owner in the Village of Montgomery Run and I am writing to you in regards to the construction of Route 100. As you know our whole community is affected by the construction of this major highway.

I would like SHA to agree in writing to the following: (a) a noise barrier will be constructed near 8613 Falls Run Road by SHA and (b) SHA will not sell the units at 8611 and 8613 at public auction, nor sell to a group of investors, or offer more than one unit per month for sale over the next two years or until construction begins on Route 100.

As you can see the above items are subjects of great concern to our community and your consideration of the above is greatly appreciated.

Kind Regards,

Setareh Pishdad





GEORGE HOWARD BUILDING 3430 COURT HOUSE DRIVE ELLICOTT CITY, MARYLAND 21043-4392 (410) 313-2001

313-3297 - Fax Number

313-2323 Deaf TDD Number

COUNCILMEMBE

Shane Pendergrass, Chairwoman District 1

Paul R. Farragut, Vice Chairperson District 4

Darrel Drown District 2

Charles C. Feaga District 6

C. Vernon Grav District 3

November 3, 1993

Mr. Setareh Pishdad 8337-L Montgomery Run Road Ellicott City, MD 21043

Dear Mr. Pishdad:

Thank you for your recent letter regarding Route 100. I am forwarding a copy to the State Highway Administration. However, I understand that Council Members Vernon Gray and Darrel Drown, who represent the areas affected by this segment of Route 100, are following up on the specific points you made. I will certainly keep your letter on file and I can assure you that if any Council action is required, your comments will be most carefully considered,

Again, thank you for writing and sharing your concerns.

Sincerely,

Paul R. Farragut Vice Chairperson

PRF3656/dpb/PWK4C6

cc: Neil J. Pederson, SHA



STATE OF MARYLAND OFFICE OF THE GOVERNOR

PROJE : DEVELOPY OIVETH.



IN REPLY REFER TO OP-MDOT

190A 30

40 Fil 193 WILLIAM DONALD SCHAEFER GOVERNOR

November 9, 1993

ANNAPOLIS OFFICE STATE HOUSE ANNAPOLIS MARYLAND 21401 (301) 974 3901

BALTIMORE OFFICE ROOM 1513 BALTIMORE MARYLAND 21201 13011 225-4800

WASHINGTON OFF CE 444 NOPTH CAPITOL STREET N W WASHINGTON E D 2001 (202) 638-2215

TDD (301) 333-3098

M' Setareh Pishdad 8337-L Montgomery Run Road Ellicott City MD 21043

Dear M' Pishdad:

Thank you for your recent letter concerning MD 100 in the vicinity of your community in Howard County. I understand you have also written to Secretary O. James Lighthizer, Mr. Hal Kassoff, and Mr. Neil Pedersen of the State Highway Administration (SHA). Senator Yeager also requested that we respond to your letter to him.

I can appreciate your concern about possible impacts to your community. SHA is also concerned and that is why the voluntary buy out has been offered to the residents living in buildings 8611 and 8613 of the Villages of Montgomery Run. This offer was made because the alignment of MD 100 was moved closer to your community than was originally shown in the Howard County Master Plan. I can assure you that a bulk sale of the units will not occur. SHA is currently developing the specifics of the buy out option and will be providing information to the affected individuals within the next few weeks.

We are not in a position to provide both the buy out option and a noise barrier. We feel providing an option to the affected property owners is the fairest way to deal with this situation.

I appreciate your interest in this project. If you need additional information or have any questions, please feel free to contact Mr. Neil Pedersen, Director of SHA's Office of Planning and Preliminary Engineering, at (410 333-1110.

Sincerely,

/S/

Governor

Mr. Neil J. Pedersen cc:

Mr. Dale Hilliard bcc: Mr. Hal Kassoff

Secretary O. James Lighthizer

Mr. Doug Rose Mr. Karl Teitt ✓

The Honorable Thomas Yeager



February 16, 1994

Hal Kassoff, Administrator Maryland State Highway Administration 707 North Calvert Street Baltimore, MD 21203-0717

1 1 4 W

How Yen State

Dear Hal:

I would like to respectfully request again that a sound barrier or earth berm be placed between Rt. 100 and the two buildings in Montgomery Run that are closer to the modified Rt. 100 than they would have been if the original alignment had been selected. I realize all the tenants have agreed to sell to the state, but I still believe a sound barrier or berm should be constructed.

Thank you for reconsidering this request.

Sincerely,

Charles I. Ecker County Executive

CIE: ld

cc: James Irvin, Director, Public Works
Neil Pedersen, Director, Office of Planning and Preliminary
Engineering



Maryland Department of Transportation State Highway Administration

O. James Lighthizer Secretary Hal Kassoff Administrator

March 8, 1994

The Honorable Charles I. Ecker Howard County Executive 3430 Court House Drive Ellicott City MD 21043

Chrile

Dear County Executive Ecker:

Thank you for your recent letter concerning sound barriers on MD 100.

As we've discussed in the past, the buy-out option and the noise wall were alternatives to one another. We could neither afford nor justify doing both. The residents unanimously chose the buy-out option. The State Highway Administration (SHA) has already acquired 23 units from buildings 8611 and 8613 Falls Run Road, and we are proceeding to acquire the final unit.

We have committed to connecting the two existing berms bordering the Baltimore Gas & Electric power lines. There is not room to construct an earth berm between 8611 and 8613 Falls Run Road and the MD 100 alignment.

Thank you again for your continued interest in and support for the MD 100 project. If you have any additional questions or concerns, please feel free to contact me or Neil Pedersen, SHA's Director of Planning and Preliminary Engineering. Neil can be reached at (410) 333-1110.

Sincerely,

Hal Kassoff Administrator

cc: Mr. Neil J. Pedersen

to see why we feel so strongly
the we can't do both. It's
ou preceded to proclare the mite
thanks doe that, how do defend doing
a harmen - and all for a development we accome dated by shifting con
alignent. Call we if I maissing

Maryland Relay Service for Impaired Hearing or Speech

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

Section VIII-C
Agency Coordination

Section VIII-C1

Agency Correspondence

DEPARTMENT OF RECREATION AND PARKS

Jeffrey A. Bourne, Director

June 11, 1992

Ms. Cynthia D. Simpson
Deputy Division Chief
Project Planning
State Highway Administration
707 North Calvert Street
Paltimore, Maryland 21203-0717

Re: Maryland Route 100 Interstate 29 to 95

Dear Ms. Simpson:

Prease be advised that this Department, in cooperation with the Howard County Office of Law, has reviewed our open space holdings in the Route 100 corridor as identified in the "Design Change Reevaluation" prepared by Greiner Inc., March, 1992 for the purpose of a 4F determination.

Our review indicates that the open space parcels identified on the attached list do not play a significant role in meeting the recreation, park, wildlife or waterfowl refuge objectives of the communities involved, based on the 4F criteria as presented.

These open space areas, most of which were dedicated to the County through the subdivision process serve as buffer areas to communities and in many cases contain utility and drainage easements or storm water management facilities. Many of these parcels offer stream valley protection—since they include floodplains, steep slopes and erodible soils. As of this date, there are no plans to develop any of these parcels for active recreation use. Please note, these parcels have no relationship to Brampton Hills Park which remains a 4F designated park.

Also indicated on the attached list are several parcels owned by the Columbia Association. This Department can not comment of the designation of those parcels and we recommend that you contact that organization directly.

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Ms. Cynthia D. Simpson
MD Route 100/Interstate 29 to 95
June 11, 1992
Page 2

We have included a copy of the record plats containing the subject open space parcels and a copy of each deed.

Should you have any questions, please do not hesitate to call.

incered.

Jeffrey A. Bourne

Director

JAF/KMA/dmp

cc: James M. Irvin
Joseph W. Rutter. Jr.
Fina Hackett
Farl Teitt
Robert Devo
Howard Johnson

					,	
	(OWNERSHIP)	PARCEL#	LOT#	PLAT#	FINAL PLAT	
AX MAP	SUBDIVISION NAME (KEC. (PARKS)			8253	F-88-258	
	VILLAGE OF MONTGOMERY	190	1			
	RUN	·	H-1	8643	F-89-71	
	HUNT COUNTRY ESTATES	774	1, \$ 26	5907	F-84-153	
	MONT GOMERY MEADOWS	423	182		F-88-243	
	MON I GOMENT MEADONS		244,245		F-88-190	
		801	136,137	9068-69		
			183, 404	9374 -75	!	•
	TO BE DEDICATED TO	423	60			
	(REC ! PARKS) GLENMAR SEC. 2	185	133	6129	F-84-200	
	74		134	6120	F-84-200	ā .
	(REC. ! PARKS) SADDLE RIDGE	301	/3	8256	F-88-216	
	(REC.! PARKS) CRYSTAL SPRINGS ESTATES	175	34	9016	F-88-278	
	(HOMEOWNER'S ASSOC.) STONE HILL FARM	103				
	(REC. FPARK) BROOK FIELD	35/	29	9005-09	F-89-9"/	
	(RECT PARKS) HOA NV STONE BROOKE 1764 JGG	712	9	7093	F-86-105	
	(TO BE DED. TO REC. ! PAPKS.) DUNTEACHIN FARM		46	9823 - 27	F-90-34	
	(RCC. + PAFFE)					
	STRAWBERRY FIELDS	223	60	8990-92	F-89-98	
	(REC & PARKS) ROCK BURN TOWNSHIP	793	100, 101	8070-78	F-89-196 VI	II-C
			200	8634-41	F-88-27	

ı	(OWNECSHIP)	i I	r 1	1	
TAX MAP	SUBDIVISION NAME	PARCEL#	LOT#	PLAT#	FINAL PLAT
30	(KEL. (PAKES) LONG GATE	404	283,284,285,28,287	7932,7933	F-87-197
		404	61,62,60	6962	F-86-95
		404	377 , 381	8893	
		404	240,241,242	7532,7533	1=-87-195
		404	105, 328,59	6964	F-86-120
		404	9	6913	1=-84-135
30	BRAMPTON HILLS	380	56,57,58,59	5560,5561	r 83 - 133
		393	5-1,52,53	6301,6302	F-85-52
		393	116,117	7497, 2498	F-87-172
		393	166	7612,7613	F-88-50
30	(WWIMBIA ASSOCIATION) VILLAGE OF CAKLAND MILLS	264	252, 259, 260		
	((A)		//		
30	(COLUMBIA ASSOCIATION) VILLAGE OF LONG REACH	289	556,657,558,557,		
3 -			500,561,562,565,		
		ĺ	566 567,217		
31	BRAMPTON HILLS	762	75,76 +	4641,4642	F-80-19
31	(RECTYARKS) MONGOMERY ESTATES	14	2/	8161	F-88-16Z
31	BROOKVIEW ESTATES	. 15	PAIZ A	4909	F-81-90
	3,1,0				
37	(HUME OWNER ASSOC.) PETER HARMONS ACRE	225	11	6948	F-8(r-18]
37	(HANNED RESEARCH DEVELOPMENT) WILLAGE OF LONG REACH	660	87	3349-8359	
,	THE STATE OF GRANDER	657	3	8103 - 8111	
•		653	115,114,117	2804,7805	
		co.54	63	7813-1820	
		653	222,224,225		
37	(REC. (MAKKS) BRIGHT FIELD	661	59,60	8587	F-89-19
37	(REC. : PARKS) BRIGHT FIELD	77	41	9371,7322	1
	(REL. I PACKS) INDOP EREST	124	21	8254,8753-	
37	(REL. PARKS)	150	15-4,15:5,156	6348-6350	
	(THOMPSON'S PURCHASE			8717-19	
37	(IN BE DED TO REC. ! HARKS)	301	FLOOD PLAIN	4039	F-28-153
37	FOX HUNT ESTATE		•	1037	/- · · · · · · · · · · · · · · · · · · ·
	}	1	1	Ų.	•



MEMORANDUM

TO:

Members, Howard County Delegation

Members, Howard County Council

FROM:

Charles I. Ecker County Executive

RE:

Route 100

DATE:

July 6, 1993

The elected officials will have a meeting on Thursday, July 22, 1993, 6:30 p.m., in the Banneker Room, George Howard Building. The purpose of the meeting is for the elected officials to reach consensus on an alignment to recommend to the State Highway Administration.

Attached please find the following:

- A summary of the significant points concerning the two alignments that the state has studied in detail.
- The "northern" shift -- this is the alignment that will take two homes in Hunt Country Estates.
- 3. Option D - the "southern shift" (Lazy S) -- this alignment has been modified from the original alignment as it passes Montgomery Run.

It is my opinion after meeting with various environmental agency representatives and the consultant to the State Highway Administration who conducted the study, the "original" alignment will not be approved.

Again, the purpose of the meeting is for the elected officials to reach consensus on the alignment. The public will be at this meeting, but discussion will only be among elected officials.

If you have any questions, please contact me.

/1d

E Har Attachment

James Irvin, Director, Public Works

Hal Kassoff, State Highway Administrator

Joseph Rutter Director

Joseph Rutter, Director, Planning and Zoning Raquel Sanudo, Chief Administrative Officer



July 26, 1993

Mr. Hal Kassoff, Administrator Maryland State Highway Administration 707 North Calvert Street Baltimore, MD 21203-0717

SUBJECT: Maryland Route 100

Dear Mr. Kassoff:

I am writing to you as a follow-up to the meeting held on July 22, 1993 with the elected officials of Howard County concerning the alignment options for Maryland Route 100 over the Deep Run Tributary. At this meeting, a consensus was reached by the elected officials to support the modified southern alignment. However, I would like to advise you that this consensus recommendation is conditional on your commitment to resolve the noise impacts for the one remaining building in Montgomery Run which is closer to the proposed alignment than the original F.E.I.S. location. The elected officials are requesting that the options which were proposed for consideration by you to Senator Yeager during the recent legislative session in Annapolis be honored in resolving this situation.

My understanding of this commitment was to consider providing sound barriers and voluntary buy out options. Additionally, for those residents not desiring to relocate, the State would consider purchasing noise impact easements to compensate for the highway construction impacts.

In addition, there is one more condition that the elected officials' recommendation is contingent on. That is, that everything be done to not harm the Curtises.

I understand that the State Highway Administration will be evaluating these conditions during the next several weeks and that a decision will be made by the end of August, 1993. I am hopeful that you will take these affirmative steps so that progress on this critical project can be maintained and the concern of the residents for this legitimate problem can be resolved in a timely fashion.

Mr. Hal Kassoff Page 2 July 26, 1993

I would like to thank you for your continued support in working on this difficult and very critical project for the State and Howard County. If you require any further information concerning this matter or have any additional questions, please do not hesitate to contact my office at your convenience.

Very truly yours,

Charles I. Ecker County Executive

CIE/ss

cc: James M. Irvin, Director
Department of Public Works



William Donald Schaefer Governor

Maryland Department of Natural Resources

Tawes State Office Building
580 Taylor Avenua

580 Taylor Avenue Annapolis, Maryland 21401 Torrey C. Brown, M.D. Secretary

James W. Peck Assistant Secretary

July 15, 1992

Mr. Richard F. Morse GREINER, INC. 2219 York Road, Suite 200 Timonium, MD 21093-3111

RE: MD 100 from U.S. 29 to I-95, Howard County

Dear Mr. Richard F. Morse:

This is in response to your request for information regarding the above referenced project.

The Natural Heritage Program's data base contains records for several species which might occur within the study area. Near Ilchester there are Recent records for <u>Dirca palustris</u>, Leatherwood, a State Endangered species, and <u>Phlox pilosa</u>, Downy phlox, a State Endangered Extirpated species. Also there is a Historic record for Gentiana villosa, <u>Striped gentian</u>, another state Endangered species near Ilchester. There is an Historic record for <u>Scirpus smithii</u>, Smith's club-rush, an Endangered Extirpated species, near Dalton and a Current record for <u>Dryopteris Celsa</u>, Log-fern, a State Endangered species near Trinity School. Contact Katharine McCarthy, Regional Ecologist, at (410) 974-2870 if you have questions about this information.

The forested areas on the project site may be utilized as breeding areas by Forest Interior Dwelling Birds. The habitat of these birds is rapidly disappearing in Maryland. Conservation of this habitat is not mandated outside of the Chesapeake Bay Critical Area, but we will assist those interested in voluntarily protecting this habitat.

Telephone: (410) 974-2870
DNR TTY for the Deaf: 301-974-3683

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If you have any questions regarding this information, contact Peter Bendel at (410) 827-8612.

Sincerely,

Janet Mc Kegg

Janet McRegg, Director Natural Heritage Program

JM:dec

oc: Cynthia Sibrel Peter Bendel

ER# 92.06.410



269 J

William Donald Schaefer Governor

Maryland Department of Natural Resources Tawes State Office Building

Torrey C. Brown, M.D. Secretary

Fish, Heritage and Wildlife Administration 580 Taylor Avenue Annapolis, Maryland 21401

December 17, 1992

Mr. Louis H. Ege, Jr. Deputy Director Office of Planning and Preliminary Engineering, Room 506 STATE HIGHWAY ADMINISTRATION 707 North Calvert Street Baltimore, Maryland 21202

Attn: Neil J. Pedersen, Director

RE: Contract No. HO 661-201-070 MD 100 from West of MD 104

to I-95, Howard County

Dear Mr. Louis H. Ege, Jr.:

This is in response to your request for information regarding the above referenced project. There are no known Federal or State threatened or endangered plant or wildlife species present at this project site. If you have any questions about this information please contact Cynthia Sibrel at (410) 974-2870.

Sincerely,

fanct Mc Migglis

Janet McKegg, Director Natural Heritage Program

JM:cbs

cc: Cynthia Sibrel Sean Smith Robert Miller ER# 92835.HO DEVELOPMENT DOVE 11 22 M '92



PROJECT DEVELOPMENT DIVISION

Nov 22 10 51 mm '93

William Donald Schaefer
Governor

Jacqueline H. Rogers Secretary, DHCD

November 18, 1993

Office of Preservation Services

Ms. Cynthia D. Simpson
Deputy Division Chief
Project Planning Division
State Highway Administration
707 North Calvert Street
Baltimore, Maryland 21203-0717

RE: Contract No. HO 661-201-770 MD 100: US 29 to I-95 Howard County, Maryland

Dear Ms. Simpson:

Thank you for your recent letter, dated 13 October 1993 and received by the Trust on 18 October 1993, requesting our comments on the above-referenced project. We have reviewed the following draft report submitted with your letter: "Phase II Investigations of Sites 18HO52 and 18HO193 for the Maryland Route 100 Extension from US 29 to I-95, Howard County, Maryland." The report was prepared by R. Christopher Goodwin & Associates, Inc.

The investigations entailed Phase II testing of sites 18H052 and 18H0193. The draft report presents a detailed description of the study's goals, methods, and results. The draft is consistent with the reporting standards of the "Guidelines for Archeological Investigations in Maryland" (McNamara 1981).

Based on the documentation presented in the report, we concur with SHA that 18HO52 and 18HO193 are not eligible for inclusion in the National Register of Historic Places. The Deep Run Quarry, 18HO52, consists of a large multi-component site with occupation spanning prehistoric and historic time periods. The prehistoric component represents a lithic quarry and possible short term camp. Recovered diagnostic artifacts suggest that the site was utilized from the Early Archaic through Late Woodland periods. Testing did not identify intact prehistoric features or deposits. The site's historic component includes the probable remains of a burned structure, that may have functioned as a tenant residence, dating from the late 18th - mid 19th centuries. The Curtis site, 18HO193, represents a small, short-term resource extraction and possible camp site, dating to the Late Woodland period. Testing did not locate intact features or deposits at the site.

VIII-C1-8

Division of Historical and Cultural Programs

Department of Housing and Community Development

100 Community Place, Crownsville, Maryland 21032-2023 (410) 514-7600

Ms. Cynthia D. Simpson November 18, 1993 Page 2

The Phase II research demonstrated that 18H052 and 18H0193 do not retain subsurface integrity, due to disturbances from plowing and erosion. Because of the sites' limited potential to yield significant information and lack of integrity, we concur that 18H052 and 18H0193 do not meet the National Register criteria for evaluation. Additional investigations of the sites are not warranted.

We agree with SHA's comments and requested revisions on the draft report, enclosed with your letter. In addition, we have a few further comments on the draft itself. We ask SHA to have the consultant address these issues in the preparation of the final report.

- 1) The Research Design should be more detailed and present specific research topics/hypotheses to be examined by the Phase II investigations.
- The Summary and Recommendations should present more detailed site interpretations and discuss how the Phase II work addressed the questions and hypotheses outlined in the research design.
- 3) The final report should be printed double-sided.

We look forward to receiving a copy of the final report and NADB form, when available. If you have questions or require additional information, please call me at (410) 514-7631. Thank you for your cooperation and assistance.

Sincerely,

Elizabeth J. Cole

Administrator, Archeological Services

EJC/9302350

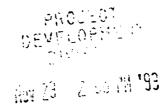
cc: Ms. Mary Barse

Mrs. Phillip St. C. Thompson

Mr. Clive Graham







William Donald Schaefer
Governor

Jacqueline H. Rogers Secretary, DHCD

November 19, 1993

Office of Preservation Services

Ms. Cynthia D. Simpson
State Highway Administration
707 North Calvert Street
Baltimore, Maryland 21203-0717

Re: Contract No. HO 661-201-770
MD 100: US 29 to I-95
Wetland Mitigation
Howard County, Maryland

Dear Ms. Simpson:

Thank you for your October 14, 1993 letter, received October 20, 1993, regarding the above referenced project. The project consists of the creation of 13.19 acres of forested wetlands to mitigate impacts from the construction of MD 100 from MD 104 to I-95, in Howard County Maryland. The wetlands will be located on two properties; the University of Maryland Animal Husbandry Farm and the Zeltman Farm.

We concur with your finding that the proposed project areas have low archeological potential and that no further investigation is necessary. Regarding historic standing structures, please provide further explanation for SHA's determination that there are no historic standing structures within the area of potential effects.

The proposed project has the potential to affect historic standing structures by changing the character of their setting. For example, if an historic farm is significant for its association with agriculture and the fields surrounding the farm complex are converted to woods or to wetlands, that could impact the significance of the property. We previously concurred with SHA that the University of Maryland Animal Husbandry Farm is not eligible for the National Register of Historic Places. However, we have no record of coordination for the Zeltman Farm. explain why SHA determined that the proposed Zeltman Farm wetland mitigation project would have no effect on historic properties. Are the effects of the project such that there could be no impact on historic properties? Is the Zeltman Farm less than 50 years of age? If it is over 50 years of age, did SHA determine that it does not meet the criteria for inclusion in the National Register of Historic Places? If so, please provide a justification for that determination.

Division of Historical and Cultural Programs
Department of Housing and Community Development
100 Community Place, Crownsville, Maryland 21032-2023 (410) 514-7600

VIII-C1-10

Ms. Cynthia D. Simpson November 19, 1993 Page 2

We will be happy to complete our review once we have sufficient information concerning the Zeltman Farm wetland mitigation project. Should you have any questions, please contact Ms. Elizabeth Hannold (for structures) or me (for archeology) at (410) 514-7600.

> Sincerely, Ellion O. Cole

Administrator Archeological Services

EJC/EAH 9302571

Ms. Mary F. Barse cc:

Mr. Bruce Grey Dr. Charles L. Hall Mr. Howard Johnson Ms. Rita Suffness Mr. Karl Teitt

MARYLAND HISTORICAL



William Donald Schaefer

Governor

Jacqueline H. Rogers Secretary, DHCD

February 28, 1994

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Office of Preservation Services

Ms. Cynthia D. Simpson
Deputy Division Chief
Project Planning Division
State Highway Administration
707 North Calvert Street
Baltimore, Maryland 21203-0717

1891. Emil

Re: Contract No. HO 661-201-770 MD 100: From US 29 to I-95, Wetland Mitigation Howard County, Maryland

Dear Ms. Simpson:

We received your December 30, 1993 letter regarding the above referenced project and the inventory form for the Zeltman Horse Stables.

We concur with SHA that the Zeltman Horse Stables is not eligible for the National Register of Historic Places. Based on the information provided by SHA, the property does not meet any of the National Register Criteria for Evaluation and has been subject to considerable alteration over time. Therefore, we concur that the proposed project will have no effect on historic properties, including archeological sites and standing structures.

Enclosed please find the inventory form for the Zeltman Horse Stables. We request the following minor corrections and additions be made so that the completed form can be added to the Maryland Inventory of Historic Places:

1. Discrepancies regarding the construction dates of the outbuildings should be corrected. On page 7.2 they are described as having been constructed in the last forty years. On page 7.3 they are described as having been constructed in the last five or six decades. Regardless of the date of the outbuildings, it is inaccurate to describe the entire farm complex, the main buildings of which are a house and barn constructed at the turn of the century, as a "mostly midtwentieth century property." (see first sentence, p. 7.2)



VIII-C1-12

Ms. Cynthia D. Simpson February 28, 1994 Page 2

- 2. The property name, "Zeltman Horse Stables," does not reflect the range of building types present nor the long-time use of the property as a farm. "Zeltman Farm" would seem to be a more appropriate name.
- 3. The window in the lower level of the west end wall appears to be two-over-two from the photographs (first paragraph, p. 7.2).
- 4. The historical references cited in section 9 should be identified.
- 5. Please contact Ms. Barbara Shepherd at (410) 514-7600 to receive an inventory number for the property before resubmitting.

Finally, whenever possible, eligibility determinations should be based on a knowledge of the interior as well as the exterior of a building. While we recognize that it will often be denied, SHA should be seeking access to buildings it inventories as a matter of course.

We look forward to receiving the revised inventory form. If you have any questions, please contact Ms. Elizabeth Hannold (for structures) or me (for archeology) at (410) 514-7600.

Sincerely,

Elizabeth A. Cole

Administrator

Archeological Services

Gh Total. Cole

EJC/EAH 9400004

cc: Ms. Rita Suffness

Dr. Charles L. Hall

Mrs. Phillip St. C. Thompson

Mr. Clive Graham



William Donald Schaefer Governor

> Jacqueline H. Rogers Secretary, DHCD

June 21, 1994

Office of Preservation Services

Ms. Cynthia D. Simpson
Deputy Division Chief
Project Planning Division
State Highway Administration
707 North Calvert Street
Baltimore, Maryland 21203-0717

Re: Contract No. HO 661-201-770
MD 100 from MD 104 to I-95
Howard County, Maryland
FHWA - Section 106 Review

Dear Ms. Simpson:

Thank you for your recent letter regarding the above referenced project and the Curtis-Shipley Property (HO-439). We appreciate the efforts made by the State Highway Administration (SHA) to reduce the impacts to the historic property through design. We understand that the project will now impact only 0.95 acres in the extreme northeast corner of the historic property, which includes approximately 90-acres. The house and farm buildings are located well to the south of the impacted area.

We previously determined that any visual impacts that might arise from the undertaking would be minor and could not be addressed effectively through landscaping. Therefore, we believe the draft Memorandum of Agreement (MOA) developed by SHA will satisfactorily mitigate the project's effects. We suggest the following minor modifications to the MOA:

- 1. The property variously has been called the Curtis-Shipley House, the Curtis-Shipley Farm and the Curtis-Shipley Property throughout our project correspondence. For consistency, we recommend using "the Curtis-Shipley Property" in the MOA as this name was used in our effects determination letter.
- 2. The wording for Stipulation I was changed with the advice of Mr. Ron Andrews, our National Register coordinator. He explained that the owner's consent is not needed to prepare an application or nominate a property to the National Register.



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Ms. Cynthia D. Simpson June 21, 1994 Page 2

(Of course, owner consent would be useful in order to have access to the property to gather the information and photographs required for the application.) The nomination would be reviewed by Mr. Andrews prior to submission to the Governor's Consulting Committee (GCC) to ensure that it meets the standards delineated in National Register Bulletin 16A and the Maryland supplement to 16A. Revisions to the nomination might be required at that time. In addition, it is possible that the GCC would suggest additional revisions to the nomination.

3. We have added a sentence to Stipulation II to make it clear that the clean-up will be accomplished with care and will not result in unnecessary disturbance of the grave markers or ground within the cemetery. I am not entirely happy with the wording so feel free to revise, but please let me know what you come up with.

Please find enclosed, the draft MOA with my revisions.

In addition, you will find enclosed a copy of the draft letter to the property owners with a few minor modifications. If you think it would be helpful, you could add my name or Mr. Andrews, name and number to the letter for assistance in answering any questions the owners might have. As requested, we are providing you with information on the National Register program to be passed along to the property owners.

If you have any questions, please contact me at (410) 514-7636.

Sincerely,

Elizabeth Hannold Preservation Officer

Project Review and Compliance

EAH

Enclosures

cc: Mr. Bruce Grey

Ms. Rita Suffness

Mrs. Phillip St.C. Thompson

Mr. Clive Graham

Advisory Council On Historic Preservation

The Old Post Office Building 1100 Pennsylvania Avenue, NW, #809 Washington, DC 20004

OCT 2 1 1994

Mr. A. Porter Barrows
Division Administrator
Federal Highway Administration
The Rotunda, Suite 220
711 West 40th Street
Baltimore, MD 21211-2187

REF: Contract No. HO 661-201-770 MD 100 from MD 104 to I-95 Howard County, Maryland

Dear Mr. Barrows:

The enclosed Memorandum of Agreement for the referenced project has been accepted by the Council. This acceptance completes the requirements of Section 106 of the National Historic Preservation Act and the Council's regulations. A copy of the Agreement has also been sent to the Maryland State Historic Preservation Officer.

We appreciate your cooperation in reaching a satisfactory resolution of this matter.

Sincerely,

Durille J. Null

Don L. Klima
Director

Eastern Office of Review

Enclosure

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VIII-C1-13C

MEMORANDUM OF AGREEMENT

WHEREAS, The Federal Highway Administration (FHWA) proposes to assist the Maryland State Highway Administration (SHA) in the construction of the selected alternative (Alternative 3-option D, Modification IIA) for the MD 100 project in Howard County, Maryland; and

WHERFAS, the FHWA in consultation with the Maryland State Historic Preservation Officer (Maryland SHPO), has determined that the undertaking will have an adverse effect upon the Curtis-Shipley Property (HO-439), which is considered eligible for listing in the National Register of Historic Places, pursuant to 36 CFR Part 800, regulations implementing Section 106 of the National Historic Preservation Act, as amended (16 U.S.C. 470f); and

WHEREAS, the SHA participated in consultation, and has been invited to concur in this Memorandum of Agreement;

NOW, THEREFORE, the FHWA, the Maryland SHPO, and the SHA agree that the undertaking shall be implemented in accordance with the following stipulations in order to take into account the effect of the undertaking on historic properties.

STIPULATIONS

FHWA will ensure that the following measures are carried out:

- I. <u>Documentation</u> SHA will prepare a National Register of Historic Places application for the Curtis-Shipley Property. The application will be prepared to the standards delineated in National Register Bulletin 16A and the Maryland Supplement to 16A and to the satisfaction of the Maryland SHPO.
- II. <u>Cemetery</u> SHA will hand clear brush from the Shipley Cemetery. Proper caution will be exercised to ensure that the grave stones are not moved or damaged and the ground not disturbed.
- Dispute Resolution Should the Maryland SHPO object within 30 days to any plans or actions proposed pursuant to this agreement, the FHWA shall consult with the objecting party to resolve the objection. If the FHWA determines that the objection cannot be resolved, the FHWA shall request the comments of the Advisory Council on Historic Preservation (Council) pursuant to 36 CFR Section 800.6(b). Any Council comment provided in response to such a request will be taken into account by the FHWA in accordance with 36 CFR Section 800.6(c) (2) with reference only to the subject of the dispute; the FHWA's responsibility to carry out all actions under this Agreement that are not the subject of the dispute will remain unchanged.
- IV. <u>Performance Standards</u> All work carried out pursuant to this agreement will be carried out by or under the direct supervision of individuals meeting, at a minimum, the appropriate federal qualifications presented in "Professional Qualifications" (36 CFR Part 66, Appendix C).



Execution of the Memorandum of Agreement by FHWA and the Maryland SHPO, its subsequent acceptance by the Council, and implementation of its terms, evidence that FHWA has afforded the Council an opportunity to comment on the MD 100 project in Howard County, Maryland, and its effects on historic properties, and that FHWA has taken into account the effects of the undertaking on historic properties.

By: Date:
A Porter Barrows Division Administrator
MARYLAND STATE HISTORIC PRESERVATION OFFICER By:
J Rodney Little State Historic Preservation Officer
CONCUR:
MARYLAND STATE HIGHWAY ADMINISTRATION By: Date:
By:
ACCEPTED FOR THE ADVISORY COUNCIL ON HISTORIC PRESERVATION
By: Noluto. Dush Date: 10/20/94



At Text

William Donald Schaefer Governor Ronald M. Kreitner
Director

January 25, 1993

Mr. Neil J. Pedersen Director Office of Planning State Highway Administration 707 North Calvert Street Baltimore MD 21202-0717

SUBJECT: REVIEW AND RECOMMENDATION

State Application Identifier: MD921029-0972

Description: Draft Supplemental EIS - Route 100 From Route 104 to I-95

Applicant: Maryland Department of Transportation/

State Highway Administration

Location: Howard County

Approving Authority: United States Department of Transportation/Federal Highway
Administration

Recommendation: Endorsement Subject to Comments and Contingent upon Certain Action

Dear Mr. Pederson:

In accordance with Presidential Executive Order 12372 and Code of Maryland Regulation 14.24.04, the State Clearinghouse has coordinated the intergovernmental review of the referenced project. This letter constitutes the State process review and recommendation. This recommendation is valid for a period of three years from the date of this letter.

Review comments were requested from the Maryland Departments of <u>Housing and Community Development</u>, Natural Resources, Environment, Public Safety and Correctional Services, Budget and Fiscal Planning, and Economic and Employment Development; Howard County and the Maryland Office of Planning.

The Maryland Departments of <u>Budget and Fiscal Planning</u>, <u>Economic and Employment Development</u>, <u>and Public Safety and Correctional Services</u>; <u>Howard County and the Maryland Office of Planning</u> found this project to be consistent with their plans, programs, and objectives.

The Maryland Departments of <u>Natural Resources and Environment</u> found this project to be generally consistent with their plans, programs, and objectives, but included certain qualifying comments.

The Maryland Department of <u>Housing and Community Development including the Maryland Historical Trust</u> stated that their finding of consistency is contingent upon the applicant taking the actions summarized below.

Page 2

Summary of Comments:

The <u>Department of Natural Resources</u> stated that "the above reference environmental assessment is under review by the Department of Natural Resources in conjunction with the newly established NEPA/404 phased permit review initiated by the State Highway Administration and Army Corps of Engineers. DNR is reviewing this Document pursuant to Section 307 (c) (3) (A) of the Federal Coastal Zone Management Act. As required by law, the Coastal Zone Consistency determination, when completed, will be forwarded to the Corps of Engineers and the State Highway Administration. A copy of this determination will be forwarded to the Office of Planning".

The <u>Maryland Historical Trust</u> stated that their finding of consistency is contingent upon completion of the projects Section 106 review.

The <u>Department of the Environment</u>, in their attached letter, addressed issues relating to stormwater management, soil erosion, debris, wetlands, waterways, air quality and hazardous and solid waste. They noted that CERCLA Site #MD305 is within one mile of this project.

Any statement of consideration given to the comments, recommendations and contingencies should be submitted to the approving authority, with a copy to the State Clearinghouse. Additionally, the State Application Identifier Number must be placed on any correspondence pertaining to this project. The State Clearinghouse must be kept informed if the recommendation cannot be accommodated by the approving authority.

Please remember, you must comply with all applicable state and local laws and regulations. If you have any questions about the comments contained in this letter or how to proceed, please contact the State Clearinghouse at (410) 225-4490. This will ensure that our files are complete.

We appreciate your attention to the intergovernmental review process and look forward to your continued cooperation.

Sincerely,

Mary J. Abrams

Chief, Maryland State Clearinghouse for Intergovernmental Assistance

Enclosures

MJA:LF:bw

cc: Fred Rappe - MDOT
Sue Hartman - DHCD
Peter Dunbar - DNR
Nat Brown - MDE
David Bezanson - DPS

David Bezanson - DPSCS Neil Bergsman - DBFPR Celeste Middleton - DEED Jack Anderson - BMC Roland English - OPC Scrib Sheafor - OPL



William Donald Schaefer Governor Ronald M. Kreitner
Director

MEMORANDUM

Please complete this form and return it to the State Clearinghouse upon receipt of notification that the project has been approved or not approved by the approving authority.

FROM:	(Please fill in the name & phone number of the person completing this form.)
TO:	Maryland State Clearinghouse Maryland Office of Planning 301 West Preston Street Room 1101 Baltimore, MD 21201-2365
DATE:	(Please fill in the date form completed)
RE:	State Application Identifier: MD # MD921029-0972 Project Description: Draft Supplemental EIS - route 100 from route 104 to I-95
This proje	ect/plan was:
Appro	ved Approved with Modification Disapproved
Approving	Authority:
Date Appro	oved:
The fundir	ng approved (if applicable)
	Federal: \$ Local: \$
	State: \$ Other: \$
The fundir	ng period:, 199 to, 199

MARYLAND DEPARTMENT OF THE ENVIRONMENT 2500 Broening Highway • Baltimore, Maryland 21224

(410) 631-3000

William Donald Schaefer Governor

Robert Perciasepe Secretary

January 7, 1993

Ms. Mary J. Abrams
Chief, Maryland State Clearinghouse
for Intergovernmental Assistance
301 W. Preston Street
Baltimore MD 21201-2365

Dear Ms. Abrams:

RE: State Application Identifier: MD921029-0972

Draft Supplemental Environmental Impact Statement Section 4 (f) Evaluation, Maryland Route 100 from Route 104 to Interstate 95 Howard County

Thank you for the opportunity to provide review of the above referenced Clearinghouse project. Copies of the documents were circulated throughout the Maryland Department of the Environment (MDE) for review, and the attached comments (pages 1-4) are offered for your consideration.

If you have any questions or need additional information, please call me or have a member of your staff contact, Mr. Nathaniel Brown, MDE's Clearinghouse Coordinator at (410) 631-3114.

Sincerely,

Susan Scotto

Director, Office of Strategic Planning and Policy Coordination

SS:nkb

Attachments



STATE OF MARYLAND DEPARTMENT OF THE ENVIRONMENT 2500 Broening Highway Baltimore, Maryland 21224

(410) 631-3583

William Donald Schaefer Governor Robert Perciasepe Secretary

B B B I V

MUN 1 8 1335

OFFICE OF PLANNING COORDINATION

MEMORANDUM

TO:

Susan Scotto

THRU:

J. L. Hearn

Angelo Bianca 65 Charlotte Holland 66

FROM:

Ray Anderson REA

SUBJECT:

WMA Environmental Review Comments

State Clearinghouse Project

RE: State Application Identifier: MD 921029-0972

DATE:

TDD FOR THE DEAF

November 13, 1992

This memo presents our comments on the Draft Supplemental EIS - Route 100 from Route 104 to I-95.

When the site preparation, or the building-debris removal involves either construction (the placement of any outfall, pipe, riprap, or any other fill material) in an adjacent waterway or wetlands, a Section 404 Permit is required from the U.S. Army Corps of Engineers and a 401 Water Quality Certification is needed from the Maryland Department of the Environment. Section 404 of the Clean Water Act prohibits the discharge of dredged or fill material into waters of the U.S. without a permit from the Corps of Engineers.

Under Section 401 of the Clean Water Act, the State of Maryland is required to issue a Water Quality Certification for any federally permitted activity which may result in a discharge of dredged or fill material to State waters or wetlands. This Water Quality Certification confirms that the activity will not cause a violation of the State water quality standards or limitations. Mr. Ken Pensyl, Water Quality Certification Division should be contacted at (410) 631-3609 for more information concerning the Section 401 Certification.

Section 8-803 of the Natural Resources Article of the Annotated Code of Maryland requires that a person shall obtain a non-tidal waterway construction permit from the DNR for any construction in the 100 year floodplain which alters the course, current or cross-section of a stream or body of water within the State.

Ms. Susan Scotto - Memorandum Page 2 Identifier MD921029-0972

Please contact Mr. Keith Harris, Operations Division, U.S. Army Corps of Engineers at (410) 962-3477 for more details concerning the Section 404 permit. Please contact Mr. Gary Setzer, Resource Protection Program, DNR at (410) 974-2101 for more information concerning the permits issued by them. One permit application must be filed with DNR to obtain all of these approvals.

Sormwater management and soil erosion controls should be implemented during construction of the buildings to protect the water quality of nearby streams. This should be acknowledged during the proposed engineering study of the project. A permit may be required. Please contact Mr. Dan O'Leary, Sediment and Stormwater Plan Review at (410) 631-3563 for more details.

REA:lp

247

Ms. Mary J. Abrams Identifier# MD921029-0972

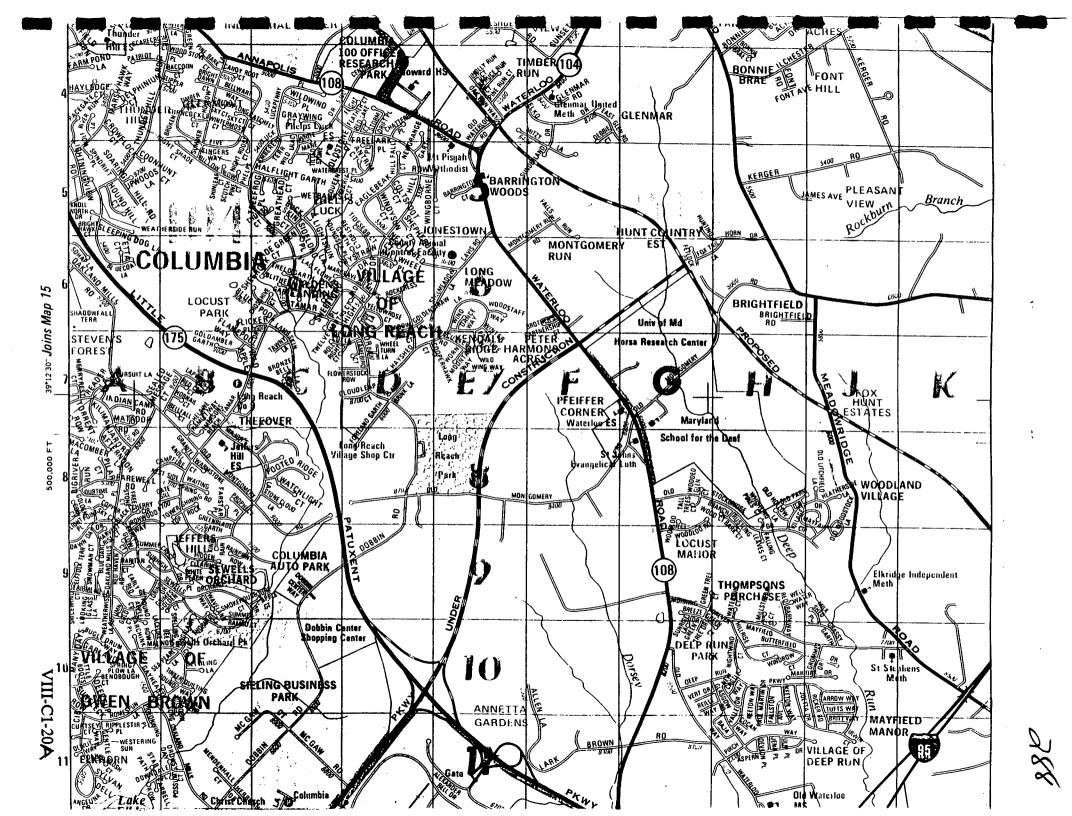
Additional Comments:

CERCLA Site #MD305, Cemetary Lane site at Mayfield Avenue, Meadowridge Road, Elkridge is within one mile of the proposed Route 100 from west of Maryland Route 104 to Interstate 95 construction. A screening site inspection of the Cemetary Lane site was performed by MDE on January 24, 1992. MDE's Environmental Response and Restoration Program and the U.S. EPA Region III Office should be contacted for additional information concerning this location. At MDE, please contact Mr. Robert DeMarco, Environmental Response and Restoration Program at (410) 631-3437 for additional information.

Any regulated solid wastes, including land clearing debris, construction debris, etc. which may be generated from new construction or renovation/demolition must be properly disposed of at a permitted solid waste acceptance facility, in conformance with State regulations pertaining to "Regulation of Water Supply, Sewage Disposal, and Solid Waste" (COMAR 26.04). For information on solid waste acceptance facilities, please contact Mr. Barry Schmidt, Solid Waste Program, Waste Management Administration at (410) 631-3318.

Efforts should be made to prevent contamination of the surface waters and groundwaters of the State of Maryland during these construction activities. Any discharge of wastes or wastewaters to the waters of the State from the proposed operation would first require a State Discharge Permit from MDE's Water Management Administration and must be in conformance with State regulations pertaining to "Regulation of Water Supply, Sewage Disposal, and Solid Waste" (COMAR 26.04.02.02F). Please contact Mr. Jeff Rein, Industrial Discharge Program, Water Management Administration at (410) 631-3737 for more information.

The applicant may become more familiar with MDE's permitting process by requesting a copy of Environmental Regulation: A Business Guide to the Maryland Department of the Environment's Permitting Process. Please contact the Office of Community Assistance at (410) 631-3172 for a copy of this publication.





Maryland Department of Transportation State Highway Administration

O. James Lighthizer Secretary Hal Kassoff Administrator

March 8, 1993

Mr. Paul Wiedefeld
Director
Office of Systems Planning & Evaluation
Maryland Department of Transportation
P.O. Box 8755
BWI Airport MD 21240

Attn: Mr. Andrew Meese

Dear Mr. Wiedefeld: Pou-C

We have completed our initial preparation of the 1994-1998 Transportation Improvement Program (TIP) for the Baltimore Region. Attached is the data entry diskette for State Highway Administration (SHA) projects.

We will be providing some additions to this submittal in late April. The addition's will include the FY 95 Special Projects which will not be finalized until then.

After your review please process the attached diskette to the Baltimore Metropolitan Council for the development of the 1994-1998 TIP.

Thank you for your assistance. If you have any questions do not hesitate to contact me at 333-1127.

Sincerely-

Raymond E. Weber Assistant Division Chief Regional & Intermodal Planning Division

Attachment

cc: Mr. John D. Bruck

Mr. Neil J. Pedersen

Mr. Jack F. Ross

Ms. Cynthia Simpson

My telephone number is _____



Maryland Department of Transportation State Highway Administration

O. James Lighthizer Secretary Hal Kassoff Administrator

May 6, 1993

Mr. Paul Wiedefeld
Director
Office of Systems Planning & Evaluation
Maryland Department of Transportation
P.O. Box 8755
BWI Airport MD 21240

Attn: Mr. Andrew Meese

Dear Mr. Wiedefeld:

We have completed our final revision to the Draft 1994-1998 Transportation Improvement Program (TIP) for the Baltimore Region. Attached is a copy of the revised Draft TIP for State Highway Administration (SHA) projects.

After your review please process the attached worksheets to the Baltimore Metropolitan Council (BMC) for the development of the Final 1994-1998 TIP. BMC will make the changes on the data entry diskette and supply us both with a final copy.

Thank you for your assistance. If you have any questions do not hesitate to contact me at 333-1127.

Sincerely,

Raymond E. Weber
Assistant Division Chief
Regional and Intermodal
Planning Division

Attachment

cc: Mr. John D. Bruck Mr. Neil J. Pedersen Mr. Jack F. Ross Ms. Cynthia Simpson



DEPARTMENT OF THE ARMY BALTIMORE DISTRICT, U.S. ARMY CORPS OF ENGINEERS P.O. BOX 1715 BALTIMORE, MO 21203-1715

OCT 2 0 1992

REPLY TO ATTENTION OF

Operations Division

Subject: Preapplication, MD SHA/MD RT 100, #HO 661-201-77

Maryland State Highway Administration Attn: Mr. Karl Teitt 707 North Calvert Street Baltimore, MD 21203-0717

Dear Mr. Teitt:

Thank you for arranging the site visit with Mr. Paul Wettlaufer of my staff and Mr. Bill Schultz of the U.S. Fish and Wildlife Service on October 20, 1992.

As part of the visit, a review was made of the MD 108 corridor. We observed that a 120-foot right-of-way exists along MD 108 in the section east of MD 104 and, although SHA has no long term plans to widen MD 108, a 5-lane cross section could be constructed, if needed in the future, without requiring any residential displacements. On the other hand, the "Rob" alternate would result in the need to relocate numerous residences, and would come extremely close to some condominiums.

As part of the review of the "Lazy S" alternate, we recommended the following measures be considered for reducing the alternate's proximity to condominiums in the Willage of Montgomery Run:

- Reduce the median to 48 feet between travel lanes in order to reserve only the area needed for two future lanes, two 10-foot shoulders, and a Jersey barrier.
- Lower the profile of the road to reduce the lateral encroachment of fill slopes.
- Utilize a bifurcated roadway in the vicinity of Village of Montgomery Run, with the westbound roadway at a lower grade, in order to reduce the footprint of fill on the outside of the superelevated curve.
- Keep the outside safety grading to 10 feet, as is currently proposed.
- Steepen the fill slopes to 1:1 through the use of a geosynthetic.
 - Consider retaining walls to limit lateral encroachment.
- Modify the degree of curve, or shift the location of the P.C. from Station 143+98.72 to a point further eastward (keeping the degree of curve the same) to increase the distance between VIII-C1-21

the proposed road and the condominiums. If this results in an increase in wetland impacts, consider the use of retaining walls to offset the increase.

The Corps is not opposed to evaluation of some additional impact attributable to the incorporation of 13-foot lanes throughout the curved sections, if such a measure is considered necessary to remedy anticipated operational problems resulting from the tight geometry. However, we will evaluate the feasibility of the above measures a. through g. to offset any additional impacts created by an expanded cross section.

If you have any questions, please call Mr. Paul Wettlaufer of my staff at 962-1843.

Sincerely,

Keith A. Harris Acting Chief, Special Projects

Paul R Wettlaufer

cc: Mr. David Lawton, FHWA



DEPARTMENT OF THE ARMY BALTIMORE DISTRICT, U.S. ARMY CORPS OF ENGINEERS P.O. BOX 1715 BALTIMORE, MD 21203-1715

REPLY TO

 $MCU : \mathcal{F} \to \mathcal{F}^{\mathcal{G}}$

Operations Division

Subject: MD SHA - MD Route 100, #HO 661-201-770

Maryland State Highway Administration Attn: Mr. Karl Teitt 707 North Calvert Street Baltimore, MD 21203-0717

Dear Mr. Teitt:

Thank you for arranging the follow-up site visit on MD Route 100 with Mr. Paul Wettlaufer of my staff and Mr. Bill Schultz of the U.S. Fish and Wildlife Service on November 5, 1992.

As part of the site visit, a review was made of the potential impacts of the Snowden River Parkway interchange on the Deep Run wetlands. We were advised that under Alternate 3 Option B, Snowden River Parkway is currently proposed to be elevated above Route 100. This necessitates that the ramps to and from westbound Route 100 be elevated substantially to intersect with Snowden River Parkway, resulting in a large footprint of fill for the ramp embankments. This footprint of fill does not physically encroach into the wetlands or floodplain of Deep Run, but does eliminate any possibility of leaving a wooded upland buffer along the west bank of the stream, which could provide habitat and water quality benefits.

As a suggestion for making the project more compatible with the stream system, we recommended at the site visit that you evaluate an interchange design which carries Snowden River Parkway under Route 100. In this scenario, the ramps to and from westbound Route 100 would more nearly match the existing topography, thereby reducing the footprint of fill and increasing the distance between the toe-of-slope and the stream (see enclosure). We would encourage you to accomplish some of your required upland reforestation in this area in order to create a woodland buffer along the stream.

We recognize that our recommendation for the interchange with Snowden River Parkway would add to the quantity of excess excavation on this project. Hopefully this would not be an impediment to consideration of this proposal, since SHA has successfully stockpiled excess excavation for long duration on the I-97 project and has realized cost savings by utilizing the stockpiled material on other projects.

As you discussed with Mr. Paul Wettlaufer of my staff, we would appreciate receiving, at your convenience, the revised traffic projections which took into consideration the County-approved changes in the area Master Plan.

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Enclosed is our portion of the hearing script for the combined SHA/Corps Public Hearing. Mr. Ted Rugiel will be making the presentation for the Corps.

Thank you for your continuing cooperation in considering our recommendations and for responding to our requests for information. We look forward to achieving a mutually acceptable solution to this transportation need.

If you have any questions or comments, please contact Mr. Paul Wettlaufer of my staff at 962-1843.

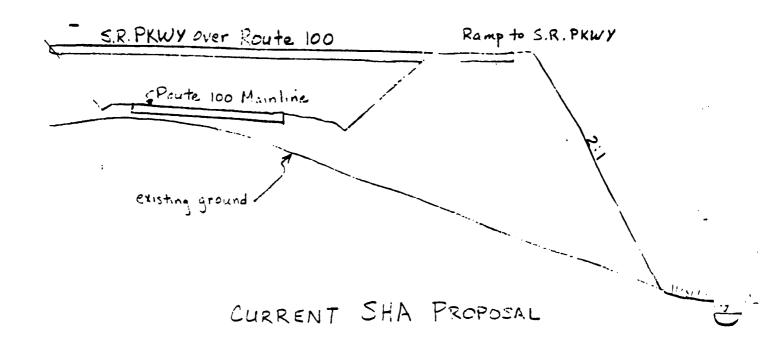
Sincerely,

Paul A. Wallaufer

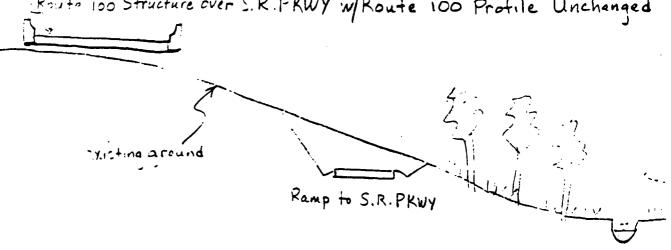
Keith A. Harris
Acting Chief, Special Projects

Encl

CROSS SECTION, APPROX LTA 183 ALTERNATE 3, DOTIONS B & D



Route 100 Structure over S.R.FKWY WRoute 100 Profile Unchanged



22862 PROPOSAL



DEPARTMENT OF THE ARMY

BALTIMORE DISTRICT, U.S. ARMY CORPS OF ENGINEERS P.O. BOX 1715

BALTIMORE, MD 21203-1715

ATTENTION OF

1 4 JAN 31993 11) IR HIT

Operations Division

Subject: CENAB-OP-RX(MD SHA/MD RT 100, MD 104 TO I-95)93-00302

Mr. Louis H. Ege, Jr. Maryland State Highway Administration 707 North Calvert Street Baltimore, Maryland 21203-0717

Dear Mr. Eqe:

I am replying to your application for a Department of the Army (DA) permit which you submitted in accordance with the procedure for merging NEPA and Section 404, for the subject project in Howard County, Maryland.

Enclosed is correspondence which this office received in connection with your application. In accordance with DA regulations and the procedure for merging NEPA and Section 404, this office provides applicants the opportunity to furnish proposed resolutions or rebuttals of all objections and comments received in response to the public notice. Therefore, in order for this office to continue with the evaluation of your application and to balance the concerns expressed for aquatic resources against the public need for the project, we request your analysis of these concerns. The comments from FWS were conveyed in an internal memorandum and, as such, are not the final agency position. In addition, the Corps wishes to convey the following concerns based on information contained in the Draft Supplemental EIS.

- We concur that interchange Option C-3 minimizes wetland impacts. We concur in dropping the Raised Grade Option. previously concurred in dropping the "Rob" Alternate, primarily due to the impact to 9 residential and 1 commercial properties (which we believe are valid estimates) and its Section 4(f) impact to the National Register eligible Curtis-Shipley property. We agree with FWS and EPA that the rationale for dropping the "Rob" Alternate could, and should, be expanded and strengthened. We note that some other detriments of this alternate, which could be listed as reasons for dropping it, are as follows:
- The "Rob" Alternate would have a greater impact on the development potential of the Curtis-Shipley property than any of the alternates retained for detailed study. Although this is a County concern, not a Corps concern, the retained alternates have potential to satisfy both the Corps' concern for reduction of aquatic impacts and the County's concern for development.

- b. The "Rob" Alternate would have visual and noise impacts on the Ashton Woods condominiums, similar to the impacts of the retained alternates on Hunt Country Estates and Village of Montgomery Run.
- c. The proponents of the "Rob" Alternate believe that it would minimize aquatic impacts. If the recommendations made at the January 8, 1993 meeting for reducing the impacts at Deep Run are incorporated into the retained alternates, we do not believe this would be the case. In this regard, we note that the "Rob" Alternate would necessitate an additional stream crossing not currently shown on the mapping, at the W-10 tributary, in order to provide access from the northern part of the Curtis-Shipley property to Snowden River Parkway.
- 2. The Corps does not support the avoidance of wetland W-13 unless a majority of the four impacted households indicate that they do not object to being acquired. We understand that developers have been attempting to buy these properties, and we suspect some owners may be willing to sell rather than live next to a freeway. We recommend that SHA survey the four households.
- 3. We appreciate the opportunity to attend the January 8, 1993 meeting. The afternoon working session demonstrated the potential which the NEPA/404 process has to foster teamwork, increase agency involvement, and lead to a mutually acceptable Selected Alternate. The Corps currently favors the selection of Option D, but as requested at the January 8, 1993 meeting, is willing to keep an open mind about the possible selection of Option C if it can be shown that Option C, with further avoidance, would have aquatic impacts at Deep Run equivalent to, or less than, those of Option D. However, we wish to point out several advantages of Option D which were not explored at the January 8, 1993 meeting.
- a. If Option C were selected, we could expect only a narrow stream corridor to remain between the freeway on the north and the proposed development on the south. On the other hand, if Option D were selected, a greater buffer of natural vegetation would remain along the north side of the stream because: (1) the woodland south of Hunt Chase Terrace is protected from development as County open space, (2) the woodland south of Fetlock Court would not likely be developed since it is an uneconomic remnant of the Curtis property, and (3) there is a broad floodplain on the north side of Deep Run which is protected from development by County regulation. The wider stream buffer which would remain if Option D were selected would benefit wildlife habitat, water quality, and passive recreation.
- b. While Option D impacts more length of stream than a mitigated Option C, the impact is limited to the tributaries which, as FWS points out on page 2 of their enclosed memorandum, do not manage the same volumes of stormwater VIII-C1-27

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sediments, nutrients, toxicants, or food chain exports as the Deep Run system and, therefore, are of lesser value than the Deep Run wetland/stream complex.

- c. The analysis presented January 8, 1993 understated the value of the upland forests which would be displaced by a mitigated Option C. Although characterized as upland forest, much of this acreage is located within the 100-year floodplain and, therefore, has riparian functions (e.g., flood flow reduction, sediment trapping, nutrient and toxicant retention, food chain export, and groundwater recharge/discharge) which benefit the stream.
- Under Option C, a noise barrier is not considered cost effective for the adjacent community (Hunt Country Estates), whereas for Option D, the adjacent community (Village of Montgomery Run) would qualify for noise barriers. This is an important difference between the two alternatives. Regarding the determination that noise barriers are not cost effective for Hunt Country Estates, we have the following questions. Under Option C, why is the length of barrier at noise sensitive area B 5,070 feet? This seems to be greater than is needed to protect Hunt Country Estates and the future Montgomery Meadows Subdivision. If it could be shortened to 4,200 feet, it would qualify as cost effective. Can the cost be reduced by constructing an earthen berm, instead of a wall, along a portion of the Snowden River Parkway interchange ramp? (No additional wetlands or forest would need be acquired). Under Option D, why are Receptors 5 and 25, which are adjacent to each other, projected to have noise levels which differ by 4 decibels? Also, with Option D, the length of barrier at noise sensitive area B seems to be longer than is necessary, and seems to overlap the barrier proposed for noise sensitive area C, thereby unnecessarily inflating the cost per residence. Will the noise levels projected under Option D jeopardize the use of FHA/VA mortgages for resales in the Village of Montgomery Run?
- 4. It was stated at the January 8 meeting that one of the primary benefits of selecting Option C would be that more of the Curtis-Shipley and University of Maryland properties could be developed as mixed use, thereby decreasing development pressures on the western (agriculturally-zoned) areas of the County. The Corps does not agree that we could forestall development of rural areas by allowing more development to occur in the study area. Given the willingness of farmers to sell to developers, and given the inherent difficulty of controlling development, we expect even the rural areas to be developed eventually. The Corps has no role in the County land use planning process. Therefore, the only strategy available to us for protecting wetlands is to preserve as much as we can on each project that we evaluate.

Therefore, although the Corps will give consideration to the County's desire to increase its tax base and to provide low-cost housing, the Corps' final decision will be weighted more heavily on protecting aquatic resources than on development interests.

- Regarding the options under consideration in the vicinity of Deep Run, we believe there is merit in DNR's suggestion at the January 8, 1993 meeting to construct the initial 6-lane divided highway with a 30-foot median while reserving sufficient right-of-way for a future 2-lane expansion to be constructed on the stream side of the roadway. This suggestion was made because SHA expressed some doubt as to whether there would be a future need for either additional lanes or a rapid transit facility. Therefore, we have reservations about approving the additional destruction of wetlands to accommodate an extra wide median which may never be utilized. We have enclosed two drawings (encl A & B) demonstrating how the construction might be staged to provide six lanes initially with capacity to expand to 8 lanes, while limiting the destruction of wetlands in the initial phase. Enclosure B differs from Enclosure A in that a 42-foot median would be constructed initially, with sufficient room for one future median lane and one future outside lane.
- 6. The final impact analysis should include a comparison of the impacts of utility installations proposed under Options C and D, since such construction can result in substantial clearing of wetlands. This analysis should include both existing utilities which must be relocated, as well as any newly planned service.
- 7. We recommend that SHA consider whether the additional expense of a directional, flyover ramp would be warranted with Option D to ensure the satisfactory operation of the Snowden River Parkway interchange beyond the design year.
- 8. When several mitigation sites have been proposed, we request an interagency site visit, prior to issuance of the Final Supplemental EIS, to identify acceptable sites. In addition to requiring mitigation for impacted wetlands, the Corps may also require mitigation for the stream impacts attributed to riprapping, relocating, and culverting. Such mitigation could include the restoration of degraded portions of Deep Run outside the project limits.
- 9. The two existing wetland mitigation sites impacted by Option D must be replaced acre for acre.

We look forward to continued coordination on this project to further reduce impacts, to establish a comprehensive mitigation proposal for all unavoidable impacts, and to arrive at a mutually acceptable Selected Alternate.

If you have any questions or concerns, please call Mr. Paul Wettlaufer of this office at 962-1843.

Sincerely,

Paul R. Wettlaufer

Keith A. Harris
Acting Chief, Special Projects
Permit Section

Enclosure

cc: Mr. Bob Sheesley

Mr. Karl Teitt

Mrs Hamilton Hains Five Nine Six One Waterloo Road, Post Office Box 2, Ellicott City, MD 21041-0002

December 15, 1992

Mr. Paul Wettlaufer Corps of Engineers CENAB-OP-RX Post Office Box 1715 Baltimore, MD 21203-1715

Dear Mr. Wettlaufer,

I am writing to tell you that I support the original (North) route between Old Montgomery Road and Route 108. Although it runs close to Hunt Country Estates and there has been loud protests from that development, it does seem to be the "lesser of several evils". Different proposed alignments have to be studied for adverse impact on farm land, historic sites, wildlife and wetlands. I would like to see the most negative impact, Northern Route, plan implemented.

Perhaps Hunt Country Estates should not have been built without the consideration of Route 100 and now that it is, someone has to pay for somebody else's mistakes. Certainly, the purchase of newly built homes and installation of noise barriers (at Tax Payer cost) is more than fair to people who have no other ties to this area or roots in the land on which they presently live.

My major concern is that the wetlands and Deep Run Creek be protected. Wetlands are a swiftly diminishing resource and one that deserves your protection. The Shipley Graveyard is of historical significance and goes hand in hand with the preservation of wetlands. Wetlands are of great concern and were an important consideration several years ago when I went through the subdivision process in order to turn some of my property over to my son in order for him to build a home.

The newcomers most grave concerns seem to be reduced property values. This is NOT my main concern simply because I am not as concerned about financial impact as much as liveability and quality of life for me and my family. I am a native of Howard County and the third generation to live on my property and I plan to stay.

While the proposed Route 100 upsets the newcomers, we have to be practical. It is a mistake to destroy a resource such as Deep Run for such a frivolous purpose. While the proposed Route 100 upsets the newcomers, we must be practical. Along with neighbors such as Lee and Lois Curtis and Mrs Gray, I plan to be here when the new residents of Hunt Country Estates have moved on to greener pastures. I would like to have Deep Run Creek preserved.

Sincerely,

Charle Ar Havin VIII-C1-31 (Mrs Hamilton Ham)

DEPARTMENT OF THE ARMY BALTIMORE DISTRICT, U.S. ARMY CORPS OF ENGINEERS P.O. BOX 1715 BALTIMORE, MD 21203-1715

REPLY TO ATTENTION OF OPERATIONS Division

JUL 0 2 1993

Subject: CENAB-OP-RX(MD SHA/MD RT 100, MD 104 to I-95)93-00302-1

Maryland State Highway Administration Attn: Ms. Linda Kelbaugh 707 North Calvert Street Baltimore, MD 21203-0717 RECEIVED

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Dear Ms. Kelbaugh:

EMPORESTAL PROGRAMS DIVISION

This is in response to the July 1, 1993 site visit to review potential mitigation sites for the subject project which is being evaluated using the joint NEPA/404 process.

The environmental agencies were represented by Ms. Jill Reichert and Mr. Sean Smith of DNR, and Mr. Paul Wettlaufer of this office.

Of the sites investigated east of MD 104 and west of I-95, two sites appear to have the most potential for wetland creation. The University of Maryland Animal Husbandry Farm site is located north of the main stem of Deep Run. Previous investigations of ground water indicated that ground water is close to the surface on at least a portion of the site. The site is dominated by wild Deer bedding areas were observed in several places. Several feet of earth would have to be removed to construct a wetland whose hydrology is dependent upon ground water. a regional stormwater pond has been constructed upstream, it is not expected that the stream would overtop its banks and flood the wetland except during severe storm events. A hydrologic outlet should be constructed from the wetland to Deep Run in order to provide nutrient export and ground water discharge functions. Other functions expected to be developed are wildlife habitat, passive recreation, a buffer from development proposed north of this site, a water quality enhancement of any runoff from such development, and stream canopy.

The second site is known as the Zeltman site located on Shallow Run (ADC Map, Page 17, B8). The site is currently a horse farm. Grazing and livestock watering is occurring in a portion of the stream. The site has an extremely high potential for future development, due to its location next to I-95, and due to the golf course proposed to the south. Plans of the golf course indicate that an upstream portion of this tributary will be included in the golf course development. The stream was vegetated predominantly by grasses. The topography lends itself to creation of approximately two acres of palustrine wetlands which would be fed by both groundwater and stream flooding. The site has high potential for success and would provide the functions of sediment removal, flood storage, nutrient uptake and nutrient export, groundwater discharge, wildlife habitat, a

buffer to future development, stream canopy, and stream restoration.

Both sites are considered by the Corps to be acceptable for mitigation by wetland creation. However, acceptability is contingent upon the satisfactory completion of an archeological survey, completion of environmental documentation pursuant to NEPA, hydrological investigations, and the consensus of the environmental agencies. A recorded non-development easement will be required prior to advancing these sites to construction. The final NEPA document should include an environmental assessment of the impact of constructing these mitigation projects, a narrative describing the proposed manipulations of the site and the expected source of hydrology, results of archeological investigations, and the property owner's approval to use the site.

Although not specifically investigated during the site visit, it is likely that areas along the south side of Deep Run (between Deep Run and the proposed Option D, assuming Option D is selected) could also be suitable for wetland creation, provided the hydrology is determined to be sufficient to support a wetland. We understand this area is also likely to be used for stormwater management. If there is a reforestation requirement for this project, we recommend that the reforestation also take place along Deep Run, particularly along the south side where the existing canopy is sparse on the Curtis and University of Maryland properties.

There are also areas along Shallow Run, upstream of the area we inspected, that may be suitable for wetland creation. One such area was identified on the plans for the golf course. Conceptual approval to mitigate in such areas will be dependent upon further site investigation.

If you have any questions, please contact Mr. Paul Wettlaufer of this office at 962-1843.

Sincerely,

/ Keith A. Harris

Vaul R. Wettlaufer

An Acting Chief, Special Projects

CC: Jack Hett
Karl Teitt
Bill Schultz
Sean Smith

REPLY TO

DEVEL DEPARTMENT OF THE ARMY BALTIMORE DISTRICT, U.S. ARMY CORPS OF ENGINEERS P.O. BOX 1715

BALTIMORE, MD 21203-1715

AUG 31

rations Division

AUG 25 1993

Subject: CENAB-OP-RX(MD SHA/MD RT 100, MD 104 TO I-95)93-00302

Mr. Hal Kassoff Maryland State Highway Administration 707 North Calvert Street Baltimore, MD 21203-0717

Dear Mr. Kassoff:

This letter is to provide clarification pertaining to the request by this office, the USFWS, and DNR that bottomless culverts be considered for the MD Route 100 project in Howard County, Maryland. Our interest is to ensure that the highway's impacts to tributaries of the Deep Run stream system are minimized. When the final barrier to the migration of anadromous fish (at the railroad crossing) is removed from Deep Run, the tributaries which are crossed by this project will undoubtedly provide critical support to the early life stages of anadromous fish by providing refuge area, food sources, base flow, nutrients, and oxygen. Bottomless culverts offer several advantages over pipe culverts and box culverts in terms of accommodating the passage of aquatic species into these upper reaches of the stream system. Specifically:

- Bottomless arch culverts generally let in more light. Studies have shown that fish passage is inhibited through dark culverts of the length that would be constructed for an eight-lane, divided highway.
- A bottomless culvert would maintain a natural substrate in the stream. Even though a box culvert can be depressed one foot below the stream invert for the purpose of allowing material to be deposited, this deposition usually consists of unconsolidated fine sediments which are more susceptible to movement during storm events. The stream substrate would not be similarly altered in a bottomless culvert, thus providing a more stable substrate and allowing the colonization of benthic organisms.
- Unlike a box culvert, a bottomless culvert would not necessitate the installation of a riprap apron, nor would it necessitate any widening of the channel, as is frequently done to taper a stream channel cross section to match the cross section of the box culvert. This widening of the channel immediately upstream of a culvert is undesirable because it would result in a slowing of velocity at the culvert and the deposition of sediment at that location (a long-term maintenance problem). The riprap apron is undesirable because it can create a barrier to fish movement during periods of low flow, and can result in the loss of additional habitat along the bank. the widening and the riprap installation require the removal of

stream bank vegetation with a corresponding loss of shade. Recent studies indicate that flow over extended length of riprap can significantly increase water temperatures, thereby affecting aquatic habitat.

- 4. Unlike a box culvert, the stream channel inside a bottomless arch culvert can contain meanders which provide resting area (pools of lower velocity water on the inside of bends) for aquatic species. In addition, such meanders contribute to the dissipation of velocity.
- 5. Bottomless arch culverts also better accommodate the passage of terrestrial animals. At a July 7, 1993 inspection of a recently constructed bottomless arch culvert in the Constitution Hills subdivision in Charles County, conducted with members of your staff, many tracks of small mammals were observed inside the culvert.

In view of the commitment in the Chesapeake Bay Agreement to restore the river herring fishery in Deep Run, and the ability of bottomless structures to mitigate specific long-term habitat impacts, we have concluded that the benefits cited above are important features that this highway project should provide, and can reasonably provide with no reduction in highway safety, capacity, or function. We would consider bridging to be another practicable means of providing these benefits.

Based on other permit application which we have received, many county public works departments, as well as neighboring state highway administrations, are currently utilizing concrete and steel bottomless arch culverts.

If desired, the Corps, USFWS, and DNR would be willing to accompany your Bridge Department staff on a second site inspection of a constructed bottomless arch culvert to allow your staff to observe first hand the benefits to aquatic systems afforded by these structures. We also will conduct a site visit with your staff of the proposed MD Route 100 crossings of wetlands 6, 11, and 12. A date for this inspection is being arranged by your staff.

If you have any questions, please call Mr. Paul Wettlaufer of this office at 962-1844.

Sincerely,

Keith A. Harris

Acting Chief, Special Projects

CC: Sean Smith, DNR
Bill Schultz, FWS
Dave Lawton, FHWA
Earle Freedman
Bob Scheesley



DEPARTMENT OF THE ARMY BALTIMORE DISTRICT, U.S. ARMY CORPS OF ENGINEERS P.O. BOX 1715

BALTIMORE, MD 21203-1715

OCT 0 8 1993

10/12/93

erations Division

Ms. Linda Kelbaugh Maryland State Highway Administration 707 North Calvert Street Baltimore, MD 21203-0717

Dear-Ms. Kelbaugh:

Enclosed is a standard list of conditions which was developed at Mr. Dan Guy's request. According to Mr. Guy, these conditions will be attached to the contract special provisions of projects which you determine qualify for NWP #3.

Also enclosed are our minutes of the September 29, 1993 site (100 visit on MD 100 which documents our understanding of the requests for additional information made by the various agencies. in attendance.

If you have any questions, please contact Mr. Paul Wettlaufer at 962-1844.

Sincerely,

Keith A. Harris Acting Chief, Special Projects

Encl

ENVIRONMENTAL PROGRAMS DIVISION

OCT 0 4 1993

MEMORANDUM FOR RECORD.

CENAB-OP-RX (MD SHA/MD ROUTE 100, FROM MD 104 TO I-95) SUBJECT: 93-00302

- 1. A site visit was conducted on 29 September 1993 to examine the proposed crossings of wetlands 6A, 11, and 12. The purpose of the site inspection was to discuss the type of structure which would be employed to cross each of these streams.
- At wetland 6A, the face of retaining wall had been staked out for a distance of 300 feet east and 300 feet west of the tributary to Deep Run. The stakes were approximately 50 feet apart. Two of the stakes were only 6 feet from the top of bank of Deep Run, and one stake was only 2 feet from the top of bank of Deep Run. The roadway profile would be either 15 feet or 30 feet above the existing ground, depending on the option selected by SHA. It was felt by DNR, FWS, and the COE that a retaining wall built at this location would severely impact the main channel of Deep Run. Even if a retaining wall footing could be constructed without the need to armor the stream bank, which is doubtful, there would be no place to plant vegetation in the narrow area between the wall and the channel. Without any vegetative stabilization of the bank, the channel would erode until it eventually widened out to the wall itself, resulting in a further degradation of the habitat value of the stream. While this would be SHA's least expensive alternative, it was noted that this alternative would result in the need to relocate approximately 300 feet of Deep Run, and the cost of this relocation should be added to the cost estimate for this alternative. Two other alternatives were discussed, either one of which could prove acceptable to the environmental agencies.
- Shifting the face of the retaining wall an additional 16 feet to the south would provide an area adjacent to the stream where shade-tolerant shrubs could be planted to stabilize the bank of Deep Run. In addition, any existing trees along the bank of Deep Run would be topped if required, but not removed, so that the roots would be left to provide habitat in the stream. Acceptability of this alternative would be conditioned upon (i) maximum minimization of disturbance to the area between the face of wall and Deep Run during construction of the wall footings, (ii) provision of a drainage system to convey groundwater through the roadway fill and retaining wall to Deep Run, and (iii) design of a culvert to carry the tributary such that it does not result in the need to armor the banks of the tributary at the culvert outfall nor the banks of Deep Run at the confluence. Regarding item (i) above, we would be looking to minimize the excavation necessary for the construction of the footing through such means as using sheeting to retain the excavation and serve as the form for the concrete footing, and construction of an L-shaped wall which minimizes the distance the footing projects in front of the wall.

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- b. The other acceptable alternative would consist of a bridge, approximate bottom opening of 230 feet, to carry the westbound lanes only. The bridge-would necessitate the planting of some shade-tolerant shrubs along the south bank of Deep Run. In addition, piers would have to be located at the points where they would be furthest from Deep Run, even though this might necessitate designing unsymmetrical span lengths. A bridge would have the advantage of enabling any groundwater discharges to continue to reach Deep Run, would not displace any floodplain nor result in increased stream velocity, and would provide more riparian area for wildlife movement.
 - 3. At wetland 11, two alternatives were raised by DNR. The cost of both these alternatives should be evaluated to determine whether they are practicable.
 - to carry the stream under MD 100. In analyzing the benefits and costs of this alternative versus the SHA's preferred alternative, it is recognized that anadromous fish would not benefit since the stream is not expected to convey anadromous fish above this location. Nevertheless, bottomless culverts minimize the length of stream disturbance because they do not require any armoring of the stream at the outfall of the culvert. The unit cost was stated as \$2000 per linear foot for bottomless culverts.
 - b. The other alternative would consist of a southward shift in the alignment of the eastbound roadway to create a wider median. The stream would be culverted under each roadway, but would remain undisturbed in a natural channel in the median between the two roadways. Each roadway would be in retained fill in the vicinity of the stream crossing. The natural channel in the median would be approximately 100 feet in length, under ultimate construction.

The SHA-preferred alternative is to culvert the stream for the entire dostance beneath both roadways in two pipes, with the stream impact to be minimized through the use of retaining walls. One pipe would be designed to base flow. The second pipe would be designed to carry flood flows, and would be installed at a higher elevation. This vertical offset of the pipes would obviate the need to widen the stream channel to match the cross section of the culverts, a practice which generally results in a slowing of velocity and a large accretion of bedload material at the entrance to the pipe. The watershed at this location is 112 acres. If a pipe culvert is demonstrated to be the most practicable alternative at this location, we would like to see the following measures incorporated (these issues could be worked out during design):

a. The base flow culvert should be large enough to carry the bank full flow. We would like the dimensions of the channel, as it exists immediately upstream of the culvert, to be duplicated inside the culvert.

- b. We would like the approach to the flood-flow culvert left in natural (i.e., vegetated) condition to the extent possible so as not to impede the passage of small mammals.
 - c. The stream's original gradient should be duplicated so as not to create a flatter gradient inside the culvert which would create a depositional area.
 - d. Velocity should be dissipated at the pipe outfall by some means other than riprapping the channel downstream. SHA discussed minimizing the velocity by increasing the pipe cross section prior to the outfall. Caution should be exercised not to create conditions which would increase the deposition of sediment within the pipe, thereby blocking fish passage and creating a maintenance problem. Another possible means for slowing the velocity at the pipe outfall is to create a plunge pool at the outfall.
 - e. If head losses through the pipe are expected to result in flow depths at the outlet end that are insufficient to support fish passage, baffles or some other measure should be used to provide a minimum depth of flow throughout the pipe.
 - 4. At wetland 12, in addition to estimating the cost of a bottomless culvert to determine practicability, the only other option being considered is the reconfiguration of the interchange to remove the two ramps from the wetland. The cost of acquiring the rendering plant (and the cost of cleanup, if it is determined to be a hazardous waste site) will be evaluated to determine whether this is a practicable alternative. The SHA has also elected to have their consultant take a second look at the delineation in this area since it was apparent from on-site observation that the flagging encompassed some upland areas.
 - 5. Upon resolution of these few issues, the Corps would be able to concur in the selected alternative.

PAUL R. WETTLAUFER CIVIL ENGINEER

CC: Sean Smith, DNR Bill Schultz, FWS Mike Slattery, DNR Karl Teitt, SHA Linda Kelbaugh, SHA Corps of Engineers Conditions for Nationwide #3

- 1. No discharge of dredged or fill material may occur in the proximity of a public water supply intake except where the discharge is for repair of the public water supply intake structures or adjacent bank stabilization.
 - 2. No discharge of dredged or fill material may occur in areas of concentrated shellfish production.
 - 3. No discharge of dredged or fill material may consist of unsuitable material (trash, tires, debris, car bodies, etc) and material discharged must be free from toxic pollutants in toxic amounts.
 - 4. No discharge of dredged or fill material may occur such that the fill material comes into direct contact with the water. Discharges must occur in the dry, with the work area separated from the water by tightly-sealed forms, cofferdams, or stream diversion devices. Similarly, excavation activity may not result in earther material being discharged into the water.
 - 5. If accreted material is excavated from the waterway to restore hydraulic capacity of a structure, the channel bottom shall be shaped so that low flow is concentrated (such as by a V-shaped channel) and, in the case of multi-cell pipes or culverts, the excavation shall be deeper at the approach to one cell such that the low flow is directed and concentrated to only one cell.
 - 6. No discharge of dredged or fill material may occur during the applicable time-of-year restriction for the particular water body. All water bodies have a time-of-year restriction, during which no work may be done in the waterway unless it is performed in the dry, inside a stream diversion device. The stream diversion device itself may not be erected or dismantled during the restricted period if doing so would agitate sediments.
 - 7. No earthen or stone cofferdams or causeways shall be permitted in the waterway unless the cofferdam or causeway site has first been surrounded by a non-erodable stream diversion device such as Jersey barriers, sand bags, timber or steel sheeting, or Portadam device so that there is no possibility of erosion of the cofferdam/causeway. No diversion of a waterway shall obstruct more than one-half the width of the waterway at a time.
 - 8. Any temporary fills in waterways or wetlands must be removed in their entirety and the affected areas returned to their pre-existing elevation. Temporarily disturbed wetlands shall be revegetated.
 - 9. All excess fill, construction material, and debris shall be removed to an upland disposal area.
 - 10. Heavy equipment working in wetlands must be placed on mats or other measures must be taken to minimize soil disturbance.

- Brains a same and 11. Appropriate sediment and erosion controls must be used and maintained in effective operating condition during construction, and all exposed soil and other fills must be permanently stabilized at the earliest practicable date.
- 12. New culvert and pipe installations shall be constructed such that the invert of the pipe, or one cell of multi-cell culverts, will be depressed one foot below the natural invert of the stream.
- 13. Discharges of dredged material or fill shall be constructed in a manner which will not adversely impact surface or subsurface water flow into or out of any existing wetlands.
- 14. Bank stabilization shall be constructed only for the purpose of correcting existing erosion problems at structural elements, and shall be the minimum length necessary to protect the structure. In Use III waters (natural trout waters), bank armor shall be constructed in imbricated fashion, leaving gaps between the rocks on the layers of riprap placed below the ordinary high water level. Bank stabilization which exceeds 25 feet in length from the end of any wingwall or from the face of headwall will require written authorization from the Corps.
- 15. Riprap or grout bag scour protection for bridges shall require written authorization from the Corps if it exceeds 6 feet from the face of abutment or wingwall, or if it exceeds twice the width of the exposed structural element (i.e., pier stem or footing) on each side of a pier. Riprap across the entire stream bottom is permitted at culverts for scour protection, provided it is limited to no more than 25 linear feet of stream reach from the end of the culvert.
- 16. Any discharge of riprap across the entire stream bottom shall be depressed below the natural invert of the stream such that the top elevation of the completed riprap is at least one foot below the normal stream bottom. (It is understood that the riprap elevation will have to rise to match the invert elevation of the culvert immediately at the end(s) of the culvert.) Scour holes will not be filled in by the riprap, but may be lined with riprap in such a manner that maintains a depression.
- 17. No activity is authorized under any Nationwide Permit which is likely to jeopardize the continued existence of a threatened or endangered species, or a species proposed for such designation, as identified under the Federal Endangered Species Act, or which is likely to destroy or adversely modify the critical habitat of such species.
- 18. No activity which may affect historic properties listed, or eligible for listing, in the National Register of Historic Places may begin until the requirements of the National Historic Preservation Act have been satisfied.



DEPARTMENT OF THE ARMY BALTIMORE DISTRICT, U.S. ARMY CORPS OF ENGINEERS P.O. BOX 1715 **BALTIMORE. MD 21203-1715**

AUG 0 1 1994

REPLY TO ATTENTION OF Operations Division

Subject: CENAB-OP-RX(MD SHA/MD RT 100, MD 104 TO I-95)93-00302

Ms. Cynthia Simpson Maryland State Highway Administration 707 North Calvert Street Baltimore, MD 21203-0717

Dear Ms. Simpson:

This is in reply to your submission of the preliminary FEIS for the subject project. We offer the following comments for your consideration.

Page II-13 indicates that the typical cross section "may" shift 10 feet of the outside safety grading to the median. The use of the word "may" suggests to us that SHA has not obtained FHWA concurrence in the cross sections. We note that the document contains a typical cross section (Fig. II-79) which shows the SHA proposal as the approved cross section. The Corps has acted in reliance on SHA's commitment that the median would be 54 feet, not 34 feet. The 54-foot median (tapered to 46-foot in the vicinity of Wetlands 6A and 8) would accommodate a future expansion to 8 lanes with 14-foot paved shoulders (tapered to 10-foot paved shoulders in the vicinity of Wetlands 6A and 8). The 34-foot median would not accommodate a future expansion to 8 lanes unless a design exception were granted for 4-foot inside shoulder width, which we don't envision FHWA approving, thus necessitating that any future widening to 8 lanes be on the outside, resulting in further wetland encroachment. This concerns us. We and SHA have gone through extensive coordination with state, local, and federal elected officials, citizens, and resource agencies (including FHWA). Together, we have developed an alignment that will accommodate SHA's needs, both in the present and in the future, while significantly reducing the impact to Deep Run. decisions of the Corps and SHA reflect a balancing of the concern for safety, operations, and capacity with the needs of The Corps believes the process has resulted in the environment. a sound decision and does not wish to see this extensive coordination effort negated by a decision which could be made during final design, when the environmental agencies are not represented. Although the Corps would have the opportunity to object to a change in the cross section through their Phase II permit, the Corps does not wish to have to revisit an issue which has already been thoroughly evaluated. This is the appropriate time to resolve any major objections to the proposed project. Furthermore, we do not understand the need for 20 feet of safety grading with a 10-foot shoulder (i.e., a 30-foot clear recovery zone) when most of the alignment will require guardrail (AASHTO requires guardrail to protect 2:1 slopes on fills which are higher than 5 1/2 feet). SHA has consistently eliminated

the 30-foot clear zone, as a cost saving measure, whenever guardrail is necessitated due to fill height. Our respective agencies agree on the cross section. We believe your proposal is rational, economically realistic, and reflects the proper balance of highway needs with environmental needs. Although the engineering issues are not our call, we have conducted a balancing of the needs of society with the needs of the environment, and feel that we cannot justify authorizing any environment, and feel that we cannot justify authorizing any additional impact for future outside widening. We fully support your proposed cross section. However, we are concerned about your proposed cross section. However, we are concerned about your proposed cross section. However, we are concerned about your proposed cross section. However, we are concerned about your proposed cross section. However, we are concerned about your proposed cross section that this issue be decided now, previously stated, we prefer that this issue be decided now, rather than during final design when the Corps and the environmental agencies won't be represented in the process.

2. On page IV-70, the acreage of required wetland mitigation is incorrect. By our accounting, 8.0 acres are required. In addition, the Corps considers it necessary to provide mitigation for impacts to waters of the U.S. to offset the impact to 2200 feet of stream channel. Appropriate the impact to 2200 feet of stream channel. Appropriate the impact to 2200 feet of stream channel improve fish dissipation of excessive velocities, measures to improve fish dissipation of excessive velocities, measures to improve fish passage at existing culverts, etc. We have been in contact with passage at existing culverts, etc. We have been in contact with passage at existing culverts, etc. We have been in contact with passage at existing culverts at the Railroad. DNR is only remaining blockage on Deep Run is at the Railroad. DNR is currently negotiating with the Railroad to retrofit this currently negotiating

We understand that your consultant no longer recommends any relocation of Deep Run in the vicinity of the new road. We concur that there is no need for such a stream relocation.

3. At the top of page IV-70, the text mentions that NEPA documentation is required for the mitigation site(s). This final document is the appropriate vehicle to provide such documentation. We suggest a discussion similar to what you provided on MD 355. That is, discuss the existing and proposed land use, any impacts of the mitigation construction on proposed land use, any impacts of the mitigation ship of 4(f) and historic/archeological resources, the relationship of the mitigation site(s) to the impacted resources, and any other socioeconomic and environmental impacts of constructing the sites.

- 4. We would appreciate knowing your final decision on the feasibility/reasonableness of noise barriers. Is there any reason to put off this decision? Although our mission is to protect aquatic resources, our decision document must reflect consideration of social concerns and a balancing of social, economic, and environmental impacts. It is difficult to weigh and balance the impact to residences without knowing to what extent the noise impacts will be mitigated. Therefore, it would greatly assist our ability to conclude our public interest review if we knew the final disposition of noise barriers.
 - We would be willing to entertain a proposal for a minimal encroachment into wetlands for the purpose of providing noise mitigation, at such places as Sta. 129+00 and Sta. 185+00. At the other wetland locations, it appears feasible to construct noise walls on top of the bridges or retaining walls. We would appreciate receiving any such requests prior to issuing our permit, in order to avoid the time consuming preparation of modifications.
 - We note that SHA is planning to buy out the three floors of residences at buildings 8611 and 8613 on Falls Run Way because the road location has moved 26 feet closer to them. understand SHA is planning to resell the residences to willing buyers. Just as an aside, we note that these residences might bring a higher sale price if SHA constructs a visual and noise attenuating earth berm from Sta 164 to 167. We are assuming that the cost of the berm would be minimal, since there is available excess excavation, and that the Homeowners Association would not object to a donation of the needed land, since a berm would probably increase the value of the affected condos. does not appear that wetland 6-A would need to be impacted in order to accomplish this. Although SHA may not be concerned about obtaining a higher resale price, the other condo owners would appreciate that you do so, since their appraised property value is based largely on the price of resales in the development.

If you have any questions, please contact Mr. Paul Wettlaufer of this office at (410) 962-1844.

sincerely,

Paul R. Woodanfer

Keith A. Harris Acting Chief, Special Projects

SHA RESPONSE TO U.S. ARMY CORPS OF ENGINEERS LETTER DATED AUGUST 1, 1994

- 1. The word "may" has been changed to "will." The SHA is committed to the 54-foot wide median. The SHA does have FHWA concurrence and is designing for a 46-foot wide median in the vicinity of Wetlands 6A and 8.
- 2. The total mitigation was incorrect and the figures will be adjusted. The SHA will consider your suggestions for stream channel impact mitigation.
- 3. The wetland mitigation plan and write up will be included in the FSEIS.
- 4. The SHA has made a commitment to provide a noise barrier on the north side of MD 100 running from the Glen Mar community to Hunt Country Estates, inclusive. No other locations warrant barrier.
- 5. This should have been suggested in our team meetings. As a result of our overly extensive coordination efforts with all agencies, we will not deviate from our team's recommendation.
- 6. No further noise mitigation efforts will be considered for the Villages of Montgomery Run. It is not the SHA's intent to make a profit on the sale of these homes, but to provide compensation to those properties impacted.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY REGION III

841 Chestnut Building Philadelphia, Pennsylvania 19107

Colonel J. Richard Capka District Engineer Baltimore District U.S. Army Corps of Engineers P.O. Box 1715 Baltimore, MD 21203

DEC 1 8 1992

Re: Maryland Rt. 100 (Rt. 104 to I 95) Supplemental Draft Environmental Impact Statement (DEIS)/ Section 4(f) Evaluation

Dear Colonel Capka:

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In accordance with the National Environmental Policy Act (NEPA), as amended, section 309 of the Clean Air Act, and section 404 of the Clean Water Act, the Environmental Protection Agency (EPA) is responding to your request for comments on the above referenced project. This combined response is being provided in the spirit of the agreements established by the NEPA/404 merger.

EPA reviewed the Federal Highway Administration (FHWA) approved FEIS for MD Rt 100 (RT 29 to I 95) in 1989 and has attended multiple interagency meetings and field reviews for this project. We provided written comment on the FEIS in September 1989. At that time we continued to express serious reservations over the impacts to wetlands and upland habitat. EPA also expressed concern with the amount of right of way acquisition that had occurred along the selected alternate prior to finalization of the EIS. MD Rt. 100 provides a good lesson on the difficulties associated with "pipeline" projects and points out why the merger of NEPA and 404 is so important.

The Maryland State Highway Administration (SHA) highway development process for Rt 100 has resulted in both important NEPA process questions and the piecemealing of the project. At the time of this review, portions of the alignment have already been constructed and others are under construction. Also, a 404 permit is pending on an additional portion. The potential prejudicing of options to minimize the environmental consequences that this creates can not be overlooked.

EPA recognizes that this issue is an artifact of past practices and does not expect SHA to reevaluate the entire Rt 100 project. EPA is anticipating that in the future SHA will receive full environmental concurrence for highway alternates before going to bid or allowing others to build portions of an

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alignment. SHA should also receive agency concurrence on alternates prior to taking these alternates to the public at public hearings. This holistic and joint review is essential for the successful merger of NEPA and 404. If this is not accomplished we will be right back to where we were several years ago with redundant and sometimes conflicting environmental reviews.

After the selection of the FEIS preferred alternate (Alternate 3), the wetlands and aquatic resource impacts of this alternate continued to be of concern to EPA, the Army Corps of Engineers, and the Fish and Wildlife Service. The area of concern lies along the FEIS selected alternate between I 95 and Md Rt. 104, hence the Supplemental DEIS for this segment.

SHA, with FHWA approval, determined that the remainder of the project (Rt 104 to Rt 29) does not need to be revaluated in the Supplemental DEIS. Although EPA concurs with the basis for this determination, further avoidance and minimization under Section 404 will be required in this section. EPA does not expect, however, that this review will result in new alignment suggestions but likely will result in only relatively minor changes to the FEIS alternate to minimize wetlands impacts (tog of slope, stream crossing, retaining wall considerations).

The following comments pertain specifically to the Supplemental DEIS.

Alternatives:

The FEIS alternate did not and still does not satisfy the 404(b)(1) guidelines. The question remaining is which of the alternates or options considered in the Supplemental DEIS does satisfy the guidelines.

It appears that 3D, modified as recommended below, strikes a balance between protection of aquatic resources and preservation of social and historic infrastructure. EPA considers this alternate, modified as recommended, to potentially satisfy the 404(b)(1) guidelines. However because of inconsistencies in the documentation of impacts it is unclear whether option D-6, with the least amount of wetlands impacts, could also satisfy the 404(b)(1) guidelines and become the preferred alternate.

Inconsistencies appear in the document in regard to the number of residential relocations associated with each alternate. The relocations shown on Fig IV-1 are not consistent with those shown on the 200 scale mapping of the alternates retained. For example Fig II-20 shows two additional relocations for the FEIS alignment than are shown on Fig IV-1 or Table IV-1. This makes comparisons of the various alternates difficult and a final determination of impacts elusive.

These inconsistencies cast doubt on the rationale for dropping alternative D-6 which was dropped in part because of

nine residential relocations. Also, the other basis for dropping D-6, the impacts to wetlands, is not warranted because D-6 actually has the least amount of wetland impact.

Inconsistencies such as these underscore the importance of getting agency concurrence on alternates prior to presenting them to the public. Development of alternatives with the review agencies should be a part of the NEPA/404 merger and is best accomplished in interactive working group sessions with maps and aerial photography available.

with regard to alternate 3 option D (3D), EPA believes that four of the relocations required for this alternate can be eliminated. The shift that resulted in these takings was not specifically recommended be EPA and considering the value of the wetland (W-13) and the social consequences of avoidance, is not needed to satisfy the 404(b)(1) guidelines. The shift that causes these takings unnecessarily makes the remainder of this otherwise viable alternative less attractive. In addition this shift increases forest land impacts. EPA recommends that SHA modify alternate 3D, utilizing the FEIS alternative from the vicinity of Mullineaux Road to I 95 (approx. Stations 240+00 to 265+00) of MD Rt. 100.

In order for EPA to make final recommendations on a preferred alternative the issues discussed above should be addressed and the corrections or clarifications made to the Supplemental EIS. EPA looks forward to working with SHA to resolve these issues.

Document format/presentation:

The first point EPA would like to make is to applaud SHA's efforts to improve the quality of the mapping and presentation in this document. The two color maps provided greatly enhance the readability and information content of this document. EPA particularly found the two color environmental base maps and the alternative and option maps useful. The legible topography shown as the background is an additional useful feature.

Two scales of mapping were provided for the alternates retained, 1"= 2000' and 1"= 200'. A third scale of mapping (1'=600') was presented for the "D-options" and yet another scale for the "C-options" and Md 108 and 103 options. A missing link in this document, however, is a medium scale mapping (1"=600') for the alternates retained. Not including this scale of mapping for the alternates retained creates a cumbersome comparison between different scales of mapping in order to track and compare the "D options" with the alternatives retained. In addition their designations change from one map to the next.

EPA recommends that EIS/EA mapping scales be somewhat standardized. Although the exact scale of mapping will depend on study area size and complexity, the map scales within the documents should be standardized. For example, small scale

(1'=2000'), medium scale (1"=600'), and large scale (1"=200') maps should be provided in each document. For consistency and ease of tracking the development and rejection of alternatives, all alternates considered should be shown on both the small and medium scale mapping. The mapping should also depict the retained alternates old and new designations and the date each alternative was developed.

only the alternatives retained for detailed study need to be presented at the large scale of 1"=200'.

EPA recommends that the figures be provided together at the end of each section. The current method of placing them in the document sometimes results in pages of text being sandwitched between several fold out figures making them difficult to find or relocate for cross referencing.

ZPA has been requesting better mapping in order to facilitate the NEPA and 404 merger. EPA urges SHA to continue this improvement of its mapping.

Thank you for the opportunity to comment on this project. EPA looks forward to working with the federal and state agencies to continue to improve the highway development process and quality of environmental documentation. If you have any questions regarding this letter please do not hesitate to call peter Stokely (215-597-9922) or Peter Claggett (215-597-0765) of my staff.

Sincerely,

Richard Pepino, Chief

Environmental Assessment Branch

SHA RESPONSE TO THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY REGION III LETTER DATED DECEMBER 18, 1992

- 1. Prior to the decision to reopen the MD 100 project between MD 104 and I-95, three residences were displaced in the vicinity of MD 104 and the Selected Alternative 3 alignment approved in the 1989 Environmental Impact Statement. When the Supplemental document was evaluated for impacts, these three residences were counted as relocations because they fell within the project limits of the MD 100 Supplemental Document.
- 2. The Selected Alternative 3 Option D, Modification 2A utilizes the approved 1989 FEIS Selected Alternative 3 alignment from the vicinity of Mullineaux Road to I-95.
- 3. Future document maps will be standardized to make the comparison of alternatives easier.

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Mr. Louis H. Ege, Jr., Deputy Director Office of Planning and Preliminary Engineering, Room 506 Maryland State Highway Administration 707 North Calvert Street Baltimore, Maryland 21203

Dear Mr. Ege:

Thank you for the opportunity to review the Supplemental Draft Environmental Impact Statement and Section 4(f) Evaluation for MD 100 from West of MD 104 to I-95 (Contract No. HO 661-201-070).

This Department has no financial interest in any residential units that will be affected by your proposal. Nevertheless, the selected alternative should minimize residential displacement and disruption of established residential neighborhoods to the maximum extent possible.

Very sincerely yours,

Margaret A. Krengel

Regional Environmental Officer



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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY REGION III

841 Chestnut Building
Philadelphia, Pennsylvania 19107-4431 | 35 | 1 | 33

Louis H. Ege, Jr.
Deputy Director
Office of Planning and Preliminary Engineering
State Highway Administration
707 North Calvert St.
Baltimore, Md 21203

Attn: Karl Tiett

MAY 2 0 1993]

Re: Md 100 from MD 104 to I-95

Dear Mr Ege:

In accordance with the combined NEPA/404 process EPA provides the following comment on SHA's requested concurrence for "alternatives dropped from further study" for the Rt 100 project. The revised package sent to our office in early April is similar to that provided in the Supplemental Draft Environmental Impact Statement (SDEIS). Since our written comments on the SDEIS several interagency meetings have been held to discuss this project and a more detailed study on project alternatives has been initiated by SHA.

EPA concurs with the alternates dropped from further study including the MD 108 and 103 options, the raised grade FEIS alternate and all of the MD Rt 100/104 interchange options except C3. In addition EPA concurs with the dropping alternatives D2 through D6 and the 30 foot median alternative.

EPA is under the understanding that SHA will carry forward for detailed study the C3 interchange and alternates D1 and D7. D1 has been renamed as Option C and D7 renamed Option D. SHA has initiated a detailed study of these retained alternates which we are now in the process of reviewing. After preliminary review EPA offers the following comment on the detailed study of the remaining options.

EPA concurs with the 54 foot median concept carried throughout this detailed study.

An interagency meeting was held on May 19, 1993 to further discuss Rt 100 options. At the meeting, based on lack of additional environmental benefit and/or high construction cost, it was recommended to drop the channel only and flood plain bridge options for all options. EPA concurs with this action. In addition EPA believes that bridges are only necessary where main stem impacts will occur such as with the westbound lanes of

Option D and where option C crosses Deep Run (if option C is selected then a specific bridge length that spans the wetlands will be recommended for the Snowden River Parkway and made part of the Rt 100 permit). EPA recommends, where feasible, that bottomless arches be utilized at the other tributary crossings.

From preliminary examination of the tables and maps provided it appears that there is no significant environmental gains from further developing Option D Modification II (lower profile) or Option D with fill slopes (base option). In addition the Option C base option has significant environmental impacts. EPA recommends that these can be dropped from further evaluation.

EPA recommends that SHA focus on Option D Mod I (northern shift) with retaining walls at W-6 and walls and a westbound lane bridge at W-8 and Option D Mod III (bifurcated) with the same provisions. Option C Mod I with retaining walls and a bridge over the Deep Run wetlands should be further evaluated. In addition, as part of Option C Mod I, EPA requests that the Snowden River Parkway bridge over Deep Run be included as part of the design. The combination alternative (C/D) suggested by the Corps may result in lower wetland and stream channelization impact and should also be evaluated by SHA.

At this time EPA still favors Option D as it has the least amount of wetlands impact, reduces the number of Deep Run crossings and with proper design should also minimize stream channelization impacts. Unresolved issues include the selection of a single alternate with exact bridge lengths and mitigation site location and design.

If you have any questions regarding our comments please do not hesitate to call Mr. Peter Stokely of my staff at 215-597-9922.

Sincerely,

William Hoffman, Acting Chief Wetlands Protection Section

TO





UNITED STATES DEPARTMENT OF THE INTERIOR FISH AND WILDLIFE SERVICE

Chesapeake Bay Field Office 1825 Virginia Street Annapolis, Maryland 21401

In reply refer to: PWS/ES ER/92/0997

December 14, 1992

Memorandum

To: Regional Director, National Park Service, Mid-Atlantic Region,

Philadelphia, PA

Prom: Supervisor, Chesapeake Bay Field Office, U.S. Pish and Wildlife

Service, Annapolis, MD

Subject: Review of Maryland-State Highway Administration, Draft Supplemental

Environmental Impact Statement, Maryland Route 100 from Maryland 1.64

to Interstate 95

General Comments

The Maryland State Highway Administration (SHA) proposes to construct a six-lane, limited access highway between U.S. 29 and Interstate 95. The Draft Supplemental Environmental Impact Statement (Supplemental DEIS) only addresses the eastern half (5 miles) of the proposed highway due to the following circumstances:

- 1. Federal regulatory and resource agencies are most concerned with the environmental impacts to wetlands W-6, W-8, W-9, W-10, W-11, and W-12. These high value wetlands are all located on the eastern half of the proposed highway project.
- 2. Most of the environmental damage to the wetlands on the western half of the highway alignment has already been authorized through the issuance of two Section 404 Nationwide permits. One permit sanctioned the filling of wetlands during the construction of the Routes 100/103/29 interchange. The other approved the filling of wetlands during construction of a "developer's" road along the Final Environmental Impact Statement selected Alternate 3 right-of-way.

The U.S. Fish and Wildlife Service (Service) would like to take this opportunkty to recommend highway design modifications, alignment shifts, and additional alternatives that would avoid and minimize the impacts to the wetlands listed above.

Specific Comments

In the DBIS, SHA states that wetland W-6 is the highest value wetland in the study corridor (page II-7). The Service disagrees with this statement. Although wetland W-6 is a valuable area, the Service considers the Deep Run riverting

wetland, with its contiguous palustrine forested and emergent wetlands (W-8, W-9, W-10) to be the highest value biological community in the project area. beneficial functions performed by this wetland include: fish and wildlife habitat, flood flow reduction, sediment trapping, nutrient and toxicant retention and transformation, food chain export, groundwater recharge and discharge, aesthetics, and passive recreational opportunities. Wetlands W-6, W-11, and W-12 also provide most of these functions but at a somewhat lesser value. Wetlands W-6, W-11, and W-12 are located at the headwaters of tributaries to Deep Run and do not manage the same volumes of stormwater, sediments, nutrients, toxicants, or foodchain exports as the Deep Run system. In addition, the Deep Run community has the potential to provide spawning habitat for blueback herring (Aloss aestivalis) and alewife (Aloss pseudoharenque) populations. It is one of only two tributaries on the main stem of the Patapaco River where the Maryland Department of Natural Resources plans to reestablish anadromous fish as part of the Chesapeake Bay restoration program. None of the other wetlands in the project area offer this potential. Even though the Service rates the Deep Run wetland (W-8, W-9, W-10) as the best wetland in the project area, wetlands W-6, W-11, and W-12 should also be considered high value because of the habitat and water quality functions each provides.

The Supplemental DEIS lists wetlands W-8, W-11, and W-12 as medium value (pages II-10, II-11, III-27, and III-29). The Service disagrees with the SHA ranking of these wetlands. All three wetlands provide equal or better habitats and water quality benefits than SHA's high value assessment of wetland W-6. Therefore, we recommend that these wetlands be recorded as high value.

The Service reviewed the five design options for the Routes 100/104 interchange. We agree with SHA's decision to only retain Interchange Option C-3 (refer to the Supplemental DEIS Figure II-7). This interchange design avoids impacts to wetland W-6, whereas the other design options impact W-6. Thus, the Service endorses the selection of Interchange Option C-3.

SHA retained one Route 100 right-of-way alternative, with five alignment modifications (Figure 1), for further study. These alignment options begin at Route 104 and terminate at Interstate 95. They include:

- the original Alternate 3, 1989 Final Environmental Impact Statement Selected Alternative (FEIS Alternative) (includes the Central and Mortheastern alignments),
- 2. Alternate 3 Option A (includes the Northern and Northeasterm alignments),
- 3. Alternate 3 Option 8 (includes the Lazy S and Central-ease alignments),
- 4. Alternate 3 Option C (includes the Northern and Southeastern alignments),
- 5. Alternate 3 Option D (includes the Lazy S and southeast@STR alignments).

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The Service has already recommended denial of the Section 404 permit for the FRIS Alternative because it would result in significant avoidable impacts to the Deep Run wetland system and to wetlands W-6, W-11, and W-12 (letter to the Baltimore District, Corps of Engineers dated 2/8/91). The other four options listed above minimize the impacts to wetlands of concern by varying degrees.

The Service compared the impacts of the PEIS Alternative with the four new options retained for further study. These options consist of two new alignments between Route 104 and Old Montgomery Road (western segment of highway under study in the Supplemental DEIS). One is called the Northern alignment and the other the Lazy S alignment (Figure 1). There are also two new alignments for the section of highway between Old Montgomery Road and Interstate 95 (eastern portion of highway). One is labeled the Central-east alignment and the other the Southern alignment (Figure 1). These alignments are shifted slightly to the south of the FEIS Alternative.

The Service will discuss the impacts of the PEIS Alternative, Northern, and Lazy S alignments first. The Supplemental DEIS lists the acres of wetlands impacts of the PEIS Alternative, Northern, and Lazy S alignments (Table 1). However, the Supplemental DEIS did not specify the linear feet of stream channel that would need to be relocated or placed within concrete pipes with each alignment. Since this information is also needed to determine the impacts of each alignment, the Service compiled it from the 200 scale maps in the Supplemental DEIS (Table 2).

Placing Deep Run in a pipe, as required with the FEIS Alternative and Northern alignments, insures the complete loss of biological productivity and water quality benefits for that stream reach. The piped segment of Deep Run will also establish a steeper unobstructed channel that will increase stormwater velocities and downstream erosion.

The relocated reaches of stream channel will have limited biological productivity until they acquire the characteristics of a natural channel (undercut banks, vegetative cover) and develop a stable substrate. The side slopes of these channels will increase downstream sedimentation until they are stabilized with woody vegetation. In addition, it may be difficult to create a naturally meandering stream system with the FSIS Alternative and Northern alignments because the relocated reaches of stream will have to be placed on the steeper land to the south of Deep Run. This steeper land might dictate a straightest channel which would increase stormwater velocities and cause accelerated erosies to the steep channelized banks and to the downstream segments of Deep Run. Is analyzing the data, it is apparent that the Lazy S alignment is the only one that reduces impacts to Deep Run by a considerable degree.

The Service believes that the impacts of the Lazy S alignment can be minimized further by incorporating design changes that would reduce the width of road fill. The present right-of-way width of 200 feet could realistically accommodate eight lanes of traffic. According to the Supplemental DEIS, the ultimate highway that is needed for future traffic projections will be six lanes. Since a six-lead highway is all that is needed, a road fill width reduction of 40 to 60 feet GONLA be accomplished with some modification to the highway design. The Service has developed a list of recommended modifications. These include the followings

- 1. Reduce the median width from 54 to eight feet between stations 155+50 and 185+00 (reference figures II-35 and II-36 in the Supplemental DEIS) and build a Jersey barrier down the middle of the median for safety.
- 2. Drop the road surface elevation five to 10 feet below the present elevation of the Village of Montgomery Run parking lot that is west of station 160+00 (refer to figure II-35 in the Supplemental DEIS). (This elevation drop in road surface could also reduce the nessent levels in the Village of Montgomery Run and in the Hunt Councey Estate.)
- 3. Provide a retaining wall at least five feet high between the emergency lane and the Village of Montgomery Run. This wall should extend from stations 155+00 to 165+00 (refer to figure II-35 in the supplemental DEIS).
- 4. Keep the road embankment at a 1:1 slope between stations 155+50 and 170+00 (reference figures II-35 and II-36 in the Supplemental DBIS). Secure embankment with geotextile netting. Protect toe-of-slope GS embankment with rip-rap.
- 5. Construct a sound wall, rather than an earthen embankment between stations 155+00 and 165+00 (refer to figure II-35 in the Supplemental DEIS).
- .6. Reduce road safety grading to 10 feet between stations 155+50 and 190+75. Use guard rails along this stretch of highway to maintain safety (reference figures II-35 and II-36 in the Supplemental DEIS).
- 7. Provide 13-foot lanes between stations 155+00 and 190+00 (reference figures II-35 and II-36 in the Supplemental DEIS). This measure will increase the width of fill by six feet but should increase the margin of safety for vehicles negotiating the curves along this section of highway.

As stated previously, there are three alignments for the segment of highest between Route 104 and Interstate 95. These include the FEIS Alternative, Central-east, and Southeastern alignments (Figure 1). The Southeastern alignment minimizes impacts to the high value wetlands W-11 and W-12 by crossing these systems along much narrower areas. The Service recommends the selection of this alignment for highway construction.

The Service agrees with SHA's decision to drop most of the seven alternates, called the D options, because of environmental impacts or other issues. However, we question SHA's decision to eliminate Option D-6 (Rob alternative) from further consideration. SHA said it dropped the Rob alternative from further consideration, "due to the extensive residential relocation requirements, impacts to wetlands, and impacts to the Curtis-Shipley historic property and cemetery." We disagree with SHA's determination to drop this alternative because of environmental impacts. The Rob alternative would impact the fewest linear floor and acres of the Deep Run wetland system. The Rob alternative, in combination

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with the Southeastern alignment, would also minimize the impacts to wetlands W-12 and W-12. Environmentally, this is the best alternative available to minimize the impacts to the highest value wetlands in the project.

Due to the lack of documentation in the Supplemental DRIS, it is impossible to compare the impacts of relocating nine residences to build the Rob alternative to the impacts of building the Northern, FRIS alternative, or Lazy 5 alignments to Munt Country Estates or the Village of Montgomery Run communities. Impacts to the eligible historic Curtis-Shipley site may not be a problem in the Meast future. A copy of a letter in the Supplemental DRIS, from one of the landowners (Robert L. Curtis, Jr.), states that the best use for the Curtis-Shipley historic eligible property is residential development. R. Lee Curtis, another landowners of the Curtis-Shipley property, reiterated the same conviction during a public hearing on December 1, 1992. The Rob alternative does not directly impact the cemetery. Since the Rob alternative minimizes the impacts to the environmental Environmental Impact Statement.

Fish and Wildlife Coordination Act Comments

The Service will endorse the selection of either a modified Alternate 3-0001000 D (Lazy S and Southeastern alignments) or the Rob alternative (Option D-6 And Southeastern alignments). We will recommend denial of any of the Other alignments due to avoidable environmental impacts. The Service will also request that SHA include an acceptable preliminary mitigation plan for a wetland creation site that has been approved by the Service, Baltimore Corps of Engineers, end National Marine Fisheries Service with their Section 404 application. The Service is recommending a ratio of 2:1 mitigation for unavoidable impacts to forested wetlands and a 1:1 mitigation ratio for impacts to emergent wetlands.

John Wolflin

Attachments

VIII-C1-54

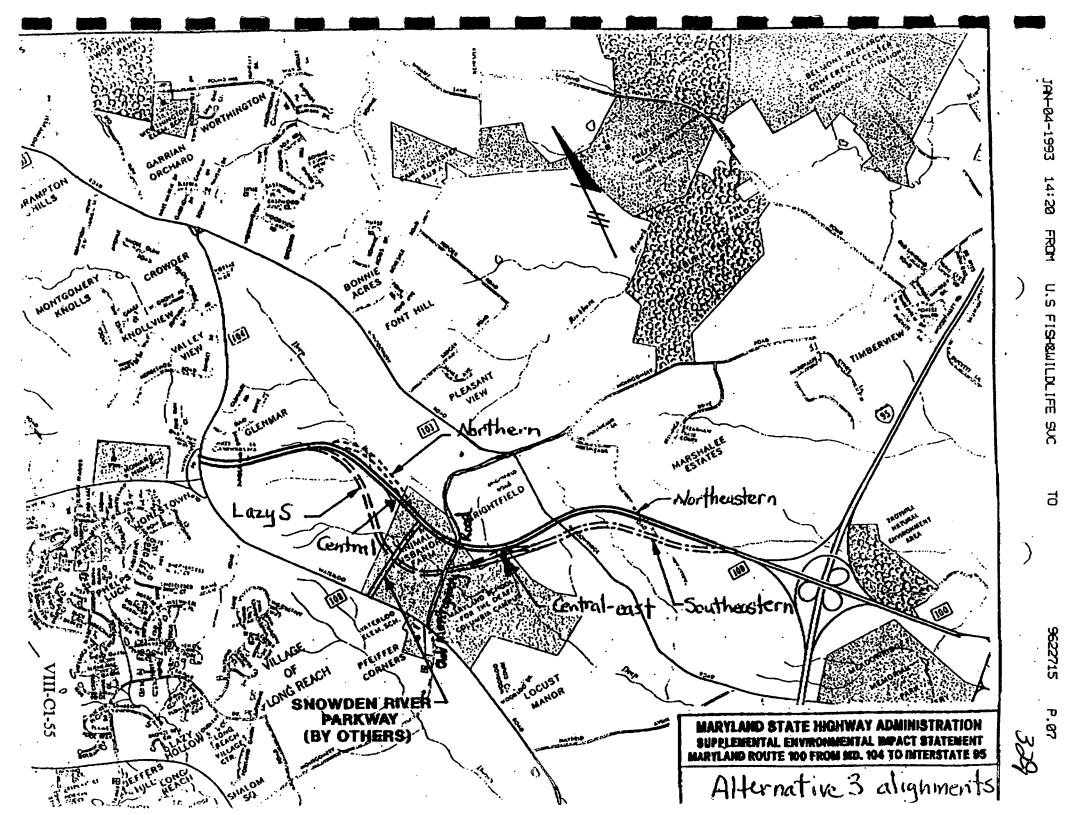


Table 1. Wetland impacts to the Deep Run wetland system from the FEIS Allemative, Northern and Lazy S alignments.

ALIGNMENT	ACRES IMPACTED
FEIS Alternate	5.4
Northern	3.5 or 3.9°
Lazy S	1.7

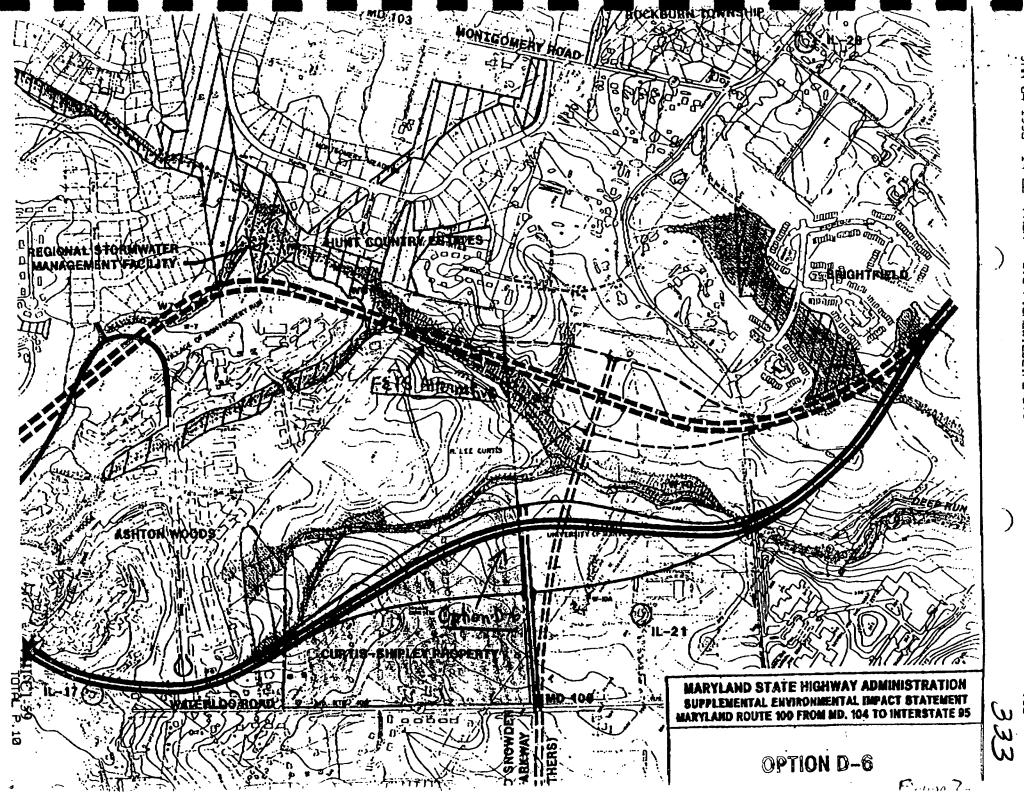
^{*} The Northern alignment with a trumpet interchange at Snowden River Farkway will impact 3.5 acres of wetlands. The Northern alignment with a diamond interchange will impact 3.9 acres of wetlands.

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Table 2. Linear feet of relocation and piping of Deep Run required for the FEIS Alternative, Northern, and Lazy S alignments.

ALIGNMENT	RELOCATION (FEET)	PLACEMENT WITHIN CONCRETE PIPE (FEET)
FEIS Alternate	1300	625
Northern	675	700
Lazy S	600	

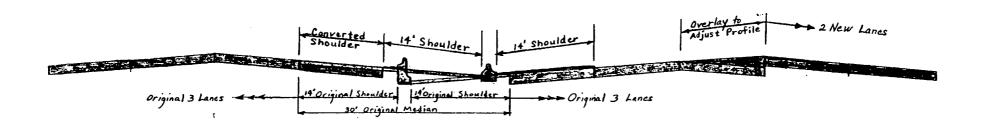


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Typical Cross Section Depicting the Expansion of a 6-lane Divided Highway to 8 Lanes Using One-Sided Widening.

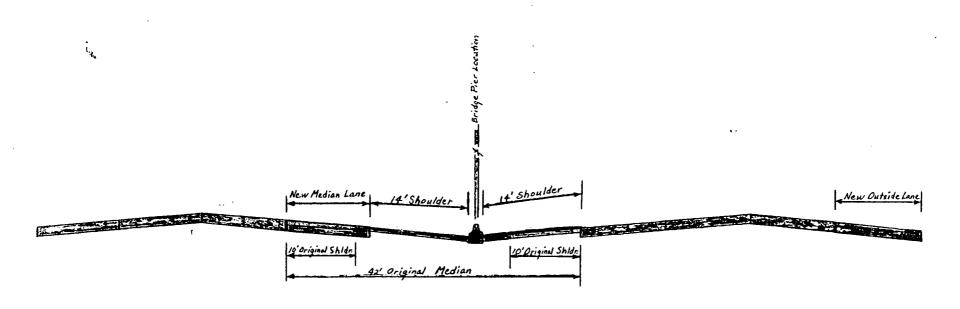
(Original Roadway Hust be Bifurcated in order to gain Maximum Reuse of Original Pavement)

No bridge piers can be constructed in median of original pavement.



(All original lanes can be incorporated into expanded cross section.)

Brilge piers can be constructed during initial construction.





United States Department of the Interior

OFFICE OF THE SECRETARY WASHINGTON, D.C. 20240

ER-92/0997

FEB 1 8 1993

Mr. A. Porter Barrows Division Administrator Federal Highway Administration 711 West 40th Street, Suite 220 Baltimore, Maryland 21211

Dear Mr. Barrows:

This is in response to the request for the Department of the Interior's comments on the supplemental draft environmental impact statement (SDEIS)/Section 4(f) evaluation for SR-100 (SR-104 to I-95), Howard County, Maryland.

SECTION 4(F) STATEMENT COMMENTS

Of the alternatives discussed in the SDEIS, Alternative 3, Option D, is recommended as the most feasible and prudent alternative.

Alternative 3, Option D, provides adequate mitigation for Section 4(f) properties and minimizes impacts to environmental resources. With regard to mitigation, the State Historic Preservation Officer (SHPO) recommended the nomination and/or repair of the Shipley graveyard. Additional measures recommended for consideration to further minimize impacts include adjustment of roadway widths (retaining walls, curbs, gutter sections, use of New Jersey-type barrier, etc.)

We also recommend continued coordination and consultation with the SHPO regarding the archeological investigation and the measures to be implemented for the protection and preservation of potential unrecorded resources within the selected alignment. The final document should include documentation of consultation and the SHPO's concurrence with the project plan.

ENVIRONMENTAL STATEMENT COMMENTS

Fish and Wildlife Resources

We are most concerned with the environmental impacts to wetlands W-6, W-8, W-9, W-10, W-11, and W-12. These high value wetlands are all located on the eastern half of the proposed highway project. To avoid the environmental damage already authorized to the wetlands on the western half of the highway alignment, we would like to take this

opportunity to recommend highway design modifications, alignment shifts, and additional alternatives that would avoid and minimize the impacts to the wetlands listed above.

In the SDEIS, the State Highway Administration (SHA) states that wetland W-6 is a highest value wetland in the study corridor (page II-7). Although wetland W-6 is a valuable area. the Deep Run riverine wetland, with its contiguous palustrine forested and emergent wetlands (W-8, W-9, W-10) is considered by the U.S. Fish and Wildlife Service (FWS) to be the highest value biological community in the project area. The beneficial functions performed by this wetland include: fish and wildlife habitat, flood flow reduction, sediment trapping, nutrient and toxicant retention and transformation, foodchain export, ground water recharge and discharge, aesthetics, and passive recreational opportunities. Wetlands W-6, W-11, and W-12 also provide most of these functions but at a somewhat lesser value. Wetlands W-6, W-11, and W-12 are located at the headwaters of tributaries to Deep Run and do not manage the same volumes of stormwater, sediments, nutrients, toxicants, or foodchain exports as the Deep Run system. In addition, the Deep Run community has the potential to provide spawning habitat for blueback herring (Alosa aestivalis) and alewife (Alosa pseudoharengus) populations. It is one of only two tributaries on the main stem of the Patapsco River where the Maryland Department of Natural Resources plans to re-establish anadromous fish as part of the Chesapeake Bay restoration program. None of the other wetlands in the project area offer this potential. Although the Deep Run wetland (W-8, W-9, W-10) is rated as the best wetland in the project area, wetlands W-6, W-11, and W-12 should also be considered high value because of the habitat and water quality functions each provides.

The SDEIS lists wetlands W-8, W-11, and W-12 as medium value (pages II-10, II-11, III-27 and III-29). However, all three wetlands provide equal or better habitats and water quality benefits than those of wetland W-6. Therefore, we recommend that these wetlands be recorded as high value.

The FWS agrees with SHA's decision to only retain Interchange Option C-3 (refer to the SDEIS Figure II-7). This interchange design avoids impacts to wetland W-6, whereas the other design options impact W-6. Thus, the FWS endorses the selection of Interchange Option C-3.

The impacts of Alternative 3 (1989 FEIS) were compared with the four new options retained for further study. The SDEIS lists the acres of wetlands impacted by Alternative 3 (1989 FEIS) and Options B and D. However, the SDEIS did not specify the linear feet of stream channel that would need to be relocated or placed within concrete pipes with each alignment. Since this information is also needed to determine the impacts of each alignment, the FWS compiled it from the 200 scale maps in the SDEIS.

Placing Deep Run in a pipe, as required with Alternative 3 (1989 FEIS) Options A and C alignments, insures the complete loss of biological productivity and water quality benefits for the stream reach. The piped segment of Deep Run will also establish a steeper unobstructed channel that will increase stormwater velocities and downstream erosion.

The relocated reaches of stream channel will have limited biological productivity until they acquire the characteristics of a natural channel (undercut banks, vegetative cover) and develop a stable substrate. The side slopes of these channels will increase downstream sedimentation until they are stabilized with woody vegetation. In addition, it may be difficult to create a naturally meandering stream system with Alternative 3 and the Northern alignments because the relocated reaches of stream will have to be placed on the steeper land to the south of Deep Run. This steeper land might dictate a straighter channel which would increase stormwater velocities and cause accelerated erosion to the steep channellzed banks and to the downstream segments of Deep Run. In analyzing the data, it is apparent that the Lazy S alignment is the only one that reduces impacts to Deep Run by a considerable degree.

It is believed that the impacts of the Lazy S alignment can be minimized further by incorporating design changes that would reduce the width of road fill. The present right-of-way width of 200 feet could realistically accommodate eight lanes of traffic. According to the SDEIS, the ultimate highway that is needed for further traffic projections will be six lanes. Since a six-lane highway is all that is needed, a road fill width reduction of 40 to 60 feet could be accomplished with some modification to the highway design. A list of recommended modifications include the following.

- 1. Reduce the median width from 54 to 8 feet between stations 155 + 50 and 185 + 00 (reference figures Il-35 and Il-36 in the SDEIS) and build a Jersey barrier down the middle of the median for safety.
- 2. Drop the road surface elevation 5 to 10 feet below the present elevation of the Village of Montgomery Run parking lot that is west of station 160 + 00 (refer to figure II-35 in the SDEIS). This elevation drop in road surface could also reduce the noise levels in the Village of Montgomery Run and in the Hunt Country Estate.
- 3. Provide a retaining wall at least 5 feet high between the emergency lane and the Village of Montgomery Run. This wall should extend from stations 155 + 00 to 165 + 00 (Refer to figure II-35 in the SDEIS).
- 4. Keep the road embankment at a l:l slope between stations 155 + 50 and 170 + 00 (reference Il-35 and Il-36 in the SDEIS). Secure embankment with geotextile netting. Protect toe-of-slope of embankment with riprap.
- 5. Construct a sound wall, rather than an earthen embankment between stations 155 + 00 and 165 + 00 (refer to figure II-35 in the SDEIS).
- 6. Reduce road safety grading to 10 feet between stations 155 + 50 and 190 + 75. Use guard rails along this stretch of highway to maintain safety (reference figures II-35 and II-36 in the SDEIS).

7. Provide 13-foot lanes between stations 155 + 00 and 190 + 00 (reference figures II-35 and II-36 in the SDEIS). This measure will increase the width of fill by six feet but should increase the margin of safety for vehicles negotiating the curves along this section of highway.

As stated previously, there are three alignments for the segment of highway between Route 104 and Interstate 95, this includes Alternative 3 (1989 FEIS), the Central-east alignment, and the Southeastern alignments (Figure 1). The Southeastern alignment minimizes impacts to the high value wetlands W-11 and W-12 by crossing these systems along much narrower areas. The FWS recommends selection of this alignment for highway construction.

The FWS agrees with SHA's decision to drop most of the seven alternatives, called the D options, because of environmental impacts or other issues. However, FWS questions SHA's decision to eliminate Option D-6 (Rob Alternative) from further consideration. The SHA indicated that it dropped the Rob Alternative from further consideration, "due to the extensive residential relocation requirements, impacts to wetlands and impacts to the Curtis-Shipley historic property and cemetery." The Rob Alternative would impact the fewest linear feet and acres of the Deep Run wetland system. The Rob Alternative, in combination with the Southeastern alignment, would also minimize the impacts to wetlands W-11 and W-12. The FWS considers this alternative as the best alternative available to minimize the impacts to the highest value wetlands in the project.

Mineral Resources

The document mentions mineral resources of the Piedmont Province and states that crushed stone is presently "important for aggregate, concrete, and lime" (p. 111-14), but no locations are shown or given. Future versions of the documents should describe any such deposits that would be impacted by the proposed project. If no deposits would be impacted, the document should so state.

The expression "gubbaric type rocks" appearing in the paragraph of page 111-14 should be changed to "gabbroic type rocks."

FISH AND WILDLIFE COORDINATION ACT COMMENTS

The FWS advises that it has no objection to the selection of Alternative 3-Option D, provided that the modifications discussed above are adopted. However, it recommends the reconsideration of the Rob Alternative (Option D-6 and southeastern alignments), including impacts to wetlands and Section 4 (f) resources, and mitigation measures. The FWS will also recommend denial of any of the other alignments due to avoidable environmental impacts. The FWS will request the SHA include an acceptable preliminary mitigation plan for a wetland creation site that has been approved by the FWS, Baltimore Corps of Engineers, and National Marine Fisheries Service with their Section 404 application. The FWS is recommending a ratio of 2:1 mitigation for unavoidable impacts to forested wetlands and a 1:1 mitigation ratio for impacts to emergent wetlands.

SUMMARY COMMENTS

We would have no objection to the selection of a modified Alternative 3, Option D, as the preferred alternative. We also concur with the recommendation made by the FWS for reconsideration of the Rob Alternative in the final statement, including discussion of its impacts on wetlands and Section 4(f) resources, and mitigation measures to minimize those impacts. At this time, we would be opposed to the selection of any other alternative.

As this Department has a continuing interest in the project, we are willing to cooperate and coordinate with you on a technical assistance basis in further project evaluation and assessment. For matter pertaining to recreational and cultural matters, please contract the Regional Director, National Park Service, Mid-Atlantic Region, 143 South Third Street, Philadelphia, Pennsylvania 19106 (telephone (215)597-7013). For matters dealing with fish and wildlife resources, please contact the U.S. Fish and Wildlife Service, Division of Ecological Services, 1825 Virginia Street, Annapolis, Maryland 21401, (telephone (410) 269-5448). For matters dealing with mineral resources, please contact the Bureau of Mines, P.O. Box 5086, Building 20, Denver, Colorado 80225, (Telephone (303) 236-0451).

We appreciate the opportunity to provide these comments.

Sincerely,

Jonathan P. Deason

Director

Office of Environmental Affairs

than NOCk

Mr. Neil J. Pederson
Director, Office of Planning
and Preliminary Engineering
State Highway Administration
707 North Calvert Street, Room 506
Baltimore, Maryland 21202

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UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE

Habitat And Protected Resources Division Oxford, Maryland 21654

December 18, 1992

Louis H. Ege, Jr.
Deputy Director, Office of Planning And
Preliminary Engineering, Room 506
State Highway Administration
707 North Calvert Street
Baltimore, Maryland 21202

Dear Mr. Ege:

We have reviewed the Supplemental Draft Environmental Impact Statement for the proposed Maryland Route 100 (MD Rt. 104 to Interstate 95) in Howard County, Maryland.

As indicated in our previous written comments on this proposal (dated March 1, 1988), we have major concerns with impacts to riverine/palustrine forested wetlands and anadromous fish resources that will result from the original preferred alternate (Alternative 3), as well as the proposed interchange associated with the planned Snowden River Parkway. Additionally, we have, from an early stage in the review process, preferred a southerly shift in the proposed alignment, and a more direct crossing in Deep Run, to minimize impacts to Wetlands 8, 9, and 10. Consequently, we strongly recommend that Alternative 3-Option D be selected as the preferred alternate, and will continue to oppose those alternates (especially Alternate 3, and Alternate 3-Options A & C) that will result in major disruption to the Deep Run watershed.

If there are any questions concerning these comments you may contact John S. Nichols (410) 226-5771.

Sincerely,

Timothy El Goodger

Assistant Coordinator

cc: COE-Special Projects
DOE-Stds. & Cert.
US FWS-Bill Schultz

MD DNR-Non-tidal Wetl.

MD DNR-Tide.Admin.-Power Plant & Envir.

EPA-ATTN: Pete Stokely 3ES42



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CENAB-PL-EP (1145)

30 November 1992

MEMORANDUM FOR Chief, Operations Division, ATTN: CENAB-OP-RX

SUBJECT: MD Route 100 in Howard County

Reference memorandum, CENAB-OP-RX, 4 November 1992, SAB (encl).

- The comments provided below address the Corps of Engineers 2. (Corps) areas of concern, including direct and indirect impacts on existing and/or proposed Corps projects and flood control hazard potential.
- There are no existing or proposed Corps projects that would be affected by the work. Additionally, in accordance with the subject report, portions of the proposed work will be located within the flood plain. New construction or major replacements within the flood plain requires full compliance with Executive Order (E.O.) No. 11988, Flood Plain Management, 24 May 1977; Federal Emergency Management Agency (FEMA) regulations; and other Federal, state, and local flood plain regulations. objectives of the E.O. and the other flood plain regulations are to avoid the adverse effects of occupying and modifying the flood plain and to avoid direct and indirect support of development in the flood plain. The E.O. requires that activities not be located in the flood plain unless it is the only practicable alternative. Activities which must be located in the flood plain must incorporate measures to: (1) reduce the hazard and risks associated with floods, (2) minimize the adverse effects on human health, safety, and welfare, and (3) restore and preserve the natural and beneficial values of the flood plain.
- The proposed stream crossings may cause an increase in water surface elevation (surcharge). FEMA regulations require that the surcharge not increase more than 1.0-foot. It is also suggested that the state and local resources agencies be contacted as some states and local governments have more stringent surcharge requirements than FEMA. If you have any questions on flood control hazards, the point of contact is Mr. Noel Beegle, Chief, Planning Resources Branch, at (410) 962-3235.
- Other questions on this matter, please call me or my action officer, Mr. Stephen S. Israel, at (410) 962-0685.

Encl

Robert F. Gore

Acting Chief, Environmental Resources Branch

SHA RESPONSE TO THE UNITED STATES DEPARTMENT OF COMMERCE LETTER DATED DECEMBER 18, 1992

1. Maryland State Highway Administration has Selected Alternative 3 - Option D Modification 2A as the Selected Alternative. The Selected Alternative as proposed avoids the longitudinal impact to Deep Run proposed in the Alternative 3 alignment approved in 1989 for the MD 100 Environmental Impact Statement.



Southeastern Area Region III Delaware, District of Columbia Maryland, Pennsylvania, Virginia West Virginia 1760 Market Street Suite 500 Philadelphia, PA 19103 215-656-6900

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Mr. Neil J. Pedersen
Director
Office of Planning and
Preliminary Engineering
Maryland Department of Transportation
State Highway Administration
707 North Calvert Street
Baltimore, Maryland 21203

Re: Draft Environmental Impact/4(f) Statement

Maryland Route 100 Howard County, Maryland

Weil.

Dear Mr. Podersen:

We have recently received your <u>Draft Environmental Impact/4(f)</u> <u>Statement: Maryland Route 100; Howard County, Maryland</u>, undated, report.

Our review of it reveals that you have given consideration to mass transit as part of the environmental, social and cultural conditions in the study area. Accordingly, we have no additional comments to offer at this time.

Alfred Lebeau is available should any assistance be needed.

Sincerely,

Sheldon X. Kinbar

Regional Administrator

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Section VIII-C2

Interagency Review Meeting Minutes

SHA Interagency Review Meeting January 20, 1993

Contract No. HO 661-201-770

Maryland Route 100, from US 29 to I-95 in Howard County

Status: Pre-Permit/Selected Alternate Project Manager: Mr. Karl Teitt x6437

Environmental Manager: Mr. Howard Johnson x1179

MR. KARL TEITT, SHA-PPD:

Started off the discussion about the MD 100 project as it relates to the combine NEPA/404 process. Stating that SHA is requesting whether or not the agencies want to retrofit the MD 100 project into the combined process or just move ahead from that point on. SHA will seek agency concurrence for detailed alternates which will be Options C and D modified and then following that after the selection is made by the administrator, SHA will ask for agency concurrence for the selected alternative prior to the development of the supplemental final EIS.

COMMENT/QUESTION:

MR. PAUL WETTLAUFER, A.C.O.E.:

Stated that the Corps is committed to making this project fit the NEPA/404 process and they are willing to be as flexible as necessary.

COMMENT/QUESTION:

MR. KARL TEITT, SHA-PPD:

Asked the agencies if the purpose and need is an issue, or can the project at the alternates stage.

RESPONSE:

All agencies present concurred that there is no need to return to purpose and need.

COMMENT/QUESTION:

MR. KARL TEITT, SHA-PPD:

Stated that SHA will be preparing a memorandum to everybody requesting concurrence on the alternatives carried forward for detailed studies which will be Options C and D with modifications.

Stated that on December 1st, the State Highway Administration held a combined/location design supplemental public hearing and it was a supplement to the February 1988 hearing held for the MD 100 project. The supplemental hearing held in December concentrated primarily on the section on MD 100 stretching from MD 104 to I-95. That area is the area of the major concern from the environmental agencies relating to the Wetland systems 6 through 13. SHA carried forward the original 1989 FEIS alignment, with no modifications to that. Because there were so many issues concerning the Alternative 3 alignment. SHA wanted to make sure that all agencies had a fresh knowledge of that alignment compared to the avoidance and minimization alternatives that were presented in the last 12 to 18 months. Stated that the Alternative 3 alignment takes off the section from US 29 down to MD 104, then parallels Villages of Montgomery Run and the Hunt County Estates with a proposed interchange at Snowden River Parkway that will be constructed by either the County or a developer.

The alignment then crosses underneath Old Montgomery Road and swings to the northeast adjacent to the Brightville community which is a brand new community and crosses underneath MD 103 with a proposed diamond style interchange. The alignment then ties directly into the existing MD 100, I-95 Interchange.

The first option presented to minimize the impacts resulting from alternative 3 is alternative 3, Option A. The difference between the '89 FEIS alignment and this option is strictly between the MD 104 and the Old Montgomery Road crossing. Option A is a slightly northern shift of the original FEIS alignment in a vicinity of Deep Run. This was to minimize the impacts to the Wetland system 8, 9 and to push the Snowden River Parkway interchange out of Wetlands 9 and 10. Along with this interchange proposal there is a trumpet style interchange to reduce impact to the tributary of Wetland 9. From Old Montgomery Road up to I-95, the alternative remains the same as the original 1989 FEIS alignment.

For Option B the section between MD 104 and Old Montgomery Road is shifted slightly southern shift with a "Lazy S". This was to minimize impacts to the entire wetland systems of 8, 9 and 10 and again, with an interchange with proposed Snowden River Parkway. For Option B, MD 100 crosses overtop of Old Montgomery Road and swings to the northeast on the exact same alignment as the original FEIS alignment.

Option C minimized the alignment shift as identified under Option A between MD 104 and Old Montgomery Road and the difference lies in the area between Old Montgomery Road and the I-95 where SHA initiated a southern shift to pull away from Wetlands 11, minimization of 12 and the Wetland Number 13.

Option D combines the lazy S shift as identified under Option B and then incorporates the southern shift under C from Old Montgomery Road up to I-95. Those were the alternatives presented in the supplemental draft environmental impact statement as well as the December 1st public hearing. Under the original '89 FEIS, SHA identified three residential relocations. They consisted of the two properties just west of the MD 104 where the MD 104, MD 100 and MD 108 interchange was proposed. There is another relocation at the eastern most termini of the project. Between 1989 and 1991 the three properties on the west side of MD 104 had been acquired and were already relocated but because MD 100 was not finalized. Stated that even though the two structures at the interchange at MD 104 are no longer there, they are still a valid part of our impact assessments.

Stated that the next confusion lies with the infamous Robb alignment. There have been several statements made in the comments that we received from the environmental agencies concerning the wetland impacts and the discovery that the Robb alignment has less wetland impacts then any other option. This is not true. In June of 1992, SHA published a re-evaluation that analyzed approximately 23 different options for the MD 100 project. Within an area between 104 and Old Montgomery Road, there were seven different alignment option studies. Based on the data collected as of the February 19th community association meeting and the publication of this 100 re-evaluation report, the impacts associated with the wetland systems on the Robb alignment is 3.9 acres. That acreage is only between MD 104 and the crossing at Old Montgomery Road, it is not a conclusive total. Because SHA looked at modifications in several different segments and because there would be enormous alignments if you took it from US 29 to I-95, SHA identified impacts in each section under the re-evaluation.

With the re-evaluation the lazy S alternative only impacted 2.3 acres of wetlands. So, there is a difference of roughly 1.6 acres of wetland. Subsequent to the publication of the re-evaluation, there was a field review with the US Fish and Wildlife Service and the Army Corps of Engineers. The majority of the impacts to the wetland systems associated with the Robb alignment do occur at Wetland 6. SHA is in the process now of re-delineating the wetlands, re-surveying it, putting it on our mapping and then get the verification from the parties that were involved in the initial field reviews. But as of the data collected in February of '92, the Robb alignment had the second least environmental impacts.

The northern shift which is included in Options A and C between Old Montgomery Road and MD 104 impacted 4.6 acres, so it's seven tenths of an acre difference. The reason why the Robb alignment was identified as a non-preferred alternative is because SHA felt at the time, Wetland 6 was a very high quality wetland. SHA made a mistake in the document, by identifying it as the highest value wetland system in the whole MD 100 corridor. SHA will revise that. SHA made the statement there based on agencies comments. That alignment did impact Wetland 6 to the highest degree of any alternative studied from the MD 100 project.

Based on the assessments made on all of the D options, in February of '92, SHA identified the need for a retaining wall between MD 100 and MD 108, where MD 108 was approximately 20 feet away from that retaining wall. Based on our cut and fill calculations, there would be a condo unit within the development of Ashton Woods that was 50 feet away from the proposed edge of lane. SHA would have to eliminate the access from Villages of Montgomery Run to MD 108 because of the roadway geometry needed for the MD 100 alignment. The Village of Montgomery Run condo units was a hundred feet away from the proposed alignment. Some of the reasoning why the agencies want SHA to carry the Robb alignment further was because the impact that either Options B or Option D had with the Village of Montgomery Run as well as the longitudinal alignment associated with Deep Run and the historic site. SHA has documented in the supplemental document that the future plans for that property is development, but as of today it's identified as a historic property.

MR. HOWARD JOHNSON, SHA:

There were some question as to the quality of a couple wetlands, Wetland 11, Wetland 12 and Wetland 10. It was reported in the supplemental document that the wetlands in question only had two functions, therefore, they were rated given their quality assessment of just medium quality. However, SHA will be going back out a re-assessing those particular wetlands and those changes may be made.

COMMENT/QUESTION:

MS. CYNTHIA SIMPSON, SHA-PPD:

Asked if that rating was based a wet 2.0 analysis.

MR. HOWARD JOHNSON, SHA:

Replied no.

COMMENT/QUESTION:

MR. PAUL WETTLAUFER, A.C.O.E.:

I think where we're getting the problems trying to assess a value is when we try and assign one value to characterize the whole system. Stated that in the future there should be one value to assess each function. So it might be very high for for wildlife or water quality but not have some other functions, rather then trying to assign one overall value to describe the whole system.

Reiterated the concurrence levels that SHA has a far. Those concurrence points include the new interchange concept at MD 104, SHA has the general concurrence that the Option C-3 as identified in the alternative studied section and a supplemental draft document as well as the June '92 re-evaluation has a general concurrence from the environmental agencies as the preferred Option.

It is SHA's understanding that SHA has general concurrence that in the vicinity of Wetland 13 because the value of Wetland 13 is low and with a shift to avoid Wetland 13, it would require the displacement of four residential properties. SHA has the general concurrence that it would be okay to shift the alignment back to the original '89 alignment to impact Wetland 13 and not displace those four residential relocations. The other concurrence level that SHA has in general format is Alternative 3, Option D.

RESPONSE:

MR. SEAN SMITH, DNR:

Restated that Option D was preferred, but there are still questions outstanding regarding the Robb alignment.

COMMENT/QUESTION:

There was general discussion regarding the potential development of a farmland parcel that is considered historic and consequently protected under 4(f). Ms. Beth Hannold of MHT clarified their position on it's eligibility for the register and the section 100 coordination procedures.

COMMENT/QUESTION:

MS. CYNTHIA SIMPSON, SHA-PPD:

Stated that in the cover letter that SHA is sending for concurrence on the alternatives retained for detailed study, SHA will include the qualification of the impacts with the Robb alignment.

COMMENT/QUESTION:

MR. BILL SCHULTZ, US FWS:

Stated that the problem in Howard County is not just displacements, but people in the Montgomery Run and Hunt County are not upset the issue of displacing them, they're upset because the highway is close to their property. So that's why when SHA dropped out that Robb alignment, you know it's not just an issue of takes, it's an issue of proximity.

RESPONSE:

MS. CYNTHIA SIMPSON, SHA-PPD:

Replied that if SHA used proximity impacts as a criteria on the Robb alignment, SHA should use that or identify that as an impact on the other alignments.

COMMENT/QUESTION:

MR. PAUL WETTLAUFER, A.C.O.E.:

Stated that the letter from Mr. Gardner indicated that with the Robb alternate he never intended it to go through Wetland 6, he intended it to be west of Wetland 6.

RESPONSE:

MR. KARL TEITT, SHA-PPD:

Said that west of Wetland 6 there is a minority community of Johnstown. That was an issue in the early process. There is also the possible relocation of a water tower and a minority church. Plus you have the boundary of the high school property which is another issue and anything west of Wetland 6 will impact that because of the curvature that we were required to get for geometry. The other issue would be the access. So instead of taking a two legged intersection for an interchange, there would be a three legged intersection to convert to an interchange, actually a four legged because of MD 104, MD 108 westbound and MD 108 southbound plus MD 100.

COMMENT/QUESTION:

MR. PETER CLAGGETT, EPA:

Stated that EPA suggested in their letter was, where the intersection with MD Route 108, having that go along the existing road, as much of that intersection as possible making use of the existing road. Wanted to know if that was considered. Having that intersection go along the existing Route 108 as much as possible. Right now it's to the left of the existing road, it looks like.

RESPONSE:

MR. KARL TEITT, SHA-PPD:

Replied that under the original '89 document, because of Wetland 6 and the residential communities, SHA is not going to do anything to mainline MD 104. SHA has to provide a transportation link between MD 108, MD 104 and MD 100 or else the whole system fails. SHA's goal was to take MD 104 overtop and to figure out some sort of access to MD 100. When SHA developed the interchange scenario's based upon the re-evaluation done in June, SHA looked at various interchange alternatives at the location, including parallel, almost like a diamond style configuration interchange.

The acceptable solution was to bring the ramps to the west to minimize the wetland impacts to Wetland 6. Also, the original FEIS alignment cut an underground aquifer that fed Wetland 6 and it was SHA's concern that the alignment was going to drain Wetland 6 which would cause additional impacts. So the profile was raised for MD 100 roughly 10 feet, that enabled SHA to get away from cutting that aquifer which included raising MD 104 again.

COMMENT/QUESTION:

MR. PAUL WETTLAUFER, A.C.O.E.:

Asked about putting MD 104 under MD 100.

RESPONSE:

MR. KARL TEITT, SHA-PPD:

SHA did look at that for a couple different reasons. One of the things that SHA is looking at is the impact to Glenmar and Timber Run Valley and to the high school property. Because there is such a short distance between the access road and the high school property, everything would had been on structure. Additional cost, if it wasn't on-structure, it would have additional impacts, both to the high school and the area that would be impacted by high school is recreational land. We were also concerned because MD 104 is roughly 15 to 20 feet higher then Wetland 6. SHA is afraid that if MD 100 is over top of MD 104 there would be a 40 to 50 foot elevation difference.



MR. KARL TEITT, SHA-PPD:

Summarized what SHA will be looking at. SHA is going to be looking at modifications to the alignments for Options C and D. These modifications were brought up as a result of two different things. One was the field reviews conducted with the Army Corps of Engineers and US Fish and Wildlife as well as a meeting held January 8th between some of the environmental agencies, some elected officials and some State representatives and our consultant.

Starting with Option C, SHA's looking to further minimize the impacts to Wetland 8 system. SHA will also be looking at raising the profile, right now the profile is designed such a way that only a box culvert could be used for the crossing of Deep Run. In order to get the proper clearance to at least minimize the wetland impacts, SHA has to raise the grade of MD 100 roughly 15 to 20 feet in order to get the 15 foot under clearance to provide sunlight underneath the bridge.

In addition, bridging the Deep Run main channel is being investigated and along with a bridge size analysis. One assuming minimum requirements, two would be spanning the wetlands entirely and three would be spanning the floodplains entirely.

SHA is looking at doing the same thing with Snowden River Parkway as it crosses the main channel of Deep Run. Also associated with Snowden River Parkway is that SHA is going to look at tapering the median down to zero feet of width at the first interchange ramps. This would further minimize the amount of slope impacts to Deep Run. SHA is also looking at, again, providing the trumpet style interchange to minimize the tributary Wetland 9 impacts.

SHA also has agency agreement that Deep Run channel is a major environmental concern. SHA is looking at potential for mitigation adjacent to the Deep Run along with the modifications.

COMMENT/QUESTION:

MR. PAUL WETTLAUFER, A.C.O.E.:

Stated that the Corps perspective they will be satisfied with the box culverts on those tributary crossings.

MR. KARL TEITT, SHA-PPD:

The other thing that SHA is looking at in lieu of retaining walls is the use of geo-tech system or geosynthectics and providing a 1 to 1 slope. SHA is also looking at the possibility of bifurcating the roadway so that the westbound lanes will be lower then the eastbound lanes to emulate the existing topography of the ground.

Again, with Snowden River Parkway, SHA is looking at bringing the interchange ramps in as close as possible to the mainline MD 100 so that we can minimize the tributary impacts. SHA is also tapering the median within Snowden River Parkway as of the same under C and reducing the slope impact or slope encroachment to the Deep Run area.

Under the 1989 FEIS, SHA identified a typical section that required a 34 foot median. That 34 foot median included two 10 foot shoulders and a 14 foot grassed area between the shoulders. Included was a 20 foot safety grading on each side of the alignment. In the supplemental document 10 feet of the safety grading was taken from the outside, put it into the grassed median area for the median, increasing the median width to 54 feet instead of 34 feet.

There are a couple different reasons why the administrator identified the use of a 54 foot median. One was safety precautions, based upon a traffic accident report that he received, with a 34 foot median, there seemed to be a higher potential and severity for head-on collisions. By increasing it to a 54 foot median, SHA can get away with that, the severity wasn't as bad. The other reason was, if MD 100 was ever widened to seven or eight lanes, we could do it within the median, we wouldn't have any additional environmental impact and we wouldn't have additional social impacts other then the potential for increased noise. So we were thinking that to minimize our future goals, we would go with a 54 foot median.

SHA will however, investigate a 30 and 42 foot median. Discussion regarding the differences in impacts with the various median widths took place.

COMMENT/QUESTION:

MR. SEAN SMITH, DNR:

Said he was concerned that the resource issues and the transportation issue over the next 20 years may all change and we may be looking at a completely different scenario.

RESPONSE:

MR. KARL TEITT, SHA-PPD:

Stated that the agencies have got to remember that the land use and the development pressures may also change. SHA's mission was to identify the traffic needs for 20 years. By providing an acceptable level of service to meet that 20 year need. The catch point is that the 20 year need is based on the land use and a master plan that was developed, four years ago. Every ten years or so those master plans are updated. Over the past several years they've always increased in land use and development potential. So based on today's land use the 20 year need dictates that we need six lanes, especially in this eastern section.

SHA Interagency Review Meeting February 17, 1993

Maryland Route 100, Howard County (Project Update) PROJECT MANAGER: Karl Teitt ENVIRONMENTAL MANAGER: Howard Johnson

Mr. Karl Teitt, SHA-PPD

Stated that the intent of the presentation is to give a status update on the information for modifications to Option C and Option D in the MD 100 study.

The first issue he talked about was the typical section and both the safety factors involved, as well as the Administration's position on the issue of reducing the typical section. Because State Highway Administration has in its future goals the potential for widening MD 100 and not knowing the timing of that widening, whether it will be five, ten, fifteen years beyond, the Administration feels that it's highly necessary and it takes a firm stand to prefer the 54-foot median width.

Explained the safety is associated with the sight distance problem by looking at the travel path of the vehicle and the object in the path of the vehicle and then draw a straight line between the two. If that straight line crosses any type of physical obstruction, you have a sight distance problem. With a 54 or 48-foot median, there would be no problem -- there would not be any obstructions. Based upon the design speed, you have a certain distance that you have to maintain for safe stopping sight requirements. Under the condition of the 24-foot median or a 30-foot median, that distance is not maintained, by the straight line actually crossing over top of the barriers.

If there is an accident, for example -- a vehicle is broken down in the lane and they're stopped right in the middle of the lane, you have to make sure that you have stopping site distance in order for this vehicle to see that object in time for him to stop before colliding into that object. In the situation where we have here with a shorter median, narrower median, the barrier is closer to this travel lane. Under the 24-foot median scenario in order to shift away from the line of sight, there would only be two or three feet between edge of lane and the first obstruction, which would be the median barrier, and that is not a good design.

COMMENT/OUESTION:

Mr. Bill Schultz, US FWS

Wanted to know what is happening on the beltway because they have the same thing.

February 17, 1993

RESPONSE:

Ms. Linda Kelbaugh, SHA-EPD

Stated that it is an old facility and what came out of it was that the reduction in head-on collisions made it worthwhile to give up some sight distance. One of the problems with the Capital Beltway and with the Baltimore Beltway right now is that they are over capacity and one of the things that impacts capacity are geometrics. SHA does not want to build a facility with those problems inherent in them. With the beltway, SHA is retrofitting and reducing one type of accident and that's to cross the median head-on collision and those are pretty significant in fatalities. SHA has decided as a matter of policy to reduce those types of accidents and take a possible increase in the types of accidents that are caused by improper sight distances because those types of accidents tend to be sideswipes when somebody swerves because the driver doesn't see the object until it's too late to slow down.

RESPONSE:

Mr. Karl Teitt, SHA-PPD

The SHA wants to build the 54-foot median to allow for the future widening, where the median would be reduced to 30 feet. This would be the minimum acceptable median width for adequate sight distance. The administration side of that is that within 10 years SHA doesn't want to go back and impact additional wetlands.

COMMENT/OUESTION:

Mr. Bill Schultz, US FWS

Wants to see in writing what the differences are between the 30-foot and the 54-foot median, as far as wetlands.

RESPONSE:

Mr. Karl Teitt, SHA-PPD

Stated that SHA would get back to the agencies on the differences of acreages, wetland impacts of a 30-foot median versus the 54-foot median.

Greiner Engineering

Reviewed modifications associated with Option C. Stated that this option is the trumpet style interchange. They looked at the possibility of bringing the ramps closer into mainline MD 100. Under the original Option C alignment, there was 9.3 acres of impacts that include the shift back to Wetland 13 and with the modification utilizing the retaining walls, it will be reduced to 8.0.

Mr. Karl Teitt, SHA-PPD

February 17, 1993

Stated that SHA has done two different modifications for the D alignment roughly between Wetland 7 and Wetland 11. The first modification was to hold the original vertical alignment at Villages of Montgomery Run and then look at shifting the horizontal alignment away from Montgomery Run in order to minimize the social impacts to the community there. This would include holding what was impacted under the original Option D alignment to Deep Run. SHA looked at lowering Snowden River Parkway going underneath MD 100 instead of overtop of MD 100 and lowered the profile of MD 100 as it crosses Old Montgomery Road 10 feet in order to minimize a clearance there and also to reduce impacts to Wetland 11.

By shifting the original alignment back to the P.I. alignment, there would be 7.5 acres of impact to wetlands. Modification D1 reduces it to 6.6 acres or roughly nine-tenths of a difference.

Explained that modification 2 maintains the existing elevation of MD 100 but lowers Snowden River Parkway underneath MD 100. This would reduce the impacts to the historic property to one acre instead of 2.5 acres and reduce the acreage of impact to Wetland 11.

Modification 2 is the horizontal shift away from the Village of Montgomery Run, dropping the vertical elevation of MD 100, putting Snowden River Parkway underneath MD 100, as well as the 10-foot vertical difference as it crosses Old Montgomery Road. That's modification 2 and that drops the total wetland impact down to 6.5 or a net change of 1 acre, under the original D option.

COMMENT/OUESTION:

Mr. Peter Stokely, EPA

Asked if SHA pulled it out of Deep Run.

RESPONSE:

Mr. Karl Teitt, SHA-PPD

Responded that SHA pulled it out of Wetland 10, minimized slightly.

Under this option, the stream channel relocation is roughly 500 feet, assuming the one to one geogrid slopes.

Stated that SHA looked at one other thing and that was from a request made at one of the field reviews. That was to look at putting Old Montgomery Road over top of MD 100. SHA still has additional work to perform, but it looks like it would impact the Brightfield community a little bit more under this scenario.

February 17, 1993

There is a little bit more analysis needed at the School for the Deaf as far as the slope encroachments onto the buildings for the School for the Deaf. There is also a problem with Snowden River Parkway going underneath. Under Option D modifications 1 and modification 2, the elevation of Snowden River Parkway is only roughly 5 feet above the floodplain elevation. When the shift is made at Old Montgomery Road, MD 100 is basically the same elevation as the existing Old Montgomery Road. Snowden River Parkway has to drop, which would be real close to the floodplain elevation.

COMMENT/OUESTION:

Mr. Paul Wettlaufer, COE

Concurred to dropping modification 2.

Mr. Bill Schultz, US FWS

Concurred to dropping modification 2.

Mr. Karl Teitt, SHA-PPD

Stated that the last thing the SHA is going to be looking at is the bifurcated section at the Village of Montgomery Run and retaining walls.

SHA Interagency Review Meeting March 17, 1993

Maryland Route 100, Howard County Status: Update

MR. KARL TEITT, SHA-PPD:

Stated that at the last Interagency on the 17th of February SHA was asked to do a couple of different scenarios. One of which was to separate the impacts as far as floodplain, wetlands and stream channel impacts. They were separated into forrester impacts within the floodplains. Forrest on main channel, forrester impacts on the tributary, old field floodplain main channel, old field floodplain tributary. Then under the wetland scenarios there is PFO floodplain main channel, PFO floodplain tributary, scrub/shrub emergent floodplain main channel and tributary, PFO non-floodplain main channel and tributary and scrub/shrub emergent non-floodplain main channel and tributary. SHA also separated the channel impacts for main channel relocation, tributary relocation and then the length of the channel that would be either eliminated or modified as a result of the implementation of box culverts or the field sections.

This has been coordinated with our environmental design group, U.S. Fish and Wildlife, Bill Schultz, Paul Wettlaufer from the Corps and Howard Johnson. So this is a fairly detailed coordination effort on how SHA is going to identify the impacts relating to these numerous options. SHA was also asked to develop the comparison scenarios of the environmental impacts assuming two different median widths. SHA was using the original proposed as a 54 foot median and then were asked to look at it also with a 30 foot median.

Based upon agency concurrence from the January Interagency review, in the area between MD 103 and I-95 SHA shifted alignment back to the original FEIS alignment in the vicinity of Wetland 13. Because Wetland 13 was low value and the shift required the acquisition of 4 residential properties, SHA received agency concurrence to shift back.

COMMENT/QUESTION:

MR. BILL SCHULTZ, US FWS:

Wanted to know if the impacts presented at this meeting are just for Wetlands 7, 8, 9 and 10.

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RESPONSE:

MR. KARL TEITT, SHA-PPD:

Replied it's from MD 104 clear up to I-95.

COMMENT/QUESTION:

MR. GLENN VAUGHN, SHA-BBD:

Asked if the difference in impacts is 7, 8, 9 and 10.

RESPONSE:

MR. KARL TEITT, SHA-PPD:

Replied yes.

MS. CYNTHIA SIMPSON, SHA-PPD:

Stated that it's the wetlands associated primarily with Deep Run and it's tributaries.

MR. KARL TEITT, SHA-PPD:

Stated yes but the impacts are totaled from MD 104 to I-95, the exact same as what SHA had under the supplemental draft document.

COMMENT/QUESTION:

MR. BILL SCHULTZ, US FWS:

Stated that the problem is the main area of concern is between Wetlands 7, 8, 9 and 10 and that's why we were looking at these options to begin with.

RESPONSE:

MS. CYNTHIA SIMPSON, SHA-PPD:

Stated that there's a table that says this is the impact for Wetland 7, 8, 9 and 10 that shows whether or not it's the main stem of Deep Run. It shows whether it's a stream relocation at Deep Run and all of that. Asked Bill Schultz if that is what he is looking for.

RESPONSE:

MR. BILL SCHULTZ, US FWS:

Replied yes and that's separated out in these tables. A table where we have the impacts between the lazy S and the northern and the FEIS for that wetland system. So it's Old Montgomery Road back to Montgomery Run.

RESPONSE:

MR. KARL TEITT, SHA-PPD:

Stated that the conservation areas are included in Wetland 11.

COMMENT/OUESTION:

MR. BILL SCHULTZ, US FWS:

Replied that should be separated out. The conservation area and the Wetland 11 in of itself, they don't have any similarities.

RESPONSE:

MR. JOHN HAYTER, GREINER, INC.:

Stated that he can get conservation areas broken out separately.

RESPONSE:

MR. KARL TEITT, SHA-PPD:

SHA also broke Wetland 6 into two areas because where the tributary where it ties into the main Deep Run channel and the area of Wetland 6. It's directly adjacent to MD 104.

COMMENT/QUESTION:

MR. PAUL WEITLAUFER, COE:

Said that The Corps would only go along with the original alignment there if those homeowners near Wetland 13, expressed a preference to stay but they're willing to sell to a developer they should be just willing to sell to SHA. And if they're willing to move The Corps would like to avoid the wetland if they're going to leave the area anyway.



RESPONSE:

MR. KARL TEITT, SHA-PPD:

Replied that prior to the December 1st location design/public hearing I talked to a gentleman who spoke to their neighbors. All of them have been contacted by the developer, all of them insisted on not selling to the developer. So SHA went with that assumption that they aren't willing to sell out. Beyond that SHA can't go any further.

KARL TEITT, SHA-PPD:

Impacts for Option C assuming a 54 foot median for it's floodplains impacts 4.5. The wetland system is 9.3 acres with 1.6 acres for PFO main channel and scrub/shrub emergent main channel within floodplains.

For the stream impact, there is a total of 3,050 feet. Of that 3,050 feet SHA has 400 feet associated with main channel relocation, 800 feet of tributary relocation, 1,100 feet associated with the channel encroachment or impact resulting from the placement of a box culvert. And as far as a tributary culverts there is have 750'.

On the base for Option D, there is 0.5 acres of floodplain, 7.3 acres of wetland, 3,025 with stream impact. Again, they're separated in 625 feet of main channel relocation, 650 feet of tributary relocation, 1,700 feet of tributary contained within box culverts.

As far as historical impacts, there is 2.5 acres. There would be four residential relocations. Under the base for Option C, there is six relocations. All of the options now contain the impacts associated with shifting the alignment back to the FEIS alignment between I-95 and Meadow Ridge Road or MD 103. That was agreed to based on a January or February Interagency.

SHA also talked about the impacts associated with the relocation of Old Montgomery Road whereby SHA would put Old Montgomery Road over top of MD 100 and instead of underneath MD 100. SHA also has concurrence based on a February Interagency that SHA can drop this from further consideration.

Under Option C Modification 1, there is the original horizontal alignment. But we raised the vertical elevation of MD 100 higher in the event that we put a bridge over top of Deep Run. In addition, the diamond type interchange was modified into a trumpet style interchange pulling the westbound on ramp closer to the main line of MD 100.

The eastbound on/off ramps were reconfigured so that there is a directional movement by pulling them tighter towards the main line of MD 100 getting away from the longitudinal encroachment of Deep Run. By doing this in the specific area is that there is a reduction of the impacts to Wetland 9 and 8 specially with minor impact reduction to Wetland 10. There is a retaining wall between main line MD 100 and this eastbound off ramp toward Snowden River Parkway southbound and on the exterior of that ramp there is a retaining wall. Both retaining walls minimize the impacts to Wetland 8 and 9 associated with Deep Run.

SHA also pulled the eastbound on ramp closer to MD 100 so we can minimize the longitudinal encroachment onto the main stem of Deep Run. So SHA has reduced the floodplain impacts from 4.5 to 2.7. The total wetland impacts were reduced to 7.3 acres. SHA took the stream channel impacts from 3,050 feet down to 2,390 and eliminated the main channel relocation. There still is a tributary relocation which is associated with Wetland 7.

COMMENT/QUESTION:

MR. BILL SCHULTZ, US FWS:

Asked how long of a bridge does that modification include.

RESPONSE:

MR. KARL TEITT, SHA-PPD:

Replied that SHA doesn't have that estimate yet. He then reviewed impacts associated with Modification D. Based upon the field reviews that we had with the Army Corps and U.S. Fish and Wildlife, it was suggested that SHA would hold the impacts at Deep Run as under the original base D option. But shift the horizontal alignment away from the community of Village of Montgomery Run to reduce those social impacts. So option D-1 moves that horizontal alignment further north, still keeping this impact here exactly the same as the base impact.

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SHA held the original elevation of the base Option and took Snowden River Parkway underneath MD 100 instead of over top of 100 whereby reducing the slope encroachment onto Deep Run at Wetland 10. In addition, SHA also lowered the profile of MD 100 slightly across Old Montgomery Road to reduce the impacts at the Wetland 11 as well as reduce the length of bridge required at Old Montgomery Road. The eastbound on/off ramps from Snowden River Parkway were shifted towards main line MD 100 as far as possible without retaining walls. SHA can also reduce the impact to the historic property.

By doing this there is a slight increase of floodplain impacts of .7 acres under modification 1. But there is a reduction of wetland impacts from 7.3 as the base down to 6.6 acres. With a reduction of the stream channel impacts from 3,025 feet down to 2,775 feet. In addition, the historical impacts have been reduced from 2.5 acres down to 1 acre. There would still be the four residential relocations required. And those residential relocations are consistent for any D option that SHA is analyzing.

With Option D Modification 2, the only difference from 1 to 2 is that the profile of MD 100 was lowered. The profile was lowered to try to reduce the impacts longitudinally with Wetland 8. By doing that the floodplain impacts remain constant of .7 acres and dropped the Wetland impacts to 6.5 acres instead of 6.6. The stream channel impact as reduced to 2,500 feet. There would still be one acre of impact of the historic property.

That was reduced mainly in the channel relocation for the main channel and that is again within Wetland 8. The channel required was slightly dropped with the tributaries to 25 feet. Those tributaries are associated with Wetland 6A.

COMMENT/QUESTION:

MR. PETER STOKELY, EPA:

Wanted to know if there is a diamond interchange for Snowden River Parkway.

RESPONSE:

MR. KARL TEITT, SHA-PPD:

Replied yes. Stated that the only difference between Modification 3 Modification 1 is that for short section of the roadway will be bifurcated. The eastbound lanes would be higher then the westbound lanes, minimizing the impacts to Village of Montgomery Run and to Wetland 8. Under that scenario, there would still be 0.7 of an acre of a floodplain, 6.5 acres of wetland and 2,525 feet of stream channel impact. So it's actually more then Modification 2.

Stated that in the area of the berm for Village of Montgomery Run, the profile was lowered impacting more of the berm. Now, the berm is higher then the tributary. The original Option D, Modification 1 has the least impact to this berm but it has greater impact on this side of the tributary. When SHA went to the bifurcated section, because this whole section is under culvert and this section is higher then this section, the fill coming down to the end of the box culvert is more then Modification 2.

MR. JOHN HAYTER, GREINER, INC.:

Stated that with Option D, Modifications 1, 2 and 3, Wetland 6A has two tenths of an acre of impact for all three.

MR. KARL TEITT, SHA-PPD:

Asked the agencies if there is any reason to continue with the bifurcated section option.

MR. BILL SCHULTZ, US FWS:

Asked if the retaining wall is on this inside area.

RESPONSE:

MR. KARL TEITT, SHA-PPD:

Replied under these scenarios, no. One the next scenarios we will be looking at it.

COMMENT/QUESTION:

MR. BILL SCHULTZ, US FWS:

Said he didn't know how many scenarios we're going to break it down to but U.S. Fish and Wildlife asked to look at lowering the profile.

RESPONSE:

MR. KARL TEITT, SHA-PPD:

Stated that he also asked for one to one engineered slopes.

COMMENT/QUESTION:

MR. BILL SCHULTZ, US FWS:

Said on the up side.

RESPONSE:

MR. KARL TEITT, SHA-PPD:

Replied on both sides of the roadway.

COMMENT/QUESTION:

MR. BILL SCHULTZ, US FWS:

Replied no, that's not what he asked.

RESPONSE:

MS. CYNTHIA SIMPSON, SHA-PPD:

Asked Bill if he is saying that SHA should look at lowering the profile and the retaining wall together.

RESPONSE:

MR. BILL SCHULTZ, US FWS:

Replied yes, it was spelled out in his response.

RESPONSE:

MR. KARL TEITT, SHA-PPD:

SHA has a lot of concern with the confluence of Wetland 6A into Wetland 6 where the tributary enters into the main stem. SHA is also concerned about the tributary's confluence to Deep Run.

The hydrology at the confluence of the tributary, main channel, and any potential possible noise mitigation are all SHA's concerns. By dropping the profile for Option 2, SHA may be able to reduce noise and get in a noise barrier a lot easier. SHA feel there's more benefit with Modification 2 then there is with the bifurcation section.

COMMENT/OUESTION:

MR. PETER STOKELY, EPA:

Asked if that is because of the ability to put in a noise barrier of some type.

RESPONSE:

MR. KARL TEITT, SHA-PPD:

Replied yes.

MR. PAUL WETTLAUFER, COE:

Said he didn't see how these are any different with respect to this tributary impact. Either way the tributary would be culverted.

RESPONSE:

MR. KARL TEITT, SHA-PPD:

Replied yes, but SHA actually reduced the reduced the length required within the culvert under Modification 2.

COMMENT/QUESTIONS:

MR. PAUL WETTLAUFER, COE:

Stated that little increase in culvert is going to be minuscule. The incremental impact to the stream is going to be minuscule and such as the alignment back where it was under the original alignment and I think that's a big selling point to be able to say the road is not coming any closer then it was five years ago when the alternate was selected the alternate.

Also stated that with any modification of Option D you're going to be closer to this building. But we were hoping to keep the impact at this building about where it was under the original EIS alignment. That way SHA can say the people don't have right to complain because they knew when they bought the home that's where the road was going to be that's where it was going to be and it's still there. That leaves six residences on the end of that building that have a right to complain.

COMMENT/QUESTION:

MR. PAUL WETTLAUFER, COE:

Wanted to know if it is possible to lower the eastbound lane as in Modification 2 and put a retaining wall and lower the westbound as well.

RESPONSE:

MR. JOHN HAYTER, GREINER, INC.:

Replied the westbound lanes are lowered below the elevation in either 2 or 3 then we're into either the floodplain or there isn't have enough hydraulic clearance between the roadway and the floodplain to pass the discharge from the streams. But that was the criteria that we used to determine how low we could drop the roadway.

COMMENT/QUESTION:

MR. BILL SCHULTZ, US FWS:

Asked if it floods.

RESPONSE:

MR. JOHN HAYTER, GREINER, INC.:

Replied yes.

COMMENT/QUESTION:

MR. BILL SCHULTZ, US FWS:

Asked what the level storm was at, 100-year.

RESPONSE:

MR. JOHN HAYTER, GREINER, INC.:

Replied the 100-year which is the criteria.

COMMENT/QUESTIONS:

MR. PAUL WETTLAUFER:

Asked if Option 3 is furthest from the condo's and from the wetland.

RESPONSE:

MR. KARL TEITT, SHA-PPD:

Replied yes.

COMMENT/QUESTION:

MR. PAUL WEITLAUFER, COE:

Said he would be leaning toward dropping 2 rather then 3. There would be a 200 foot culvert instead of a 225 foot culvert. That increment isn't all that drastic. If it wasn't for the fact that we can save some taking from the condo's he'd go along with dropping it.

COMMENT/QUESTIONS:

MR. BILL SCHULTZ, US FWS:

Stated that the modifications he'd like to talk about is having a retaining wall on both sides of the highway. On the inside towards the parking lot and then on the outside instead of just one to one slopes there could be a partial retaining wall on the outside that corresponds to the same height as the northern alignment retaining wall.

Then he would like to see one that swings back that's real close to the last condo building.

RESPONSE:

MR. KARL TEITT, SHA-PPD:

Stated that based up field reviews held in October, there was an agreement what was going to be studied and we already agreed that we are going to study the retaining walls on both sides of the alignment. SHA is just not there yet. Back in October and November SHA decided on the alignment modifications that we're going to be looking at for the original options. There was an agreement that when we got to the point where we're going to stick with those options and not keep introducing new ones.

COMMENT/QUESTIONS:

MR. BILL SCHULTZ, US FWS:

Originally said he asked under Modification 2 for a retaining wall on the inside and one to one slopes on the outside.

COMMENT/QUESTION:

MR. KARL TEITT, SHA-PPD:

Stated that the letters that SHA received from him did not specify that. The information that we got in the field did not specify that. SHA was asked to look at engineered slopes period and asked to look at retaining walls, period. SHA was asked to look at structures, period.

MR. BILL SCHULTZ, US FWS:

Stated that he wants Modification 2 studied with the retaining wall on the inside and one to one slope. He would like it on this original alignment, now. Wants to look at it then on Modification 2, retaining wall on the inside, one to one slope. Modification 2, retaining wall inside and a retaining wall outside then is equal to this northern alignment.

RESPONSE:

MR. KARL TEITT, SHA-PPD:

Replied that SHA already agreed to that. SHA is already going to do that. SHA is also very concerned with the hydrology and has to do those additional studies in order to determine whether or not SHA's retaining wall would; A eliminate the hydrology significance of that confluence and B, whether or not we can even design a retaining wall that would still continue to permit that hydrology. SHA was also originally concerned with one to one engineered slopes and whether or not we could get adequate stabilization of the soil. It was determined that engineered slopes are no problem.

COMMENT/QUESTION:

MR. BILL SCHULTZ, US FWS:

He would like SHA to separate out the impacts by of tributary just like the stable from station 146 to 200 only.

RESPONSE:

MR. KARL TEITT, SHA-PPD:

Replied that SHA already did that by wetland system.

COMMENT/QUESTION:

MR. BILL SCHULTZ, US FWS:

He wants a separate table just with those wetlands of concern too. Wants to focus on that area only.

RESPONSE:

MR. KARL TEITT, SHA-PPD:

Stated that the data is already developed on these detailed sheets.

RESPONSE:

MR. BOB SHEESLEY, BRIGHT WATER, INC.:

Wanted to know what other data Fish and Wildlife is asking for. Everything that he asked for at the meeting over in Anne Arundel County, the breakdown of all the wetland systems, the floodplain, the tributary versus the main channel, every piece of information is provided in these documents.

COMMENT/QUESTION:

MR. BILL SCHULTZ, US FWS:

Repeated that he'd like it on a separate table alone by itself.

COMMENT/QUESTIONS:

MR. PAUL WETTLAUFER, COE:

Stated that there's a valid reason for that too. If SHA is comparing the entire alignment from MD 104 to I-95 then these incremental differences appear much less. It is about a tenth of an acre.

So if SHA is just looking a four wetland systems at a half acre of difference is a lot more when your comparing it to 1.3 versus 1.8 but if you're comparing it to 12.3 versus 12.8 an argument might be made, well this isn't a significant difference.

MR. KARL TEITT, SHA-PPD:

Stated that SHA has also performed a comparison between a 54 foot median and 30 foot median. Again, under the same engineering options all the 54 foot median is designated by Modification 1 or 2 or 3. Everything that has a suffix of A identifies the modification with a 30 foot median. Looking at Option C, the only difference is two tenths of an acre of floodplain, three tenths of an acre of wetland and 100 feet of stream channel impact reduction. There is a 50 foot stream channel reduction within the tributary relocation, with 25 feet within culverts and 25 feet within culverts.

Under Modification 1-A, floodplains remain the same, wetland systems are reduced by two tenths of an acre, the stream channel impacts are reduced from 2,775 feet to 2,535 feet. There is a 150 foot reduction of channel relocation of the main stem and a 50 foot reduction within tributaries.

Under Modification 2-A, two tenth of an acre reduction in floodplain, three tenths of an acre within wetlands and reduced the stream relocation from 2,500 feet to 2,365 feet. Again, 50 feet within the main channel relocation, 50 feet within tributary relocation and went from 1,400 to 1,365 within culverts.

For Modification 3-A, there is two tenths of reduction in floodplain three tenths of reductions in wetlands and reduced the stream relocation from 2,525 to 2,385 in which 50 is reduced on main channel relocation, 50 is reduced on tributary relocation. Based upon this information and the fact that the 30 foot median does not significantly change or reduce the impacts versus a 54 foot median and because a 30 foot median introduces new design issues SHA is no longer going to consider carrying forward the 30 foot median option.

COMMENT/QUESTION:

MR. PETER STOKELY, EPA:

Asked if the 54 foot is for future widening.

RESPONSE:

MR. KARL TEITT, SHA-PPD:

Replied yes.

COMMENT/OUESTION:

MR. BILL SCHULTZ, US FWS:

Stated that the Fish and Wildlife Service will take that into consideration but might want that 30 foot median width.

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RESPONSE:

MR. KARL TEITT, SHA-PPD:

Stated that depending on which option that SHA goes with a 30 foot median. There is a safety issue with this median. Our design speed for this facility is 60 mile per hour. The horizontal curvature of the alignment is dictated by that design speed. Under the original C alignment there is a curve that would be reduced to a 55 mile per hour design speed at PI number 6 which is in the vicinity of MD 104.

Under the D options, the original D option and a D option with modifications, there is three curves that are substandard of the 60 mile per hour design speed. SHA feels that the safety issues from that with a minimal decrease and the environmental impacts does not warrant us carrying the 30 foot median any further.

COMMENT/QUESTION:

MR. PAUL WETTLAUFER, COE:

Replied that if SHA builds a 54 foot median your recognizing that someday you'll widen in the median and then have those same deficiencies.

RESPONSE:

MR. KARL TEITT, SHA-PPD:

Replied yes and that will be a policy issue that will have to be made by the administrator.

COMMENT/QUESTION:

MR. PAUL WETTLAUFER, COE:

Asked if that came about because SHA is using curves that are tighter then normal.

RESPONSE:

MR. KARL TEITT, SHA-PPD:

Replied yes.

COMMENT/QUESTION:

MR. PAUL WETTLAUFER, COE:

Asked if site distance were the only factor SHA wouldn't really need a 54 foot median. SHA might be able to get by with a 42 foot median and not have that deficiency. He thinks the real driving force here is a desire to preserve two lanes in the median.

RESPONSE:

MR. KARL TEITT, SHA-PPD:

Replied yes, SHA has a position by the administrator that he is not going to accept not being able to widen within the median in the future and assuming that we have a 30 foot median.

MR. JOHN HAYTER, GREINER, INC.:

Stated that if SHA went to a narrower median then we enter into an area where we may have to put concrete barriers in because of the reduction in median width. So even with a wider median then 30 foot there would be a horizontal site distance problem if a concrete barrier is required.

COMMENT/QUESTION:

MR. PAUL WETTLAUFER, COE:

Asked if SHA could shift the concrete barrier depending on whether your on the inside curve or the outside curve.

RESPONSE:

MR. JOHN HAYTER, GREINER, INC.:

Stated that SHA is limited to 14 foot maximum from edge of shoulder to the concrete barrier. Anything beyond that then there could be 90 degree impacts.



COMMENT/QUESTIONS:

MR. PAUL WETTLAUFER, COE:

Stated that he concurred that if SHA goes concur that if we go to anything less then a 54 foot median you're talking the expense of the paved 14 foot shoulder or plus the median barrier, so that's a lot of cost to save three tenths or less. He concurred that maybe that's not the most practical or cost effective way to accomplish the savings. But the thing that was of most concern to the agencies was that SHA might never need a fifth and sixth lane and that was our big concern. Why provide for it now forcing you to increase your wetland impact when there's an outside chance that it may never be needed.

MR. JEFF SMITH, SHA:

Stated that the basis for the 54 foot median in narrow medians 30 feet SHA has or less we have to put in a barrier. The reason for a 54 foot median is SHA can come back in the future, there is room for two 12 foot lanes, 24 foot, you're still left with 30 feet, you don't have to put the barrier in the median. That's the issue here. Anything less then 54 feet if SHA comes back and widens in the median there would have to be some kind of a barrier.

MR. KARL TEITT, SHA-PPD:

Stated that SHA is going to drop the 30 foot median scenarios. SHA will take under consideration the possible elimination of Modification D-2 and SHA will be developing in the future the retaining wall scenarios as well as the bridge scenarios. SHA is also going to analysis the hydrology significance of the tributary of Wetland 6, at the confluence of Deep Run and the Wetland 10-A at the confluence of Deep Run. When SHA analyzed the bridges under the bridge scenarios we'll be separating the impacts as far as direct impacts resulting from the construction as well as this potential shaded impacts resulting from the structure itself.

SHA also has the preliminary investigation on potential wetland mitigation sites completed.

MR. BOB SHEESLEY, BRIGHT WATER, INC.:

Spoke about the importance of the smaller tributaries. SHA is looking at the input from each of these tributaries and their adjoining water sheds. As significant contributions to the make-up and composition of what is really taking place along the main channel. As opposed to just looking at the main channel as a separate entity to void of major input from these tributary and water shed systems. And that in considering the tributaries if SHA keeps taking out sections of tributaries or diverting hydrology related to those particular water shed areas in those tributaries, the impact to the main stem from a wetlands and hydrology standpoint has a potential to be negatives.

This is especially so in considering that the headwaters of the main Deep Run system has already been compromised by a very very large instream stormwater management facility that has severely impacted the existing wetlands, the water shed and hydrology at that point. So you already have a regulated situation, a disruption of hydrology on the main stem above the areas where the road -- whichever option is used will come through. So SHA's viewpoint is we can't keep sacrificing tributaries at the expense of the main stem. SHA's viewpoint also is that if you can avoid all of them then obviously it meets the needs of each agency, State Highways and the public from the publics responsibility with regard to resource protection. That we have less then the impacts severely from what the original proposal was. It is not a favorite for a northern alignment, a southern alignment or any particular alignment. So we're dealing with a groundwater discharge area with sufficient hydrologic head to force it's way through in eighteen inch snowfall and be apparent right there under those conditions.

There is a problem with that location of that big discharge area which observed in the field was at least 20 feet by 20 feet in the snow. I've walked it and you can hardly get through it, it's quite extensive and if I can see the lazy S alignment. It's at the base of the slope on the north side of Deep Run so the possibility of it being totally associated with this tributary is to be studies because he's not sure that you can draw an association since it's over at the toe of the slope. SHA doesn't have those answer and it has to be studied because he considers it a significant issue when looking at the fact that the headwater area of Deep Run main channel is compromised by the storm water management facility.

COMMENT/QUESTION:

MR. PETER STOKELY, EPA:

Wanted to know where the water is coming from that's discharging there.

RESPONSE:

MR. BOB SHEESLEY, BRIDGE WATER, INC.:

Stated that he is completing a hydrology study to determine ground water flow.

MR. MARK DUVALL, SHA-PPD:

Thanked everyone and said the next meeting will be April 21, 1993.

SHA Interagency Review Meeting April 21, 1993

Maryland Route 100 - update

Project Manager: Karl Teitt, x1881

Environmental Manager: Howard Johnson, x1179

MR. KARL TEITT, SHA-PPD:

Explained the summary tables for the presentation package. Stated that there are actually eight sheets for each of the four alignments that SHA has which comprises the 32 sheets. The first sheet is a summary sheet that identifies the floodplain impacts, wetland impacts and stream channel impacts quantified in the forested floodplain main channel vs. forested floodplain in a tributary.

There is also the main channel and tributary channel impacts broken out. As far as the relocations required, as well as the channel, the linear feet of actual channel that would be disturbed as a result of the construction of a box culvert. There is also the historical impacts.

COMMENT/QUESTION:

MR. SEAN SMITH, DNR:

Asked how was the channel length was figured.

RESPONSE:

MR. KARL TEITT, SHA-PPD:

Replied that the channel length is the actual linear feet of channel that would be disrupted by the placement of a box culvert. Instead of just taking a straight line from point A to point B and taking that length SHA did the meandering where the stream was to get the total stream channel impacts.

COMMENT/QUESTION:

MR. BILL SCHULTZ, US FWS:

Asked what SHA took that off of, aerial photos.

COMMENT/QUESTION:

MR. SEAN SMITH, DNR:

Asked if that included just the box itself.

RESPONSE:

MR. KARL TEITT, SHA-PPD:

Replied just the box itself. The last sheet of each of the eight page sections is a more generalized summary that identifies each of the wetland systems and the total acres of impacts within each system and it compares it to the base options along with the other modification alignments. Page number 2 identifies the detailed assessment of wetland by wetland system. Separated under each of those specific categories for floodplain and wetland impacts as well as stream channel impacts.

It was reiterated what these modifications consisted of. Option D and the base Option C are the options that were presented at the December 1st Supplemental/Combined Location/Design Public Hearing at Howard High.

Option C modification 1 consists of raising the elevation of MD 100 in the vicinity of Deep Run in order to get enough clearance underneath MD 100 to permit as much sunlight as possible so that SHA can minimize the amount of shading effects that bridge options would have on the wetland systems. Also under Modification 1 Option C, SHA pulled the Snowden River Parkway westbound on off-ramps tighter to the mainline of MD 100. On the south side of MD 100 a retaining wall is placed between the mainline MD 100 and the eastbound off-ramp. There is a retaining wall on the outside of the ramp between a ramp and the main channel of Deep Run. By doing this SHA minimized the encroachment onto the main channel of Deep Run as well as the wetlands associated with the main channel of Deep Run.

Also associated with Modification 1 SHA is now looking solely at a trumpet style interchange instead of a diamond type interchange. By doing this we can get the westbound on-ramp directly adjacent to the main line MD 100 to eliminate or minimize impacts associated with the tributary that runs from the north to the south to the main channel of Deep Run which is identified as Wetland System 9.

Also, with all the modification options between MD 103 and I-95 SHA shifted back to the PI alignment because of the impacts associated with the southern shift and the quality of Wetland 13 being low. Also with Option C again, SHA looked at steep slopes, and at retaining walls and at three scenarios for bridges.

Anywhere within the system between Maryland 104 and I-95, where ever there could be at least a tenth of an acre reduction of wetland impacts, that's where SHA looked at these five different scenarios, the steep slopes, the retaining walls and the three bridge scenarios, with most of the concentration being within the main channel of Deep Run between station 145 to 195; which is roughly between Hunt County Estates and Village of Montgomery Road and Old Montgomery Road.

Under the Option D Modification 1 that consists of shifting the horizontal alignment or curvature in the vicinity of Villages of Montgomery Run north while still maintaining the same or less impact to the main channel of Deep Run. By doing this SHA minimized the impacts to the condominiums within Villages of Montgomery Run. Also under Modification 1 SHA is keeping the base profile which in relative terms is a high profile for that shift. In the area of Snowden River Parkway, the base alignment had Snowden River Parkway going over top of MD 100. Under Modification 1 SHA is taking Snowden River Parkway underneath MD 100. This reduces the encroachment onto the main channel of Deep Run as well as the wetland systems.

SHA also brought the southern most interchange ramps tighter to the main channel of MD 100 so that it could reduce the impacts to both the tributaries on the south side of Deep Run as well as the historic property Shipley property. The historic property impact has been reduced from the base impact 2.5 acres down to approximately 1 acre in total impact. Again, that is in the far most northeast corner of that historic property.

COMMENT/QUESTION:

MR. BILL SCHULTZ, US FWS:

Asked how that was reduced.

RESPONSE:

MR. KARL TEITT, SHA-PPD:

Replied by pulling the interchange ramps closer towards the main line of MD 100. As well as taking Snowden River Parkway underneath MD 100 instead of over top, that also reduced the impacts.

Also associated with Modification 1 in the area where it crosses Old Montgomery Road at the crossing of Old Montgomery Road and the main channel of Deep Run SHA dropped the profile, the main line MD 100 roughly ten feet. This further reduced the encroachment on the west side of Old Montgomery Road to the main channel of Deep Run as well as reduced somewhat the impacts associated with Wetland 11 which is on the east side of Old Montgomery Road.

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Again, from Maryland 103 to 95 SHA shifted back to the original PI alignment and the impacts associated with the Wetland 13 has been included in these charts. Under Option D Modification 2, in the area of the Villages of Montgomery Run and Hunt County Estates, SHA dropped the profile of MD 100 to a point just above the floodplain elevations so that all of the construction will be above the floodplain elevation. This reduced the encroachment and the impacts to the main channel of Deep Run in the vicinity of Wetland 8. Also, this increased the impacts to the community of Villages of Montgomery Run under the scenario where we investigated slopes. SHA reduced that impact when we looked at retaining wall and the bridge scenarios.

Under Option D Modification 3, the only difference between Modification 3, 2 and 1 is what is being done again in the vicinity of Villages of Montgomery Run and Hunt Country Estates. SHA is investigating a bifurcated section meaning that the eastbound lanes would be at a high elevation, the westbound lanes which are adjacent to the wetland systems of Wetland 7 and 8 are on a low profile. This minimizes the impacts to the main channel and the wetlands associated with Wetland 8, as well as the community.

COMMENT/OUESTION:

MR. BILL SCHULTZ, US FWS:

Asked on Modification 2, are the figures without the retaining walls available.

RESPONSE:

MR. KARL TEITT, SHA-PPD:

Replied yes.

COMMENT/QUESTION:

MR. BILL SCHULTZ, US FWS:

Asked if this is without retaining wall.

RESPONSE:

MR. KARL TEITT, SHA-PPD:

Reviewed the summary sheets. Page 1 through page 7-B are all of the alignments assuming steep slopes. On sheet one at the very top where it says preliminary, all values subject to change, please write the word slopes. Starting on page 8 and running through page 13 are all the options that investigate the use of retaining wall along the wetlands. Starting on page 14 and running to page 19 inclusive are the impacts associated with bridges that span the channel only. Let me call your attention to page 19. What SHA has tried to do is identify the potential impacts resulting from the shading of the bridge itself. That is something different that has not been presented before. Starting on page 20 and running through 25 inclusive are all the options that investigate the use of a bridge that span wetlands only. Again, page 25 shows the potential shaded impacts resulting from that structure. And then page 26 through page 31 inclusive are those impacts associated with the option and investigated a bridge that spanned the entire floodplain. And again, page 31 identifies the potential shaded impacts for those structures.

COMMENT/QUESTION:

MR. SEAN SMITH, DNR:

Asked about page 20 through 25, you're looking at bridges that span wetlands only. In areas where you're adjacent to wetlands but not crossing them, are you assuming steep slopes in those areas or retaining wall.

RESPONSE:

MR. KARL TEITT, SHA-PPD:

Replied that on Option D where SHA's looking at crossing the tributary on south side of Deep Run when MD 100 runs parallel with Wetland 8, SHA assumed spanning the entire wetland system. For example, the wetlands associated with a channel are 80 feet, if the roadway encroach onto the wetland system of Wetland 8 SHA would span that wetland as well, so there is an oversized bridge for that side and that would be basically the westbound lanes.

COMMENT/QUESTION:

MR. SEAN SMITH, DNR:

Asked if it's being assumed no impact is occurring underneath that span.

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RESPONSE:

MR. KARL TEITT, SHA-PPD:

Replied no, because there is the shaded impact.

COMMENT/QUESTION:

MR. SEAN SMITH, DNR:

Asked what about piers.

RESPONSE:

MR. JOHN HAYTER, GREINER, INC.:

Replied if on the roadway to the stream and it's graded at 15 feet, we took it off in shaded impacts. If it was less then 15 feet it is direct impact.

COMMENT/QUESTION:

MS. CYNTHIA SIMPSON, SHA-PPD:

Asked if you don't know whether or not it will be required at this point.

RESPONSE:

MR. KARL TEITT, SHA-PPD:

Replied that those details are not yet developed.

COMMENT/QUESTION:

MR. BILL SCHULTZ, US FWS:

Wanted to know the floodplain area.

RESPONSE:

MR. KARL TEITT, SHA-PPD:

Replied the floodplain limits did not come out on the maps. This line here did not show up on our maps. These floodplain limits are based on the floodplain analysis done prior to the construction of that regional storm water management pond. That storm water management pond has a restricted out flow. So that the floodplain limits may not be the same. Whatever SHA has identified on the impact charts reflect the old floodplain limits that were established prior to the construction of that regional storm water management pond.

MR. JOHN HAYTER, GREINER, INC.:

Stated that they also reflect floodplain limits prior to the construction of all of the ponds.

COMMENT/QUESTION:

MR. BILL SCHULTZ, US FWS:

Stated that they might even out some.

RESPONSE:

MR. KARL TEITT, SHA-PPD:

Replied no, they'll be different areas. If you restrict the flow at one point until you get to another restriction you wouldn't have any increase in floodplain storage.

Stated that the agencies have received recently a letter in which SHA requested your concurrence to drop specific alignment as well as your concurrence on the options to be carried forward for detailed study. To supplement that letter, we have included these charts and these maps. SHA would like by next time to have everybody's comments on that letter and would also like your comments on the best way to present this information. If the agencies can come up with the best method on how to present this information to the general public, I would certainly appreciate it.

SHA made recommendations at previous Interagency Meetings on which of the option modifications we would like to drop. By the next meeting SHA would like the agency comments on those requests as well as the recommendations on which options SHA can drop.

COMMENT/QUESTION:

MR. BILL SCHULTZ, US FWS:

Stated that it seems like every time there is a Route 100 meeting he keeps bringing up a way to simplify the data. One of the big ways to do it is to just separate out the wetlands from 7 to 10 and have the data as the focus area.



COMMENT/QUESTION:

MS. CYNTHIA SIMPSON, SHA-PPD:

Wanted to know if everybody agreed with Bill Schultz because we are actually concerned about the alignment from 104 to I-95 and is it all of the agencies opinion that SHA should only be looking at Wetland 7 to 10. SHA will make a note of that and ask the other agencies if they concur in that also.

COMMENT/QUESTION:

MR. BILL SCHULTZ, US FWS:

You can do it both ways for a few pages and you can see the difference in results. Just for a trial I think you'll be able to see once you look at the pages and look at the data you'll be able to see that is some what easier. Because the main shifts that we're talking about the whole area that we are looking at is from 7 to 10.

The major area where SHA is having all the problems is where the focus of work should be. The impacts everyone is worried about are on what happens to Wetlands 8, 9 and 10. The main reasons why SHA is having different impacts to Montgomery Run and Hunt Country is because we're trying to reduce the impacts to those three wetlands.

Stated that the major people that are being impacted by these design modifications are two communities and it's all built around those three different wetlands, it's really one system.

COMMENT/QUESTION:

MR. KARL TEITT, SHA-PPD:

Stated that SHA is concerned about the entire project from US 29 to I-95. If SHA goes to court it will be from US 29 to I-95.

COMMENT/QUESTION:

MS. CYNTHIA SIMPSON, SHA-PPD:

That's a suggestion of how to simplify the information. SHA needs all agencies to review all of the information and bring suggestions of options to be dropped back to the next meeting.

SHA Interagency Review Meeting May 19, 1993

Contract No. HO 661-201-770 Maryland 100 from MD 104 to I-95 Howard County

Project Status: Update

Project Manager: Karl Teitt, x6437

Environmental Manager: Howard Johnson, x1179

Mitigation Manager: Dave Boellner, x4169

MR. KARL TEITT, SHA-PPD:

Distributed the summary of impacts chart which showed floodplain, wetlands and stream channel impacts, historic site impacts and residential displacements.

The second chart analyzes on a wetland-by-wetland system for each of the five different scenarios that are being reviewed. The information on the chart includes the wetland system, the type of wetland, it's functions and value, and then the acreage of impacts associated with each of the five options. Currently SHA is comparing Option C, modification 1 and Option D/Modification 1 in these charts.

The third chart shows the summary of impacts. The fourth chart is the bridge height chart. SHA has tried to assist the agencies in evaluating all the alternatives. This chart provides the location of the wetland system, the lineage (whether or not it's an eastbound or a westbound lane bridge) the Option, and the vertical clearance between the existing ground to the profile grade elevation (which would be basically at the top of the roadway).

The fifth chart provided was a noise abatement sheet. It compared all the Options and shows the number of residences impacts, the number of residences protected, the number of residences not protected, noise barrier cost and total cost for that particular barrier. Also a bridge length chart is provided. That chart gives the length of all the proposed bridges under the three bridge scenarios, SHA is investigating for each of the Options.

There is a correction associated with Option D/Modification 2 on the total wetland impacts associated with the bridge across channel option since the last meeting. That impact has changed to 5.5. Also, under Option C/Modification 1 there is a change in the bridge over channel wetland impact and that is now 6.3, instead of 5.9 acres. The bridge over wetland impact changed to 4.3 acres on Option C/Modification 1. The original impact was originally 5.1 acres.

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COMMENT/QUESTION:

MR. BILL SCHULTZ, US FWS:

Asked if it is Option C/Modification 1 bridge over channel.

RESPONSE:

MR. KARL TEITT, SHA-PPD:

Replied right, it's 6.3 acres. The last change is under Option C/Modification 1 bridge across floodplain. The wetland acreage is now 4.3 acres of impact instead of 5.1 acres.

To refresh everyone's memory he went through the alternatives. There are twelve different sets of mapping. He explained the options as they relate to the slope concept. The first option is Option C. Option C is the northern shift of the original FEIS alignment in the vicinity of Hunt Country Estates and Village of Montgomery Run runs on the north side of Deep Run. Additional changes from the December, '92 hearing, both a trumpet style and a diamond style interchange was being proposed for the interchange at Snowden River Parkway. SHA has since agreed that SHA would strictly go with the trumpet style interchange. We have also reduced the overall footprint for that interchange to reduce the impacts to the wetland systems associated with the main channel of Deep Run in addition to the tributary systems associated with Deep Run. Through the use of retaining wall, SHA has pulled the slope intercepts away from the wetland systems. Since the December hearing, SHA instituted a southeastern shift between Old Montgomery Road and MD 103 in the vicinity of Brightfield. That minimized the impacts associated with Wetland 11 system. Based upon other approvals that SHA received in past Interagency Meetings, SHA shifted the alignments back to the PI alignment in the vicinity of I-95 and MD 103.

With Option D/Modification 1 SHA is maintaining the same profile in the vicinity of Village of Montgomery Run and the tributary system to Deep Run. However, SHA has pushed the main alignment in the vicinity of Snowden River Parkway slightly closer to Deep Run but we also compress the diamond style interchange. It's been compressed to a point where it reduces the longitudinal encroachments onto the main stem of Deep Run and in turn reduced the wetland impacts. The eastbound on/off ramps were converted to a directional ramp from a diamond ramp to improve the traffic capacity of the southern quadrant of the interchange, SHA modified the vertical alignment in the vicinity of Old Montgomery Road slightly to further reduce the wetland impacts to Wetland 11.

Option D/Modification 2. The only difference between Modification 1 and Modification 2 lies in the area between Village of Montgomery Run and Hunt Country Estates. SHA has dropped the vertical elevation of the main line MD 100 alignment, so that the road is closer to existing elevation where it acrosses the tributary Wetland 6-A as it enters Wetland 8 or the main channel of Deep Run. By doing this, we reduced the encroachments onto that wetland systems reducing the overall wetland impacts.

On Modification 3, the eastbound roadways will have the same profile as the Option D/Modification 1 alignment. The westbound lanes will have a bifurcated section where SHA dropped the vertical elevation of the westbound lanes to the same as included in Modification 2. We combine Modification 1 and Modification 2, created a bifurcated road section to make Modification 3.

Everyone went to the center table to review the maps which showed how SHA shifted the D alignments to get closer to the FEIS alignment but still reduce the overall wetland impacts.

At the December Public Hearing the Option D alignments in the vicinity of Station 145 to approximately 165, were closer to the Village of Montgomery Run. Under these modifications, we have shifted the horizontal alignment so it emulates basically the FEIS alignment reducing the social impacts created to Village of Montgomery Run and still reducing the impacts to Deep Run. In the area of Wetland 6-A where the tributary enters the main channel of Deep Run, the alignment does get closer to the community than the original FEIS alignment. Approximately between Stations 145 and Station 162, the Modified D alignment is actually further away then the FEIS alignment 2 as it relates to the Village of Montgomery Run. All the D alignments now have that curvature in place. Asked the agencies if there were any questions on this topic.

COMMENT/QUESTION:

MR. DAVE LAWTON, FHWA:

Asked if the modified D alignments in the vicinity of and adjacent to Montgomery Run are actually a little bit further away.

MR. KARL TEITT, SHA-PPD:

Responded that is correct. Between Station 145 and 162, it's approximately 15 to 20 feet further away from the FEIS alignment in the area of Wetland 6-A. At the confluence to Wetland 8 system the only difference in the center line length is about 30 feet closer to Montgomery Run have a fluxuation in that area of roughly 30 feet. We do slightly get closer to the community in a small area but we're actually further away from the community in the larger area (which is the majority of that community).

COMMENT/OUESTION:

MR. DAVE LAWTON, FHWA:

Asked if it would be an improvement overall in terms of social impacts.

RESPONSE:

MR. KARL TEITT, SHA-PPD:

Replied yes. Asked if any other questions relating to this topic and no one responded. (The bridge length charts were distributed.)

There are approximately 6 to 8 sheets for each of the options that are being investigated. These are steep slopes, the retaining walls and the three different bridge options. After each section, the cost for those alternatives for that option are included. The agencies will be able to analyze the impacts that SHA has and look at the cost sheet and then compare the alternatives against each other looking at each individual option. Asked if there are any questions on this topic.

COMMENT/QUESTION:

MR. BILL SCHULTZ, US FWS:

I didn't understand that. We have the modifications here, why don't we just go over those again. We have Option C/Modification 1 and then we have the Option D/Modification 1, 2 and 3. Those don't include bridges.

RESPONSE:

MR. KARL TEITT, SHA-PPD:

These are all your bridge options. SHA looked at slopes, retaining wall, bridges across channel, bridges across wetland, bridges across floodplain for all four of those modifications. For example, page 7-C identifies the cost associated with Option C/Modification 1 through Option D/ Modification 3 for the slope option. The next section will discuss the retaining walls that SHA investigated and immediately following that section is the cost for the retaining wall options. Asked if that was okay.

I hope everybody has had a chance to review the charts that we submitted at the last Interagency Meeting. Suggested the group go over the Summary of Impacts chart.

To help visualize this large amount of information SHA has developed a Benefit Analysis chart. SHA has made a colored graphic that would illustrate on the vertical column, the amount of acreage of direct wetland impacts that could result on any of the options that we're investigating. The horizontal bar for this chart identifies the preliminary cost estimates in millions of dollars for the relationship of the wetland impacts. The very first point of each of the lines represents the slope scenario, the acreage of wetland impact and then if you go straight down it gives you the relative cost for that option.

Each break on each of the four graphics illustrates the different options that SHA analyzed. They include steep slopes, retaining wall, bridges across channels, bridges across wetlands and bridges across floodplains. Any place that we could of obtain at least a tenth of an acre reduction of wetland impacts, is where we analyzed any of these five options. If we could not obtain at least a tenth of an acre of reduction of wetland impacts we did not look at it at a specific location. The chart also shows the steeper the line, the greater the wetland reduction and the least amount of cost increase. The more gradual the slope of line represents the greater cost in comparison to wetland reduction.

If we go with Option C/Modification 1 this graphic shows that we have a wetland impact of 7.3 acres. The chart that you have in front of you also identifies the stream channel impact and I must explain the fraction. The first number in that fraction refers to the main channel impact associated with the main channel of Deep Run. The second number of that fractions identifies the linear feet of impact to the tributary systems. The last value under each column gives the preliminary cost estimates for that option. Option C/Modification 1 results in 7.3 acres of impact at a cost of 61.0 million. Our base option at the very bottom of the graphic started off with 9.3 acres of impact 1,500 feet for the main stream channel and the 1,550 feet of the tributary system impacts. It shows where the investigation was in December 1992 and the current investigation of the slope alternatives. Using the chart and looking at the wall option, SHA reduced the wetland impacts to 6.1 total acres at a cost of 61.7 million dollars and we have a stream channel reduction down to 635 feet for the main channel impact and 1,465 feet for the tributary systems of impact.

The next section on the chart refers to the bridges across channel. That option actually increased the total acreage of wetland impact. We have now 6.3 acres at a cost of 65.5 million. The main channel impact remains the same for both the main channel and the tributary systems as in the wall options. The next break on the chart is the bridges that span the channel and the wetlands. We've reduced the wetland impacts of 4.3 acres at a cost of 73.5 million. Because the option is spanning the entire wetland system, there is no longer a main channel impact. There is still an impact of approximately 750 feet of linear impact to the tributary systems. That will be consistent for all the bridge options when discussing spanning either channel wetlands or floodplains. The 750 feet corresponds to the Wetland 7 system which is a lower value system and drains into the regional storm water management pond. So the 750 feet is constant for all the options that SHA investigated as far as the relocation needs for

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tributaries.

The last break in the chart is the bridge spanning the floodplain option. The wetland impacts remain the same, 4.3 acres, the cost has jumped to 82.4 million and the stream channel impacts remain the same as in the bridging the wetlands option. The D options are very close as far as the acreage of impact, the stream channel impacts and the cost. For example, Option D/Modification 2, the first point is the slope option that SHA analyzed. The acreage of that impact is 6.4 acres, we've reduced the stream impacts to 350 feet associated with the main channel and 2,150 for the tributary systems at a cost of 57.9 million. The base figure was presented by SHA in December of 1992, 7.3 acres of impact, and 625 feet of main channel impact and 2,400 feet of the tributary system channel impacts.

The next section is retaining walls. SHA reduced impacts by a full acre down to 5.4, the cost is 59.4 million and the stream channel impacted the main channel have been reduced to 250 feet and the tributaries have been reduced to 2,050 feet. Bridging the channels has an actual increase in the wetland impacts to 5.5 acres at a cost of 64.3 million, the stream channel impacts remain the same under the wall analysis. Bridging the wetlands, reduced the wetland impacts to 4.2 acres at a cost of 69.4 million, no main channel impacts zero and the tributary impacts have been reduced to 930 feet. The same impacts result in spanning the floodplain and the cost increase to 71.0 million. Asked if there are any questions on this topic.

COMMENT/QUESTION:

MR. CHARLIE ADAMS, SHA-OED:

Asked on Option D/Modification 2 whether is 750 feet of impacts that are common to the options, but there is an additional 180 feet of impacts on that particular one.

RESPONSE:

MR. KARL TEITT, SHA-PPD:

The 750 feet is associated with Wetland 7. The additional linear feet is associated with any tributary system. The bridge option because we could not get at least tenth of an acre reduction in wetland impacts. Some of those impacts are associated with Wetland 10-A. Some of the impacts are associated with the Conservation area wetland impacts.

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At the last Interagency Meeting there was some concern expressed about the sub-surface hydrology issue associated with both the D options and the C options. Bob Sheesly, will talk about that in a moment. Both alignments have impacts to the sub-surface hydrology. The main concern, is associated with the Snowden River Parkway interchange construction both with the Option D alignment and the Option Calignment. Several meetings ago, it was suggested by one of the agencies that Snowden River Parkway go underneath MD 100 instead of over top in order to minimize the slope encroachments to wetland systems 10 and 9. Said SHA was able to bring the slopes closer to the main line MD 100 where we created a buffer between the main channel and the proposed alignment. But, when we put Snowden River Parkway underneath MD 100, it actually cut the sub-surface hydrology in that area. The same thing happened with the trumpet style interchange. When we go underneath Old Montgomery Road and create the interchange concept associated with the Option C alignment we still cut that sub-surface hydrology. Introduced Bob Sheesly from Brightwater, Inc. to give additional information regarding the hydrology:

MR. BOB SHEESLY, BRIGHTWATER:

Stated there are some concerns for the hydrology related to the tributary systems and the various options. There has been a geotechnical study completed. Nineteen additional auger borings were drilled in this area to try to determine where the water table was, location, depth, generally flow, etc. On the north side of the system adjacent to and above the wetland, there is steeper topography and a deeper aquifer system because of that topography. As a result of that the ground water that generally drains in this system it drains directly to the over invert of the channel at Deep Run.

On the opposite side, the south side, there is a little bit gentler topography and there are two tributary systems. Because of the arrangement of that topography the tributaries on the south side tend to intercept some of the ground water in this entire system prior to the water getting to the channel. Therefore, only in certain areas that do not drain directly into the invert of the tributaries, does the water drain directly into Deep Run. On the north side there are no tributaries other then one little one, but the major portion of the wetland system drains directly into it. The streams on this side intercept ground water and then it becomes surface water and drains into the stream as surface water.



So, essentially the ground water is not generated at the level of bedrock but more in the upper area known as the Sapperlight area. That is the zone above the bedrock and it being deeper on the north side and shallower on the south side. Since the south side area is shallower, the ground water is closer to the surface but cuts in that area can have a greater impact then the other area because you have more soil in the invert to cut. However, it was found because of the general nature of the whole system that by putting either one of these systems in the trumpet style in the C option or the other Option D on the south side that cuts in those areas could impact ground water. Stated he is only saying it could impact ground water because further study would be needed to demonstrate exactly how much it would be impacted. It would be a rather lengthy study because you have to measure water depth over a long period of time to determine just what the patterns are with the ground water system. But suffice it to say, that any cutting in these areas is a potential issue to be considered.

Impacts to ground water amounts and movement would result in several ways. One way is by removing soil so that there isn't a reduction storage zone comparable to the existing situation. Stated also cutting an area because already has a shallow aquifer system and because of the topography would cut below the invert of this tributary and would impact ground water by draining it as opposed to just removing for storage. Finally, the obvious impact of just impervious surface in various areas would have some localized affect.

Generally we have several different types of impacts. On one side you have a shallower aquifer system and the other side, you have a deeper system. It drains directly into Deep Run, on the north side, on the south side the tributaries intercept it. Because these systems are all interconnected, stated you have to take a good look at that ground water impact. Stated he is very concerned about the hydrology...to these systems and the impact that it would have on this wide stretch of the main stream of Deep Run.

In looking at retaining walls, other types of structures that would be put in, there wasn't as much concern related to hydrology because they can be designed using selected type fills, weep holes, various types of drain systems and in and around culverts and in walls to pass that water. There would not be a situation where we would be cutting or removing it would just be an immediate local impact. Water would be displaced and disbursed maybe around a structure or under a structure but it would not generally interfere with the flow of ground water charging the Deep Run system.

COMMENT/QUESTION:

MR. PAUL WETTLAUFER, A.C.O.E.:

Asked on the north side, where is the area where there's concern with ground water. Stated he is seeing a retaining wall that's a thousand feet long and he is concerned whether that's going to be a permanent disruption to the flow of ground water.

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RESPONSE:

MR. BOB SHEESLY, BRIGHTWATER:

According to the information provided there does not seem to be a problem with the retaining wall because of the way it would be constructed with selected fill, depth could be controlled and they can pass water under that. That's deep there so he's not real concerned about passing that water from a hydrology standpoint to the over burden stream and to the wetland system adjacent to it.

COMMENT/QUESTION:

MR. PAUL WETTLAUFER, A.C.O.E.:

Asked about the area in the of the trumpet interchange. Asked if the cut is too deep and is it below the invert of the stream.

RESPONSE:

MR. BOB SHEESLY, BRIGHTWATER:

The information that was provided was on the south side. Said SHA has more to work with on this side. We have a larger area of topography and it is a little bit different and when you cut at the trumpet interchange on Option C you are not cutting as deep.

COMMENT/QUESTION:

MR. KARL TEITT, SHA-PPD:

Said you still cut the sub-surface hydrology on the cuts for the main line.

MR. BOB SHEESLY, BRIGHTWATER:

Said he thinks the impacts would be more in terms of the first impact which would be removal of invert in certain areas as a result of cut, low balance.

COMMENT/QUESTION:

MR. PAUL WETTLAUFER, A.C.O.E.:

As far as the southern alignment to get around the issue of the cut intercepting the invert of the tributary and possibly draining it. Said it looks like we could go back to the original proposal where Snowden River Parkway came over MD 100 and address that issue.

RESPONSE:

MR. BOB SHEESLY, BRIGHTWATER:

That's correct.

COMMENT/OUESTION:

MR. PAUL WETTLAUFER, A.C.O.E.:

One of the draw backs of that was the encroachment of the fill slopes comes closer to the main channel of Wetland 10.

RESPONSE:

MR. KARL TEITT, SHA-PPD:

Said if SHA looks at the same type of minimization options as far as the steep slopes or the retaining walls we should be able to further reduce the impacts. The issue would be a cost increase.

COMMENT/QUESTION:

MR. PAUL WETTLAUFER, A.C.O.E.:

Asked if we go with Snowden River Parkway over MD 100 is Option D/Modification 2 still possible.

RESPONSE:

MR. KARL TEITT, SHA-PPD:

On all the D options MD 100 goes over top of Snowden River Parkway. Under the original concepts that were presented in December, Snowden River Parkway did go over top of MD 100. But based upon recommendations to limit the field encroachments onto the wetland systems associated with Deep Run we put Snowden River Parkway underneath. If we go over top of MD 100 with Snowden River Parkway it should work for any of the D options.

COMMENT/OUESTION:

MR. DAVE LAWTON, FHWA:

Asked if you're going to go under you're going to be intercepting ground water and you're going to be below the tributary, how are you going to keep that portion of the interchange de-watered.

RESPONSE:

MR. JOHN HAYTER, GREINER, INC.:

We are not below the inverted stream, we're above the floodplain from the stream.

MR. KARL TEITT, SHA-PPD:

But we're below a portion of the tributary.

MR. JOHN HAYTER, GREINER, INC.:

But not in such a manner that even if the tributary floods that it will flood onto the roadway.

COMMENT/QUESTION:

MR. BILL SCHULTZ, US FWS:

Said the road has to be above that 100-year floodplain.

RESPONSE:

MR. KARL TEITT, SHA-PPD:

Yes, and the road is above the 100-year floodplain.

COMMENT/QUESTION:

MR. BILL SCHULTZ, US FWS:

Asked why you are cutting, how deep are you cutting on that

RESPONSE:

MR. JOHN HAYTER, GREINER, INC.:

Said he thinks it's more a question of the fact that we're cutting into the ground water. We should not be discussing interception of the tributary flow. It's only a question of intercepting the ground water flow.

COMMENT/QUESTION:

MR. BILL SCHULTZ, US FWS:

Asked if you're going to take some soil out and put some fill in.

RESPONSE:

MR. JOHN HAYTER, GREINER, INC.:

Said the tributary is in a low spot where Snowden River Parkway is coming through at a high point. Said SHA is cutting through that high point of Snowden River Parkway. Snowden River Parkway is still above the tributary.

COMMENT/QUESTION:

MR. SEAN SMITH, DNR:

Stated from what he's understanding as far as the tributary interception goes, you have an invert of your tributary of this elevation and you're saying that Snowden River Parkway at your modified elevation is going to below that.

RESPONSE:

MR. KARL TEITT, SHA-PPD:

Said the situation that we have is that we either have to raise MD 100 and Snowden River Parkway to get above the water elevation depending on the depth of the water table or we have to bring MD 100 down further and then bring Snowden River Parkway over top.

COMMENT/QUESTION:

MR. SEAN SMITH, DNR:

You have a dashed line there that shows your ground water elevation. The water table followed the contours of the land for the most part so that kind of misrepresents because if that were the case, you'd have a discharge coming out of your side slope.

COMMENT/QUESTION:

MR. BILL SCHULTZ, US FWS:

It's not that big of a deal.

COMMENT/OUESTION:

MR. SEAN SMITH. DNR:

Said that you may be cutting into a water table. But once you put the structure in, there's not going to be water coming across the surface of the road. You can still have a...difference because of your ground water elevations and head it at different ends but the water will flow around the structure and still discharge on the other end. It may change the pathway of water movement but does it actually interrupt ground water flow.

RESPONSE:

MR. KARL TEITT, SHA-PPD:

Only assuming that you have a pervious material on the back end.

MR. BOB SHEESLY, BRIGHTWATER:

The answer is yes it may not have as much impact but the information has been provided based on...analysis suggest that cuts that are going to take place at or near these tributary systems on this particular Option D and the interchange at Snowden River Parkway may cut below these areas sufficient to alter the ground water flow. The invert example was only given to demonstrate that that's where the ground water discharge is reflected in the tributary channel and you would not want to go below that and there would have to be further study done to determine exactly how much impact that would have. We don't have that final answer of how much impact, only that there is definitely going to be some impact.

COMMENT/OUESTION:

MR. BILL SCHULTZ, US FWS:

Asked if they know how much storage will be lost and asked if you know how much the ground water is contributing to the main stem flow during the low flow period.

COMMENT/OUESTION:

MR. SEAN SMITH, DNR:

Asked what types of soils are generally in the project area.

RESPONSE:

MR. BOB SHEESLY, BRIGHTWATER:

They are classified as two types...bedrock but having coastal plain sediments basically on the north side which are very inconsistent which means in some cases you could have deep flow into the invert of Deep Run but also have seeps up in the embankments because of clays or sand lens that would allow the ground water to escape at higher elevations then the inverted stream. So it's fairly inconsistent although unconfined based on those lenses. On the south side the sediments are more consistent.

COMMENT/QUESTION:

MR. SEAN SMITH, DNR:

Said he was wondering whether we are trying to make a relative comparison of this type of ground water impacts from the north and south sides. Said he was wondering in the final land use or the developed state, asked if they are both going to be compacted. Because of development and the highly impervious are at either side so that the ground water characteristics of the area are going to be heavily modified in either scenario.

RESPONSE:

MR. BOB SHEESLY, BRIGHTWATER:

Said he doesn't think any of us can answer what the land use is going to be. Said he thinks that is the intention of Howard County and it looks like it's going to be mixed use but high use. Commercial is more significant with regard to creating problems with ground water recharge then residential. Said he thought SHA would assume that there would be a highest...use of the land.

COMMENT/QUESTION:

MR. SEAN SMITH, DNR:

Asked what type of storm water management would be implemented. Said he knew where the footprint of the roadway proposed, you're going to have drainage coming off different areas possibly for infiltration areas. Said he did not know if it will be feasible to have storm water holding basins in some areas which are going to influence recharge and affect the hydrology in the area in long term.

RESPONSE:

MR. KARL TEITT, SHA-PPD:

Said SHA won't be developing the types of storm water management for this project until it gets to design.

COMMENT/QUESTION:

MR. SEAN SMITH, DNR:

Stated he understood that, but he thinks when SHA is trying to evaluate an impact some of that information is critical.

RESPONSE:

MR. BOB SHEESLY, BRIGHTWATER:

Said the preliminary assessment raised questions that there would have to be much more study done and we can't tell whether it's a greater impact but there is definitely going to some impact.

COMMENT/OUESTION:

MR. PETER STOKELY, EPA:

Asked if you do intercept the shallow ground water by going underneath, wouldn't you then be able to simply discharge it right into Deep Run?

RESPONSE:

MR. BOB SHEESLY, BRIGHTWATER:

Not being a hydrology expert but thinking of common sense you could do a number of different things.

COMMENT/QUESTION:

MR. PETER STOKELY, EPA:

Right now the water is creeping it's way into Deep Run anyway and then you intercept it and you would just end up with a ditch that will continuously be blowing and you could move right into Deep Run.

RESPONSE:

MR. KARL TEITT, SHA-PPD:

Almost create a simulated tributary system.

MR. BOB SHEESLY, BRIGHTWATER:

Eventually the water is going to have to go somewhere and it's going to be passed to the main tributary.

MR. KARL TEITT, SHA-PPD:

Asked if there are any other questions on the hydrology.

COMMENT/QUESTION:

MR. SEAN SMITH, DNR:

Asked if something would be submitted for this examination of relative comparison.

RESPONSE:

MR. KARL TEITT, SHA-PPD:

Stated SHA can certainly take it under consideration. We didn't plan on it right now but we can.

MR. BILL SCHULTZ, US FWS:

Said he thinks it's a little speculative right now without going into a huge study, he doesn't think SHA is going to come up with the answer. Said he is looking at SHA to affect the ground water but he doesn't think it's going to be that big of a deal as oppose to if the county didn't have the highway on the south side they'd have a bunch of commercial development. They'd still have to discharge all that water into the stream and not let it get absorbed into the ground water.

RESPONSE:

MR. KARL TEITT, SHA-PPD:

Said the same could be said for the northern side.

COMMENT/OUESTION:

MR. BILL SCHULTZ, US FWS:

Agreed. The issue is so complex he doesn't think SHA will come up with an answer on how much they're going to affect the hydrology with the highway and the development. Right now he doesn't think that SHA even knows how big a discharge the ground water contributes to the stream itself. SHA doesn't know what portion of the ground water is to the low summer flow. It could be less then 50%.

COMMENT/OUESTION:

MR. PAUL WETTLAUFER, A.C.O.E.:

Asked based on the information that we have now, do you see this issue as being one that should factored into a decision on which of these alignments should be considered or do you see it more as an issue of a problem that we have on either alignment that will be dealt with regardless of which one is selected.

RESPONSE:

MR. KARL TEITT, SHA-PPD:

As far as the main line alignments and the location which alignment you would select, it should not be used as part of the decision factor. It's something through our preliminary investigations that we have picked up.

The last chart is the noise abatement effectiveness chart. We are looking at all the options again, the original Option C/Modification 1 and all four of the Option D alignments. Above each of our colored alignment graphics we have tried to show the 67 decibel line as it relates to that alternative. Out of all the noise sensitive areas that we analyzed and going through our cost benefit ratios and the number of residences protected, essentially we have two systems of continuous noise barriers.

The first barrier would be on the north side of the MD 100 alignment. It would start approximately at MD 104 and run parallel with the alignment of either Option C or Option D to a point just east of Hunt Country Estates. A second continuous noise barrier would run from MD 104, running parallel to the MD 100 alignment to a point just east of Village of Montgomery Run. There are some differences between this information and the information that was approved in 1989 FEIS for this project. Under the 1989 study another barrier was warranted in the vicinity of Brightfield which is just east of Old Montgomery Road. Since we have imposed a southern shift away from that community noise abatement is no longer required for that noise sensitive area.

The other barrier that we were looking at was in the vicinity of Mullineaux Road. It would reduce noise at five or six residential properties on the south side of the alignment. The barrier is not cost effective so that we are not looking at a barrier at that location. SHA is also going to investigate earth berms as noise mitigation or a combination of berm/wall scenarios.

MR. DAVE LAWTON, FHWA:

Asked if when you're evaluating some of those barriers and determining cost effectiveness, you're trading off the number of residences against the total cost of a full height barrier and that barrier being a concrete barrier.

RESPONSE:

MR. KARL TEITT, SHA-PPD:

Agreed.

COMMENT/QUESTION:

MR. DAVE LAWTON, FHWA:

Asked if this is basically a waste job.

RESPONSE:

MR. KARL TEITT, SHA-PPD:

Said yes.

COMMENT/QUESTION:

MR. DAVE LAWTON, FHWA:

Asked if using a combination of berms and walls could end up being much cheaper.

RESPONSE:

MR. KARL TEITT, SHA-PPD:

Agreed. One thing that must be cautioned is that in the areas that the barriers are necessary the right-of-way limitations may prohibit us from going to the berm/wall combinations but that will be part of our continued analysis for noise.

COMMENT/QUESTION:

MR. DAVE LAWTON, FHWA:

Confirmed that those areas don't appear to be cost effective, they will be looked at.

COMMENT/QUESTION:

MR. SEAN SMITH, DNR:

Asked if it's expected that any of the noise barriers will result in additional wetland impacts.

RESPONSE:

MR. KARL TEITT, SHA-PPD:

That has yet to be determined. Where we're looking at barrier that are feasible, we are looking at the construction right on top of that structure, so there wouldn't be any additional wetland impacts associated. Asked if there are any other questions on noise and there was no response.

Suggested that because the bridges span all the floodplains and since they have the same environmental impact as the bridges that span the wetlands that no further consideration for bridges that span floodplains be considered in further studies.

The second recommendation is that the bridge that span the channel options be dropped. Since the analysis actually indicates an increase in wetland impacts he wanted to eliminate that option from further study.

MR. PAUL WETTLAUFER, A.C.O.E.:

Said he concurs.

COMMENT/QUESTION:

MR. SEAN SMITH, DNR:

For example the D option, the main stem crossing of Deep Run with MD Route 100, although we would rule out floodplain crossings for all the other areas that would be retained just for that crossing, for any of the modifications.

RESPONSE:

MR. KARL TEITT, SHA-PPD:

Said Option C is the only one that spans the main channel of Deep Run. Because the limit of floodplain is so close to the wetlands already the bridge structure on Old Montgomery Road already spans that, we are spanning the existing structure so SHA won't have any impact on that.

COMMENT/QUESTION:

MR. PAUL WETTLAUFER, A.C.O.E.:

Stated he thinks also at the main channel under the D option, SHA is going to have a bridge for the westbound lane and he believes it does impact some floodplain there. The bridge that spans the wetland only would impact some additional floodplain.

RESPONSE:

MR. KARL TEITT, SHA-PPD:

The floodplain limits illustrate the surface hydrology that occurred prior to the construction of the this regional storm water management pond. Since the construction at regional storm water management pond the base flow of Deep Run has drastically been reduced as far as the storm events. There's only a limited number of CFS (cubic feet per second) that can be produced from that pond itself. If this pond stays in place, these limits are going to be reduced. FEMA studies are currently of being re-evaluated and are not finalized yet. The wetland and the stream channel impacts are the same for the floodplain span versus the wetland span and he recommended that we drop the floodplain alternatives. Asked Bill Schultz how he felt about those two recommendations.

MR. BILL SCHULTZ, US FWS:

He concurred with that.

COMMENT/QUESTION:

MR. PETER STOKELY, EPA:

Said he concurs too.

MR. DAVE LAWTON, FHWA:

Said FHWA concurs as well.

MR. SEAN SMITH, DNR:

Concurred.

MS. CHRISTINE WELLS, MD OFFICE OF PLANNING:

Concurred.

MR. KARL TEITT, SHA-PPD:

Said from this point forward we are no longer going to study the bridges that span the channels or bridges that span the floodplains for any of the four options.

COMMENT/QUESTION:

MR. PAUL WETTLAUFER, A.C.O.E.:

For clarification, all of us eliminated the bridge that spans the channel only. SHA is still keeping in a bridge that spans the channel and the wetland associated with it.

RESPONSE:

MR. KARL TEITT, SHA-PPD:

Stated the bridge that span the channel option is the bridge size that is the minimum hydraulic size required to keep that flow. When SHA looks at the bridging for the wetlands, we span the channel and the wetlands. When we look at bridging the floodplains, we look at bridging the channel, the wetlands and the floodplains.

MR. JOHN HAYTER, GREINER, INC.:

Stated when we bridge just the channel we do have wetland impacts and we may have channel impacts because of the span.

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MR. BILL SCHULTZ, US FWS:

Asked for clarification of the walls means you use a culvert, like a box or a reinforced concrete pipe.

RESPONSE:

MR. KARL TEITT, SHA-PPD:

Replied correct, along with retaining walls.

COMMENT/QUESTION:

MR. BILL SCHULTZ, US FWS:

Said if you drop the bridge over the channel, then the bridge that spans the wetland is going to drop out just on economics. The Fish and Wildlife Service agrees to dropping the bridge that spans a floodplain. He wanted to think about the other two because it looks like we might have dropped two more out just by agreeing on dropping the bridge that spans the channel.

COMMENT/QUESTION:

MR. KARL TEITT, SHA-PPD:

Asked Bill Schultz if he is changing that purely on the financial end.

RESPONSE:

MR. BILL SCHULTZ, US FWS:

Replied it's a little more complicated then that. Feels he moved a little too quickly, though the bridge that spans the floodplain and the bridge that spans the wetland, they're the two that were being dropped.

MR. KARL TEITT, SHA-PPD:

Asked if he wanted to concur on that.

MR. BILL SCHULTZ, US FWS:

Replied no.

COMMENT/QUESTION:

MR. KARL TEITT, SHA-PPD:

When we look at bridges that span the channel we actually increase the overall wetland impacts when we compare it to the wall options.

What we're ending up with is we have slopes, the walls and then we have the reduction of wetland impacts. Obviously there's going to be a cost increase for the bridges that span the wetlands.

COMMENT/OUESTION:

MR. BILL SCHULTZ, US FWS:

Stated he'd like to drop the bridge that spans the floodplains right now. Said he hasn't had a chance to look at all the tables. He wants to study the tables and then make his decision on what else to drop.

RESPONSE:

MR. KARL TEITT, SHA-PPD:

'Asked Bill to get back to us then.

COMMENT/OUESTION:

MR. DAVE LAWTON, FHWA:

At the bottom of this summary of impacts chart SHA shows the base conditions and the acreages affected. Asked if there are any costs for those.

RESPONSE:

MR. KARL TEITT, SHA-PPD:

Replied yes, unfortunately the right-of-way cost have not been updated yet. As soon as those right-of-way costs are updated those costs will be included.

COMMENT/OUESTION:

MR. DAVE LAWTON, FHWA:

Said he thinks it would be valuable because he'd like to look at some of these options in light of how far we've come so far and not just as an incremental thing.

COMMENT/OUESTION:

MR. PETER STOKELY, EPA:

Stated he was thinking that comparing it to the FEIS would be helpful because there's still people out there who think the FEIS alignment should be considered. He asked how much work would it be for SHA to roughly estimate the cost the FEIS alignment through the area that was discussed. SHA already knows the wetland impacts and the stream channels.

RESPONSE:

MR. KARL TEITT, SHA-PPD:

SHA will get back to you on that. We have the information as it relates to the December Supplemental Hearing. Said SHA has not broken out the information.

COMMENT/QUESTION:

MR. PETER STOKELY, EPA:

Stated he just wanted a summary of impacts, not the detailed wetland class and wetland type etc.

RESPONSE:

MR. KARL TEITT, SHA-PPD:

Said he'll see what he can do.

COMMENT/OUESTION:

MR. PAUL WETTLAUFER, A.C.O.E.:

Stated we are left with some alternatives that look at bridges at every crossing or culverts with fill slopes or culverts with retaining walls. Although we're interested in bridging some of the channels we're not asking that all of them be bridged. The side tributaries don't need to be bridged.

COMMENT/QUESTION:

MR. SEAN SMITH, DNR:

There may be other options, such as a bottomless arches, for some of those crossings which are less expensive.

COMMENT/OUESTION:

MR. PAUL WETTLAUFER, A.C.O.E.:

Asked if there would be any benefit in giving SHA some indication for the bridge alternate and where the bridges should be.

RESPONSE:

MR. KARL TEITT, SHA-PPD:

Said yes. On Wetland 12 which is impacted by the MD 103 MD 100 interchange, SHA was looking at all five of those scenarios at that location. Asked Paul Wettlaufer what he would suggest at that location.

MR. PAUL WETTLAUFER, A.C.O.E.:

Asked what is there in the way of the wild life corridor.

RESPONSE:

MR. KARL TEITT, SHA-PPD:

Said that area is proposed as a golf course with residential development around the golf course. Also an area is planned for development. From Mullineaux Road down to MD 103, it is currently under construction for development. The majority of both of those quadrants are all going to be developed in some fashion comparing to existing conditions.

COMMENT/QUESTION:

MR. BILL SCHULTZ, US FWS:

Asked if Karl Teitt wants him to address that issue.

RESPONSE:

MR. KARL TEITT, SHA-PPD:

Replied yes. Suggested the one to one slopes at this location.

COMMENT/QUESTION:

MR. BILL SCHULTZ, US FWS:

Asked if he meant a box culvert also.

RESPONSE:

MR. KARL TEITT, SHA-PPD:

Said yes.

COMMENT/QUESTION:

MR. PAUL WETTLAUFER, A.C.O.E.:

Commented with retaining walls.

RESPONSE:

MR. KARL TEITT, SHA-PPD:

If the group goes with steep slopes with any type of culvert we would not have retaining walls.

MR. PAUL WETTLAUFER, A.C.O.E.:

Asked if we can eliminate bridges because there's a whole range of thing that could be considered other then bridges, bottomless culverts, culverts with retaining walls, culverts with slopes.

RESPONSE:

MR. BILL SCHULTZ, US FWS:

Said he concurs with Paul's recommendation. I don't think we need a bridge at that wetland crossing.

RESPONSE:

MR. KARL TEITT, SHA-PPD:

Everything associated with Wetland 12 will be either include steep slopes with culverts or retaining walls with culverts and that's all. Asked if anyone objected to that.

COMMENT/QUESTION:

MR. PAUL WETTLAUFER, A.C.O.E.:

Asked if anyone feels they need to see this in the field first.

COMMENT/QUESTION:

MR. BILL SCHULTZ, US FWS:

Asked him to repeat what he said.

MR. KARL TEITT, SHA-PPD:

At Wetland 12 SHA will only consider steep slopes with box culverts and retaining walls with box culverts.

RESPONSE:

MR. BILL SCHULTZ, US FWS:

Said that's fine with Fish and Wildlife Service.

MR. KARL TEITT, SHA-PPD:

Wetland 11-A is minor, the conservation area, we didn't analyze of the options there. Wetland 11, asked if the bridge options can be dropped. Again, the situation is the development activity at Brightfield Community, there is the Maryland School for the Deaf and there's an open area that has been purchased by Howard County for future development. Asked if the bridge options can be eliminated.

COMMENT/OUESTION:

MR. PETER STOKELY, EPA:

Asked what the flow is. Asked if it is intermittent or perennial.

RESPONSE:

MR. BILL SCHULTZ, US FWS:

Replied perennial. It's about three feet wide. Said you would not need a bridge for a wildlife corridor in that wetland system.

COMMENT/QUESTION:

MR. KARL TEITT, SHA-PPD:

Asked if anybody objects to dropping the bridge options at Wetland 11.

RESPONSE:

MR. PAUL WETTLAUFER, A.C.O.E.:

Replied no.

COMMENT/QUESTION:

MR. KARL TEITT, SHA-PPD:

Asked if anybody objects to dropping the retaining wall options at Wetland 11.

RESPONSE:

MR. PAUL WETTLAUFER, A.C.O.E.:

Replied yes.

MR. KARL TEITT, SHA-PPD:

We'll continue with the same scenario as Wetland 12. SHA will continue with slopes with culverts and retaining walls with culverts. Asked if anyone disagrees and that and no one responded. Said where MD 100 crosses Old Montgomery Road, that it's been determined it will be on a structure.

COMMENT/OUESTION:

MR. PAUL WETTLAUFER, A.C.O.E.:

Asked Bill Schultz if he remembered this wetland. Said Deep Run passes under Old Montgomery Road in a bridge that's very close to the ground. Said he thought it would benefit wildlife. Said there isn't room for deer in this corridor, just small mammals. Once MD 100 is built, it would be a benefit to wildlife if they could pass under Old Montgomery Road and stay in the stream channel.

RESPONSE:

MR. BILL SCHULTZ, US FWS:

Said he would let that issue pass there. It doesn't look like it's a real significant issue due to the development and potential development in the area from the Fish and Wildlife Services perspective.

COMMENT/OUESTION:

MR. KARL TEITT, SHA-PPD:

Asked if there are any other comments to the Old Montgomery Road and there was no response. Wetland 10-A is a minor system. Asked if anybody objects to dropping the bridge options at the tributary of Wetland 10 as it enters into the main channel of Deep Run.

RESPONSE:

MR. SEAN SMITH, DNR:

Asked to see it in the field again.

COMMENT/QUESTION:

MR. KARL TEITT, SHA-PPD:

Said we'll leave that open until Sean Smith has a chance to review it. Wetland 6-A as it enters the confluence to Wetland 8. Asked if there is any objection in dropping the bridge option there.

RESPONSE:

MR. PAUL WETTLAUFER, A.C.O.E.:

Said he didn't object to dropping it for the eastbound lane of Option D where the highway is over the tributary. The westbound lane is going to cross a part of the main channel where the confluence of that tributary into the main channel and he definitely wants a bridge considered there.

COMMENT/QUESTION:

MR. KARL TEITT, SHA-PPD:

Asked if anyone else objects to dropping the bridge option for the eastbound lanes.

RESPONSE:

MR. SEAN SMITH, DNR:

While he's out looking at Wetland 10 he'll look at that area as well.

RESPONSE:

MR. PETER STOKELY, EPA:

Stated they're probably very similar if the issues are the same as Wetland 10. Said it seems to him that the Wetland 6 is similar.

COMMENT/QUESTION:

MR. KARL TEITT, SHA-PPD:

SHA will keep it open until Sean Smith looks at it.

COMMENT/OUESTION:

MR. SEAN SMITH, DNR:

Asked if that corridor is developed.

RESPONSE:

MR. KARL TEITT, SHA-PPD:

Replied yes.

MR. SEAN SMITH, DNR:

Asked what the width of the riparian corridor that's available there.

RESPONSE:

MR. BILL SCHULTZ, US FWS:

Replied near zero. It has a riparian corridor but no floodplain. It's deeply sized channel. It has a very thin strip of shrubs and trees but the stream itself is probably four to eight feet deep below the bank.

RESPONSE:

MR. DAVE BOELLNER, SHA-EPD:

Said the width is twenty to thirty feet.

RESPONSE:

MR. BILL SCHULTZ, US FWS:

Stated it's just above the stream, you're looking at least four feet but more like six to eight feet above the stream where you have your riparian corridor.

COMMENT/QUESTION:

MR. PETER STOKELY, EPA:

Asked if going with the bridge option on the westbound lanes would eliminate the stream channelization of the main stem in that area.

RESPONSE:

MR. KARL TEITT, SHA-PPD:

Replied yes. If you look at the summary of impacts bridging wetlands on the main channel we would still eliminate all the main channel relocations required.

RESPONSE:

MR. BILL SCHULTZ, US FWS:

Replied we will be looking at bridge westbound lanes only.

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COMMENT/QUESTION:

MR. KARL TEITT, SHA-PPD:

Said Wetland 7 is already being relocated. As it is now, we are dropping all bridge options for Wetland 12, dropping all bridge options for Wetland 11. Tentatively dropping bridge options for Wetland 10 tributary and 6-A tributary for the eastbound only until a field review is held to have further investigation on that. Asked if anybody objects to that and no one replied.

COMMENT/OUESTION:

MR. BILL SCHULTZ, US FWS:

Asked for a summary on the summary of impacts.

RESPONSE:

MR. KARL TEITT, SHA-PPD:

On any of the D options or C options as they relate to Wetlands 11 and 12, there will be no bridge options studied at those locations and the verdict is still out on the two tributaries on the south side of Deep Run until the field review. Once we have the field review or once Sean Smith gets a chance to go out and review it and gets back to us, we will redevelop this summary of impacts table that would illustrate changes for each of the alignment modifications. We're also eliminating in full any of the bridge options that span the floodplain completely. We have tentative approval on your final concurrence on dropping the bridge spanning the channel options.

COMMENT/QUESTION:

MR. BILL SCHULTZ, US FWS:

On those wetlands we were just talking about, Wetlands 11 and 12, I've already concurred. On dropping bridges under any option but I'm canceling concurrence on dropping bridges on those other wetlands (6-A through 10).

RESPONSE:

MR. KARL TEITT, SHA-PPD:

Replied correct. The final thing that needs to be done is to combine minimization options for each alternative to develop the minimum permitable alignment.

MR. PAUL WETTLAUFER, A.C.O.E.:

Suggested an alternative where the eastbound roadway is approximately the D alignment, the westbound roadway is approximately the C alignment. The advantages of it as compared to C. First of all at Hunt Country Estates you're not taking any of the residences or their property. As far as the resource, it would be one bridge of about 300 feet long. Under Option C it would be 600 feet of bridges for the two bridges because one of them is up and to span the entire wetland, it would be a bridge that's over 500 feet and one that was over 250 feet. As far as impacts and costs, he said you can span the wetland system at much less cost with just having one roadway. Option D there is two roadways. The eastbound lanes were no problem because you could get it over that tributary with minimal impact maybe, just a box culvert and possibility with retaining walls. The real problem was with the westbound roadway. It's directly over the confluence of this tributary into the main stem and although you could bridge and span the entire wetland. The confluence itself if going to be in the shade of the structure. He doesn't think there's any possibility for sunlight to get in there because you have the other roadway built exactly parallel to it with only a little opening in the median. There might be a concern there with no vegetation in the area of the confluence is to the stability of that confluence over time.

In the area crossing Old Montgomery Road, he recommends you could one bridge instead of having two bridges. Of course with two bridges, there is the concern of spanning the wetland and the roadway. On both roadway it would be two major length bridges and it's down to one bridge.

COMMENT/QUESTION:

MR. BILL SCHULTZ, US FWS:

Asked if that could be put in a culvert.

RESPONSE:

MR. PAUL WETTLAUFER, A.C.O.E.:

Replied no, this would be similar to Option C in that the Old Montgomery Road was going to go over MD 100. Although you have a bridge, it's a less expensive bridge then putting the main line over.

Another advantage, from a traffic perspective, is that it has the trumpet interchange which gives better service then the diamond interchange. Stated you need to have a bridge over the main stem of Deep Run for Snowden River Parkway. Based on what was heard this morning, it looks like we might want to consider putting Snowden River Parkway back over MD 100 if we go with Option D. That means that the impact, associated with Option D is no longer accurate. It would definitely increase that impact by either putting Snowden River Parkway over MD 100 or by raising both MD 100 and Snowden River Parkway.

MR. SEAN SMITH, DNR:

Stated that since there is only one lane on that side the necessity isn't as great because you can have a higher crossing in that area.

RESPONSE:

MR. PAUL WETTLAUFER, A.C.O.E.:

Stated that under this option the impact should certainly be no worse then was proposed under Option D.

COMMENT/OUESTION:

MR. DAVE LAWTON, FHWA:

Stated that from a standpoint of the wildlife resource associated with that wetland, isn't SHA impacting it even though there is not direct filling of the wetland because you're basically fencing the wetland with a highway.

RESPONSE:

MR. PAUL WETTLAUFER, A.C.O.E.:

Keep in mind that under Option C. This would have been developed with very high intensity development and a lot of paved surfaces and also there's really no impediment to them developing right up to the edge of the channel because on the south side the wetland limit was the channel itself. Except for the buffer requirements that the state and the county have there are no controls to keep them from developing right up to the stream system. He stated that he's trying to point out that with C and there isn't a real desirable situation for wildlife.

RESPONSE:

MR. BILL SCHULTZ, US FWS:

Stated that he is more worried about the longitudinal encroachment rather then whether it intercepts groundwater or not. Stated he would prefer under any option that the Snowden River Parkway be lower because he is more worried about the surface hydrology dynamics to the stream. Stated that the biggest issue with the stream system is the fish, not the wildlife situation because what you have is a very narrow corridor. So the wildlife that is remaining in the area utilizes, for the most part, that corridor and there might be a little bit more wildlife mortality with this split system but there is going to be more habitat with this.

MR. SEAN SMITH, DNR:

Stated that he wanted to mention something else that's a concern with either the C or D options. Stormwater management isn't going to be done until final design and if there's intense development on one side of the roadway and it's sloping down towards the valley, then the logical place where you'd be implementing storm water management is in between the proposed alternative and Deep Run on either option. And with this scenario it looks like there may be more space to accommodate that then you would in either of the other options. The concern is that there is going to be additional wetland impacts, additional forested impacts and additional buffer impacts associated with the stormwater management.

COMMENT/QUESTION:

MR., BILL SCHULTZ, US FWS:

Agreed that there will be more potential habitat with this option in terms of wildlife habitat because you're preserving the area in between.

COMMENT/QUESTION:

MR. PETER STOKELY, EPA:

Asked how this fits into the future widening scenario for the additional lanes.

RESPONSE:

MR. PAUL WETTLAUFER, A.C.O.E.:

Stated that the Corps would want to put the retaining wall in it's ultimate location. The Corps doesn't want to come in 20 years from now and tear it down and rebuild it further this way. He thinks the State Highway Administration would not want to come in 20 years from now and tell Hunt Country Estates the State is going to widen on their side of the roadway. He thinks it's prudent for SHA to put the ultimate earth work in now.

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SHA Interagency Review Meeting November 17, 1993

Contract No. HO 661-201-771

MD 100: From MD 104 to I-95 in Howard County

Status: Update

MR. KARL TEITT, SHA-PPD:

Today we will give you a status update of the information we're developing subsequent to our September 29th field review. Before I get into that I want to talk a little bit about the mapping procedures that we use, just to clear up some confusion in the past and hopefully prevent any confusion in the future.

The mapping that we're using for MD 100 is 200 scale. The mapping is developed from aerial photography that was flow at an elevation of 6,000 feet with a six inch lens. When we divide that flight elevation by a factor of six you obtain what the actual mapping scale is. So the mapping scale is a thousand foot per inch. We apply an increase factor of five in order to get the scale of mapping that we're using. When we identify small streams within a corridor, mapper cannot identify the edge of streams because of it's size; they try to approximate as best they can the centerline of that stream. There was some confusion on the MD 100 study about taking distances from top of stream bank or from the center line of stream.

The reason for the September 29th field review was to investigate the location of the proposed retaining walls at each of the major stream crossings or tributary crossings with specific emphasis on the areas of Wetland 6A and 8, 11 and 12. In the area of 6A and 8, the comments from the agencies were that the wall location. It was requested of SHA to investigate an alignment shift of the westbound lane southward so that we can get greater distance between the roadway and Deep Run. This shift would maximize or give us the potential to maintain that banks stabilization so that we would not get the erosion. We have been able to develop an eight foot shift in the westbound lanes within the median to get the wall eight feet further away from Deep Run. We're also looking at a cantilevered retaining wall design, where part of the roadway section would be on the leg of the L. This would allow us to design and construct the wall further away from the stream without having to actually move the roadway.

Another option was to look at reducing the outside shoulder width from the ten foot width to an eight foot width. If we reduce the shoulder width from ten foot to eight foot we can obtain approximately a 14 foot shift from what was originally staked out in the field for the retaining wall on the September 29th field review. We would prefer for safety reasons not to do an eight foot shoulder at that location because of the interchange ramp coming from northbound Snowden River Parkway to westbound MD 100. The original design at that ramp called for that ramp to extend across the tributary to Deep Run. We have since pulled back that accel lane to the minimum possible and are tieing it back into main line right before the restricted area. We would prefer to maintain that ten foot shoulder width within that area to maintain the safety of the roadway. If we keep the ten foot shoulder we'd be able to maintain a twelve foot shift in the actual retaining wall location in comparison to the original stake out of the wall.

November 17, 1993

We also did a cost comparison between the two vertical alignments that were maintained. Option D/Mod 1 and Option D/Mod 2, (Option D/Mod 1 is a high profile, Option D/Mod 2 is the low profile). We compared a retaining wall option with a cantilevered section with the bridge option that was also suggested from the minutes of the September 29th field review. The retaining wall for Option D/Mod 1 is approximately \$1.3 million and the bridge option is approximately \$2.1 million. For Option D/Mod 2, the retaining wall option is approximately \$544,000 and the bridge option is \$1.7 million.

The second area of concern was the area of Wetland 11 which is located just east of Old Montgomery Road and just southeast of the Brightfield subdivision. It's associated with a tributary to Deep Run. What we were requested to investigate was widening the median, providing retaining walls on both the outside and the inside edge of lane. The widening would consist of 100 foot length between the two inside retaining walls, giving 100 feet of unobstructed stream within the median of the roadway. This option results in a cost increase of approximately \$1.2 million. There are no wetland or steam impact increases or decreases but there is an increase of forested impacts of 2.5 acres. Also at Wetland 11, there is the Issue of a bottomiess culvert versus the double box culvert as proposed by SHA. Based on the cost and the lack of improvement on the natural environmental issues, SHA recommends not proceeding any further with the bottomiess culvert design option.

The next issue centered around the interchange configuration at MD 103/100. There are two options that are different from what was presented at the December, '92 public hearing for MD 100. The half cloverleaf was suggested by the Corp of Engineers. The reason to look into this particular option was to minimize the wetland impacts of stream impacts associated with Wetland 12. SHA has proposed a second interchange option which is a compressed diamond interchange.

If we look at forested impacts, the compressed diamond has a reduction of 1.17 acres of forested impacts. The half clover has an increase of .4 acres of impacts. As far as wetland impacts, the compressed diamond reduces the overall wetland impacts by two tenths of an acre and the half clover decreases it by .12 acres. When we look at stream channel impacts, the compressed diamond results in a reduction of 80 feet, the half clover results in a reduction of 125 feet. When we compare the cost between the two alternatives, we have a cost increase with the compressed diamond of approximately \$184,000 dollars and for the half clover we have a cost increase of approximately \$580,000. Based on this information, SHA is recommending going with the compressed diamond interchange.

The last issue that we talked about as a result of the September 29th field review was the area of Wetland 12 which is located just northeast of Meadowridge Road or MD 103. During our field review it was discussed that the delineation that the State had previously identified included some upland areas. Subsequent to that SHA has re-delineated and re-surveyed that. The change in the wetland values have not been calculated yet. The issue was also raised about the bottomiess culvert versus box culvert. Asked if there were any questions.

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COMMENT/QUESTION:

MR. PAUL WETTLAUFER, A.C.O.E.:

Asked if any conclusions were reached on the bottomless culvert issue.

RESPONSE:

MR. BILL BRANCH, SHA EPA:

Said he could address that in terms of wildlife passage.

MR. PAUL WETTLAUFER, A.C.O.E.:

Said there is not much terrestrial wildlife other than small mammals.

MR. BILL BRANCH, SHA EPA:

It's our feeling, based off of the five year research project that we just finished on I-97 with Appalachian Environmental Labs, that small mammals tend not to use long structures. The pipes down there were sized in anticipation of getting some deer data. In fact, large mammals also did not use these structures. However, they were used by medium sized mammals which in the most part utilized these wetlands areas as part of their home range requirements, but did not use them exclusively as their only home range. So they're ranging through the uplands and lowlands of their home ranges which are generally half a square mile or greater for most of the animals considered (fox, raccoon, possum, mink, musk rat, etc.).

The interesting thing we found was that the animals preferred dry cells for movements. They did move through these pipes on I-97 but they did not use them when the pipes were wet; they tended to use the dry pipes rather than the wet pipes. Our feeling on bottomless arches is that carrying the hydrology and some sort of terrestrial pathway through them is not going to work. The box culvert design which has a low flow cell and an adjacent storm flow cell (the storm flow cell being dry in other than the storm period) acts as the best means of transport and pathways for these animals. If you're looking for a structure to move wildlife the best design is actually the multiple box culvert structure rather than the pipe arch.

MS. LINDA KELBAUGH, SHA-EPD:

I'm trying to coordinate a field tour of this type of structure so everybody can see how they actually do work in the field. The first week in December is our target date.

November 17, 1993:

COMMENT/QUESTION:

MR. PAUL WETTLAUFER. A.C.Q.E.:

Asked why it would be difficult to construct both a stream and a dry shelf for wildlife passage under an arch.

RESPONSE:

MR. BILL BRANCH, SHA EPA:

Said what you're trying to do is protect stable stream banks adjacent to those small stream systems. Height of fill over the structures is a factor in the size of the arches. In areas other than where there is bedrock to place these arches, they require a footer construction; a footer is constructed on either side of the stream, you've effectively disrupted the stream bank. Then the arch is placed on top of it and backfilled for a significant length, replacing a natural stream channel with some meander pattern to it with a straight section of stream through the length of arch. On flood events, there's going to be a continual disruption of that material and a straightening of the channel within the arch. The materials lost are going to be unstable and lend themselves erosion, providing mud flats and dislocation of the stream channel within; there would be no stable adjacent bank that wildlife would want to use. They certainly aren't going to go up the stream, which is what we found in these large pipes on 1-97. There we had an extensive amount of fill on top of the pipes and were trying to encourage deer passage, so we used a 15 foot by 20 foot elliptical pipes. We found during that study that bottom material was a problem because they were trying to travel across corrugated metal; but the boxes provide a smooth surface with is much more conductive to wildlife passage. The dry passages will get some deposition during the flood flows, so there will be some sort of natural material within those. The results of the five year research project at I-97 showed that while we anticipated the mammals would want to follow along the stream courses, they actually wanted to follow the stream courses along a dry area. Our multiple box culvert designs have been changed in the last several years to actually not only produce better results for the low flow systems and the fisheries resources in terms of fish passage, but also to provide these dry cells for wildlife movements.

November 17, 1993

One of the first things we did when I started with State Highway Administration was undertake a two year study. We had Harford County and Baltimore County maintenance crews send us reports on all the road kills that they were finding. A road kill is a negative factor of roads, but the research also indicates that this is not a detriment to the overall populations of these animals. We were getting usage in crossing our road system, rather than through any culverts. The deer fencing that we've put up restricts deer movements, but there are significant areas along the length where the adjoining topography does not meet the ground. This means there are a lot of areas where small and medium sized animals get under the fence and cross over. A lot of studies have indicated that our right-of-way fencing actually increases the populations of medium sized mammals such as fox because of the flood resources that become available along the right-of-way in terms of small mammals. If we want to maximum mammal flow through pipes, our data indicates that the dry cell versus the wet cell is better for that.

COMMENT/QUESTION:

MR. PAUL WETTLAUFER, A.C.O.E.:

Said we could probably go along with your idea on this project of using one dry cell and one wet cell, especially if we get some cost data to show that it would be much more expensive to construct a bottomless arch. But in general, I would still feel that the bottomless arch is going to be better for wildlife and aquatic species than the concept that you're describing of one dry cell and one wet cell. You should go to Charles County to take a look in the Constitution Hill subdivision which is probably the best example that we've seen of a bottomless arch spanning a small stream of the caliber and size of Wetland 12. The stream does meander under the culvert (it was disturbed during construction and artificially recreated) if has a natural bottom, banks are stabilized with stone so that it won't move. There's a flat level shelf next to the stream on both sides and there's plenty of evidence from the tracks there that wildlife are using it. During storm events, there is some deposition that occurs up on that shelf, so there's natural material deposited there all the time which certainly doesn't hurt the wildlife passage any. As far as aquatic species, it has a much more natural bottom than a pipe.

RESPONSE:

MR. BILL BRANCH, SHA EPA:

Replied he would like to see it. Maybe we can utilize the same day to take a look at other samples.

COMMENT/QUESTION:

MR. PAUL WETTLAUFER, A.C.O.E.:

Said the Charles County one was the upper span, 40 foot.

November 17, 1993

MR. BILL BRANCH, SHA EPA:

Asked what the length of the stream was going underneath the structure.

RESPONSE:

MR. PAUL WETTLAUFER, A.C.O.E.:

Replied it was a two lane sub-division road on about a fifteen foot high fill, so it was probably a hundred feet.

MR. KARL TEITT, SHA-PPD:

Asked if there are any other questions.

MR. KARL TEITT, SHA-PPD:

Said he believed it was the Army Corps that requested that we investigate the 16 foot shift from the original stakeout location of the retaining wall for the revised retaining wall location. Asked what the Corp's position is on obtaining the 12 to 14 foot shift versus the 16 foot shift.

RESPONSE:

MR. PAUL WETTLAUFER, A.C.O.E.:

Questioned if the 12 to 14 feet would be measured from the point that we were standing at that was closest to the tributary coming in.

COMMENT/QUESTION:

MR. KARL TEITT, SHA-PPD:

Explained that the 12 or 14 feet is from the original wall location, not the top of stream bank. So the top of stream bank to the face of the wall would actually be more than that - it would average 15 to 17 feet.

COMMENT/QUESTION:

MR. PAUL WETTLAUFER, A.C.O.E.:

Said if you can document all that you told us today in a letter we'd be glad to respond to it. I'd like to give my supervisor an opportunity to have input on this one.

MS. CYNTHIA SIMPSON, SHA-PPD:

Asked if anyone else has any comments.

MR. DAVE LAWTON, FHWA:

Said we very much support a full width shoulder at the end of the accel lane because of safety implications.

COMMENT/QUESTION:

MS. MICHELLE HUFFMAN, WRA:

Asked how the box culverts would be constructed so that one is dry.

RESPONSE:

MR. KARL TEITT, SHA-PPD:

Said that based on the recommendations that we had from the agencies at the field review as well as our recommendations, we would develop the initial box culvert that would encompass the stream to be the full width of the stream channel and not wider. We would bury that box so that the invert is two to three feet below the natural stream. Where required, we would design any baffles or restricters. The second box would be adjacent and at a higher elevation.

COMMENT/QUESTION:

MS. MICHELLE HUFFMAN, WRA:

Said that in the past, Bridge Design hasn't liked using boxes that are not at the same elevation.

RESPONSE:

MS. LINDA KELBAUGH, SHA-EPD:

Said we have some State Highway Administration applications where we have depressed the low flow culvert and then built additional cells for flood stage at a higher elevation. Hopefully we'll be looking at doing more of that.

MR. KARL TEITT, SHA-PPD:

Asked if there are any other questions.

MR. MARK DUVALL, SHA-PPD:

The next meeting is December 15, 1993.

Sect. VIII-C3 Field Reviews

Interagency Field Reviews

Greiner

D0165.57-8.0 (D0142.90)

April 5, 1993

MEMORANDUM

TO:

File

FROM:

John E. Hayter

REFERENCE:

Maryland Route 100

MD Route 104 to Interstate Route 95

Supplemental Environmental Impact Statement Alternative 3, Options and D Modifications Groundwater Hydrology Field Meeting

A meeting was held on April 2, 1993, at the project site adjacent to the Hunt Country Estates and Villages of Montgomery Run subdivisions. The meeting was held to review the groundwater hydrology of the referenced project. The following were in attendance:

Karl Teitt

SHA Project Planning

Howard Johnson

SHA Environmental Planning

Mark Crampton

SHA Highway Design

David Boellner

SHA Environmental Programs

Jack Hett

SHA Environmental Programs

Prakash Dave

SHA Bridge Hydraulics

David Martin

SHA Soils and Foundations

Bob Sheesley

Brightwater, Inc.

John Hayter

Greiner, Inc.

The following items were discussed:

The locations of the Options C and D alignments in the vicinity of Deep Run were reviewed. Mr. Sheesley reviewed the need to identify the existing groundwater hydrology conditions in order to evaluate secondary wetland impacts which may result from the construction of the MD 100 roadway.

Following the review of the project, and based on an approximate deadline of May 15, Mr. Martin stated that he could prepare a preliminary investigation of the groundwater hydrology. The preliminary investigation would primarily consist of a review of the available literature and existing research materials, the initiation of a series of soil borings, and the preliminary identification of the existing groundwater drainage patterns.

MEMORANDUM APRIL 5, 1993 Page 2

The purpose of the preliminary investigation is twofold: to provide additional evidence which will allow Mr. Kassoff to make an informed decision as to which alignment is to be supported, and to determine if a detailed study of the groundwater hydrology will be required. A detailed investigation may require a minimum of six months to complete.

Potential methods of mitigating construction related interruptions to existing groundwater flow patterns which may result from placing a highway embankment over a compressible soil (wetland) were discussed. Additionally, the potential for construction related short term impacts to the wetlands and Deep Run as a result of erosion and sediment transport were reviewed. It was agreed that construction techniques and details could be developed during final design and stricter controls could be implemented during construction which would minimize both the long term and short term impacts to the existing system.

In order for Mr. Martin to begin his investigation, Mr. Teitt requested that Greiner forward roadway typical sections (slopes, walls, and bridges), and existing utility locations (sanitary sewers, water, gas, etc. from P.I. plans). The limits of Mr. Martin's investigation will be the portion of Deep Run located between the Montgomery Meadows subdivision regional pond and Old Montgomery Road.

Mr. Teitt will provide Mr. Martin with copies of the Howard County tax maps to enable whim to identify property limits and a list of persons to be contacted prior to drilling for the soil borings.

Mr. Martin stated that he would prepare a work plan and schedule. He will review these itmes with Mr. Teitt to ensure that the scope of the proposed investigation is adequate.

JEH:jms

cc: K. Teitt MRA

Maryland Department of Transportation State Highway Administration

O. James Lighthizer Secretary Hal Kassoff Administrator

MEMORANDUM

TO:

Charles B. Adams, Director

Office of Environmental Design

FROM:

Linda A. Kelbaugh, Chief

Environmental Programs Division

DATE:

July 9, 1993

SUBJECT:

SHA Contract Number HO661-233-770

MD100, from MD104 to I-95

Wetland Mitigation

Field Review Meeting Minutes

A field review meeting was held on Thursday, July 1, 1993 in order to evaluate potential wetland mitigation and stream restoration sites for the project listed above. Those in attendance were:

Jack Hett - Environmental Programs Division
Jane Wagner - Environmental Programs Division
David Boellner - Environmental Programs Division
Mark Smith - Environmental Programs Division

Karl Weitt - Project Planning Division
Paul Wettlaufer - U.S. Army Corps of Engineers

Sean Smith - MD Department of Natural Resources
Jill Reichert - MD Department of Natural Resources

Bill Buettner - Harms, Inc.
Wat Bowie - Greiner, Inc.
Steve Wyczawski - Greiner, Inc.
John Hayter - Greiner, Inc.

Mr. Boellner began the meeting by stating the purpose of the field review and by describing the manner in which the potential mitigation sites were chosen. He stated that Harms, Inc. had performed a wetland mitigation and stream restoration site search for the Maryland State Highway Administration (SHA) in the Deep Run drainage area bounded by I-95, MD108 (Waterloo Road), and MD103/Montgomery Road. Additional sites in this area were evaluated by SHA, and other potential sites were retained by SHA from the site search of the Deep Run drainage area performed for the portion of MD100 from I-95 to I-97.

The mitigation strategy for the project was then stated by Mr. Boellner. The wetland functions of sediment trapping, aquatic habitat, and food chain support, being the major functions of the proposed impacted wetlands, are those to be mitigated by these sites. The main type of wetlands being impacted are palustrine

My telephone number is _____

Charles B. Adams July 9, 1993 Page 2

forested (PFO), and impacts to riparian areas range from 1.3 to 2.0 acres. Mitigation through creation of wetlands of these types and areas will be taken into account in the selection and design of the mitigation sites (i.e. SHA will attempt to mitigate riparian wetlands by expanding the floodplain of Deep Run or its tributaries).

Mr. Boellner then discussed the nature of the area in terms of physiography and topography. Since the "Fall Line" (the boundary between the Piedmont physiographic province and the Coastal Plain) lies approximately along the CSX rail line near the Anne Arundel County - Howard County border, the physiographic characteristics of the study area are mainly those of the Piedmont. The characteristic having the most impact on mitigation strategy is that of rolling topography with "V-shaped" stream valleys. This combination does not lend itself well to the expansion of the existing floodplains, which are narrow with quickly sloping uplands. It is this fact which may predetermine wetland mitigation sites designed in a linear fashion, along streams, to avoid excessive upland excavation.

Mr. Hett then asked Mr. Teitt what would be needed for the environmental document. Mr. Teitt replied that the potential sites would need to be identified and that conceptual mitigation plans would need to be developed for those sites. Mr. Hett asked Mr. Teitt when this information would be needed. Mr. Teitt stated that the alternate may be selected by the end of July 1993 if SHA concurs with the alternate recommended by Howard County. If the alternate is selected by the end of July 1993, the environmental document will be completed in 3 to 4 months (October/November 1993).

Mr. Wettlaufer then asked what sites in the study area, if any, were likely to be developed if not used for wetland mitigation. Mr. Boellner replied that the University of Maryland Animal Husbandry Farm, Curtis Farm, Centre 9500 Golf Course, Troy Hill, and Turnip Farm all have development potential.

The sites were reviewed and commented upon as follows:

Headwater Site - This site, recommended by Harms, Inc., was either under construction (residential) or directly adjacent to this construction. The main channel of Deep Run had been lined with riprap for a reach of approximately 100 feet. The site may be utilized by the developer for stormwater management. Although reforestation is a possibility, the potential for use of this site as a wetland mitigation site is limited.

Charles B. Adams July 9, 1993 Page 3

Regional Stormwater Management Pond Site - This site, also recommended by Harms (and others), was then visited. The strategy presented for the use of this site was for the removal of the facility and restoration of the Deep Run mainstem. This would require the relocation of stormwater management to other facilities, and it was agreed that an undertaking of this magnitude would be unfeasible.

University of Maryland Animal Husbandry Farm Site - The north side of this property was evaluated for mitigation potential as the south side was found too steep to be feasible. The alignment of an existing sewer line will be examined in order to determine what impact it may have on performing mitigation at this site. Mr. Smith expressed concern about achieving sufficient hydrology at this site. Mr. Teitt said that the hydrogeologic report issued by SHA for the evaluation of the groundwater impacts of MD100 included areas on this site, and could be consulted for information concerning hydrology. Further, hydrology and hydraulics studies of this area, would be necessary for mitigation site design.

The agencies were in favor of this site for use as a wetland mitigation site. The possibility of utilizing off-channel storm flows to augment hydrology will be studied.

Curtis Farm Site - The selection of the chosen alternate will determine the usefulness of areas on the Curtis property, since option 'C' will eliminate possibilities to the north and option 'D' will eliminate possibilities to the south. The property owner has approached SHA to offer areas for wetland mitigation, but since the property owner favors option 'C', the selection of option 'D' may threaten the use of the property. The agencies expressed concern that they would want this area used to replace riparian wetlands, but that Deep Run would not go overbank, nor would its tributaries on this property. Mr. Hett stated that the use of this site was a possibility but was not the top priority of SHA.

Bellanca Drive Site - This site was the only one identified by Harms, Inc. solely as a stream restoration site. The stream draining the area is a tributary to Shallow Run, a tributary to Deep Run. From the Bellanca Drive pipe culvert, the stream is carried by a concrete ditch, then to an area where grazing animals were once kept. It is through this grazing area where the stream has eroded its banks and has downcut one side of its channel. The other side of the channel appears to have been kept level with the stream by the activities of the domestic animals. Concern was raised that the removal of the concrete ditch would disturb the

Charles B. Adams July 9, 1993 Page 4

existing trees, most of which are mature. Mr. Smith inquired about the linear footage of the proposed stream restoration area and that it is probably too small to be worthwhile. [Note: Estimated length - 300 to 500 linear feet]

I-95 Horse Farm Site - This site was quickly agreed upon as being one of the best reviewed that day. Mr. Wettlaufer expressed concern about keeping the domestic animals out of the site. Mr. Smith also noted the possibility of adverse agricultural use, with the animals entering the stream. Mr. Buettner said that of the sites that Harms, Inc. recommended, this one has the best potential. The property owners, at the time of initial contact by SHA, expressed concern only about where the animals would water if the site were utilized for wetland mitigation. Mr. Buettner was aware of different methods of abating this problem and did not think this would present difficulty in accommodating the property owners concerns.

Centre 9500 Golf Course Site - The proposed plans for this site were shown to the attendees at the terminus of MD100 near I-95, where the Golf Course is planned. Mr. Wettlaufer was skeptical of the proposed mitigation plan due to the fact that he does not think the developer will obtain the necessary permits to construct wetlands where forest exists at present. Mr. Smith expressed concern over the use of fertilizers/herbicides and how they might affect the adjacent mitigation areas.

The field review meeting was concluded with the agency representatives informing SHA that their written comments pertaining to the meeting would be forthcoming.

LAK/DBB

enclosure (Charles B. Adams)

cc: Attendees

Howard Tonnson,

Mark Crampton
Bill Schultz, FWS
Pete Stokely, EPA
John Nichols, NMFS
David Lawton, FHWA

DEPARTMENT OF THE ARMY BALTIMORE DISTRICT, U.S. ARMY CORPS OF ENGINEERS P.O. BOX 1715 BALTIMORE, MD 21203-1715

t 161430 Division

JUL 0 2 1993

Subject: CENAB-OP-RX(MD SHA/MD RT 100, MD 104 to I-95)93-00302-1

Maryland State Highway Administration Attn: Ms. Linda Kelbaugh 707 North Calvert Street Baltimore, MD 21203-0717 RECEIVED

JUL 6 1993

Dear Ms. Kelbaugh:

ENVIRONMENTAL PROGRAMS DIVISION

This is in response to the July 1, 1993 site visit to review potential mitigation sites for the subject project which is being evaluated using the joint NEPA/404 process.

The environmental agencies were represented by Ms. Jill Reichert and Mr. Sean Smith of DNR, and Mr. Paul Wettlaufer of this office.

Of the sites investigated east of MD 104 and west of I-95, two sites appear to have the most potential for wetland creation. The University of Maryland Animal Husbandry Farm site is located north of the main stem of Deep Run. Previous investigations of ground water indicated that ground water is close to the surface on at least a portion of the site. The site is dominated by wild Deer bedding areas were observed in several places. Several feet of earth would have to be removed to construct a wetland whose hydrology is dependent upon ground water. Because a regional stormwater pond has been constructed upstream, it is not expected that the stream would overtop its banks and flood the wetland except during severe storm events. A hydrologic outlet should be constructed from the wetland to Deep Run in order to provide nutrient export and ground water discharge functions. Other functions expected to be developed are wildlife habitat, passive recreation, a buffer from development proposed north of this site, a water quality enhancement of any runoff from such development, and stream canopy.

The second site is known as the Zeltman site located on Shallow Run (ADC Map, Page 17, B8). The site is currently a horse farm. Grazing and livestock watering is occurring in a portion of the stream. The site has an extremely high potential for future development, due to its location next to I-95, and due to the golf course proposed to the south. Plans of the golf course indicate that an upstream portion of this tributary will be included in the golf course development. The stream was vegetated predominantly by grasses. The topography lends itself to creation of approximately two acres of palustrine wetlands which would be fed by both groundwater and stream flooding. The site has high potential for success and would provide the functions of sediment removal, flood storage, nutrient uptake and nutrient export, groundwater discharge, wildlife habitat, a

buffer to future development, stream canopy, and stream restoration.

Both sites are considered by the Corps to be acceptable for mitigation by wetland creation. However, acceptability is contingent upon the satisfactory completion of an archeological survey, completion of environmental documentation pursuant to NEPA, hydrological investigations, and the consensus of the environmental agencies. A recorded non-development easement will be required prior to advancing these sites to construction. The final NEPA document should include an environmental assessment of the impact of constructing these mitigation projects, a narrative describing the proposed manipulations of the site and the expected source of hydrology, results of archeological investigations, and the property owner's approval to use the site.

Although not specifically investigated during the site visit, it is likely that areas along the south side of Deep Run (between Deep Run and the proposed Option D, assuming Option D is selected) could also be suitable for wetland creation, provided the hydrology is determined to be sufficient to support a wetland. We understand this area is also likely to be used for stormwater management. If there is a reforestation requirement for this project, we recommend that the reforestation also take place along Deep Run, particularly along the south side where the existing canopy is sparse on the Curtis and University of Maryland properties.

There are also areas along Shallow Run, upstream of the area we inspected, that may be suitable for wetland creation. One such area was identified on the plans for the golf course. Conceptual approval to mitigate in such areas will be dependent upon further site investigation.

If you have any questions, please contact Mr. Paul Wettlaufer of this office at 962-1843.

Sincerely,

Keith A. Harris

Acting Chief, Special Projects

Paul R. Wettlaufer

CC: pJack Hett
Karl Teitt
Bill Schultz
Sean Smith

OCT 0 4 1993

MEMORANDUM FOR RECORD

SUBJECT: CENAB-OP-RX(MD SHA/MD ROUTE 100, FROM MD 104 TO I-95) 93-00302

- A site visit was conducted on 29 September 1993 to examine the proposed crossings of wetlands 6A, 11, and 12. The purpose of the site inspection was to discuss the type of structure which would be employed to cross each of these streams.
- At wetland 6A, the face of retaining wall had been staked out for a distance of 300 feet east and 300 feet west of the tributary to Deep Run. The stakes were approximately 50 feet apart. Two of the stakes were only 6 feet from the top of bank of Deep Run, and one stake was only 2 feet from the top of bank of Deep Run. The roadway profile would be either 15 feet or 30 feet above the existing ground, depending on the option selected by SHA. It was felt by DNR, FWS, and the COE that a retaining wall built at this location would severely impact the main channel of Deep Run. Even if a retaining wall footing could be constructed without the need to armor the stream bank, which is doubtful, there would be no place to plant vegetation in the narrow area between the wall and the channel. Without any vegetative stabilization of the bank, the channel would erode until it eventually widened out to the wall itself, resulting in a further degradation of the habitat value of the stream. this would be SHA's least expensive alternative, it was noted that this alternative would result in the need to relocate approximately 300 feet of Deep Run, and the cost of this relocation should be added to the cost estimate for this alternative. Two other alternatives were discussed, either one of which could prove acceptable to the environmental agencies.
- Shifting the face of the retaining wall an additional 16 feet to the south would provide an area adjacent to the stream where shade-tolerant shrubs could be planted to stabilize the bank of Deep Run. In addition, any existing trees along the bank of Deep Run would be topped if required, but not removed, so that the roots would be left to provide habitat in the Acceptability of this alternative would be conditioned upon (i) maximum minimization of disturbance to the area between the face of wall and Deep Run during construction of the wall footings, (ii) provision of a drainage system to convey groundwater through the roadway fill and retaining wall to Deep Run, and (iii) design of a culvert to carry the tributary such that it does not result in the need to armor the banks of the tributary at the culvert outfall nor the banks of Deep Run at the confluence. Regarding item (i) above, we would be looking to minimize the excavation necessary for the construction of the footing through such means as using sheeting to retain the excavation and serve as the form for the concrete footing, and construction of an L-shaped wall which minimizes the distance the footing projects in front of the wall.

- b. The other acceptable alternative would consist of a bridge, approximate bottom opening of 230 feet, to carry the westbound lanes only. The bridge would necessitate the planting of some shade-tolerant shrubs along the south bank of Deep Run. In addition, piers would have to be located at the points where they would be furthest from Deep Run, even though this might necessitate designing unsymmetrical span lengths. A bridge would have the advantage of enabling any groundwater discharges to continue to reach Deep Run, would not displace any floodplain nor result in increased stream velocity, and would provide more riparian area for wildlife movement.
- 3. At wetland 11, two alternatives were raised by DNR. The cost of both these alternatives should be evaluated to determine whether they are practicable.
- a. One alternative would consist of a bottomless culvert to carry the stream under MD 100. In analyzing the benefits and costs of this alternative versus the SHA's preferred alternative, it is recognized that anadromous fish would not benefit since the stream is not expected to convey anadromous fish above this location. Nevertheless, bottomless culverts minimize the length of stream disturbance because they do not require any armoring of the stream at the outfall of the culvert. The unit cost was stated as \$2000 per linear foot for bottomless culverts.
- b. The other alternative would consist of a southward shift in the alignment of the eastbound roadway to create a wider median. The stream would be culverted under each roadway, but would remain undisturbed in a natural channel in the median between the two roadways. Each roadway would be in retained fill in the vicinity of the stream crossing. The natural channel in the median would be approximately 100 feet in length, under ultimate construction.

The SHA-preferred alternative is to culvert the stream for the entire dostance beneath both roadways in two pipes, with the stream impact to be minimized through the use of retaining walls. One pipe would be designed to base flow. The second pipe would be designed to carry flood flows, and would be installed at a higher elevation. This vertical offset of the pipes would obviate the need to widen the stream channel to match the cross section of the culverts, a practice which generally results in a slowing of velocity and a large accretion of bedload material at the entrance to the pipe. The watershed at this location is 112 acres. If a pipe culvert is demonstrated to be the most practicable alternative at this location, we would like to see the following measures incorporated (these issues could be worked out during design):

a. The base flow culvert should be large enough to carry the bank full flow. We would like the dimensions of the channel, as it exists immediately upstream of the culvert, to be duplicated inside the culvert.

- b. We would like the approach to the flood-flow culvert left in natural (i.e., vegetated) condition to the extent possible so as not to impede the passage of small mammals.
- c. The stream's original gradient should be duplicated so as not to create a flatter gradient inside the culvert which would create a depositional area.
- d. Velocity should be dissipated at the pipe outfall by some means other than riprapping the channel downstream. SHA discussed minimizing the velocity by increasing the pipe cross section prior to the outfall. Caution should be exercised not to create conditions which would increase the deposition of sediment within the pipe, thereby blocking fish passage and creating a maintenance problem. Another possible means for slowing the velocity at the pipe outfall is to create a plunge pool at the outfall.
- e. If head losses through the pipe are expected to result in flow depths at the outlet end that are insufficient to support fish passage, baffles or some other measure should be used to provide a minimum depth of flow throughout the pipe.
- 4. At wetland 12, in addition to estimating the cost of a bottomless culvert to determine practicability, the only other option being considered is the reconfiguration of the interchange to remove the two ramps from the wetland. The cost of acquiring the rendering plant (and the cost of cleanup, if it is determined to be a hazardous waste site) will be evaluated to determine whether this is a practicable alternative. The SHA has also elected to have their consultant take a second look at the delineation in this area since it was apparent from on-site observation that the flagging encompassed some upland areas.
- 5. Upon resolution of these few issues, the Corps would be able to concur in the selected alternative.

Saul R. Wettlaufer PAUL R. WETTLAUFER CIVIL ENGINEER

CC: Sean Smith, DNR
Bill Schultz, FWS
Mike Slattery, DNR
Karl Teitt, SHA
Linda Kelbaugh, SHA

Greiner

D0142.93-8.0

October 13, 1993

MEMORANDUM

TO:

File

FROM:

John E. Hayter

REFERENCE:

Maryland Route 100

MD Route 104 to Interstate Route 95

Final Supplemental Environmental Impact Statement

Alternative 3, Option D Modifications Wetland Site Visit - Revised Minutes

A meeting was held on September 29, 1993 at the referenced project site to discuss wetland impacts. The following were in attendance:

Karl Teitt SHA Project Planning
Howard Johnson SHA Project Planning
Mark Crampton SHA Highway Design

Linda Kelbaugh SHA Permits

Jock FreedmanSHA Bridge DesignPrakash DaveSHA Bridge DesignChris MinickSHA Bridge Design

Cheryl Jordan SHA EPD Jack Hett SHA EPD

Jeff Trulick Corps of Engineers
Paul Wettlaufer Corps of Engineers

Ali Mir DNR - WRA
Larry Leasner DNR - Fisheries

Bill Schultz USFWS
Elder Gabegiarelli DNR/WRA

Mike Slattery DNR/Nontidal Wetlands & Waterways

Sean Smith DNR/Tidewater
Bob Sheesley Brightwater
John Hayter Greiner, Inc.

The following items were discussed:

- 1. Mr. Teitt gave a brief overview of the project history and the agenda for the meeting. The purpose of the field review was to visit three sites, Wetlands 6A/8, 11, and 12 and to respond to comments raised by the reviewing agencies.
- 2. Wetland 6A/8 The location of the site was identified on the 1" = 200' scale mapping. The acreage of wetland impacts, length of stream impacts, and the heights of fill based on the selection of the Option D Modification I or II alignments were noted. The retaining wall locations in relation to the stream banks were identified by flagging. At this location it was noted that the only difference between Modifications I and II was the height of the fill and the retaining walls. The horizontal location of the walls was the same for both modifications.

A discussion of the types of walls (cast-in-place or proprietary), footer depths, and the anticipated limits of disturbance beyond the wall face ensued. The use of sheeting to minimize stream bank impacts during construction was discussed as was the need for scour protection between the wall and the stream. The limits of the scour protection would be dependent on the type of foundation and existing soils.

The agency representatives were concerned that the retaining wall and/or sheeting might interfere with the existing groundwater hydrology. SHA personnel stated that this issue could be addressed adequately during the design of the walls. Possible solutions to maintain groundwater flow included the use of underdrains and french drains.

The agency representatives had several concerns related to the location of the wall adjacent to the stream. The first concern was that the contractor would clear all growth from the stream bank during construction. The removal of the vegetation would reduce the stability of the stream bank and cause degradation of the stream. SHA personnel stated that the construction documents could specify that all work would be performed from the land side and areas could be identified and fenced to prohibit access by the contractor.

A second concern raised by the agency personnel was that the use of pipe culverts at the Deep Run tributary would require the placement of riprap in the Deep Run channel to prevent the erosion of the opposite stream bank. SHA personnel suggested that it would be possible to manage the discharge velocity within the pipe culverts by increasing the pipe size or installing baffles.

Additional concerns related to the wall construction included the elimination of the overbank floodplain, the destabilization of the stream banks, and the impacts on the natural migration of the stream bed. The agencies were concerned that the construction of the wall would increase erosion of the both stream banks, resulting in widening of the stream bed, reducing the depth of flow and ultimately affecting the fish population.

The bridge option was discussed and the cost differential between bridges and retaining walls was noted. Due to the limited height of the structures, the existing growth underneath the bridge would not be maintained. DNR representatives stated that plantings and boulder groupings could be provided. Additional concepts could also be developed to maintain the existing root mass under the structure as a method of providing bank stabilization.

Based on the COE and DNR review of the site, the proposed wall location was unacceptable due to its close proximity to the stream bank. The only wall option which they found acceptable was to relocate the wall a minimum of 16 additional feet away from the proposed wall stake out.

Mr. Wettlaufer recommended that the westbound lanes of MD 100 be shifted 12 feet into the median, resulting in an initial median width of 42 feet. Widening for a future 8 lane section would require an additional westbound lane in the median. The additional eastbound lane would be added to the outside of the roadway, 12 to 15 feet closer to the Villages of Montgomery Run. SHA personnel stated that this alternative had been investigated when Mr. Wettlaufer had previously suggested. It was eliminated due to the additional encroachments into the Villages of Montgomery Run, noise impacts, political committments, and public creditability.

Additional options will be reviewed, including the feasibility of cantilevering a portion of the roadway and shoulder to provide additional horizontal clearance from the stream. One other possible modifications to the roadway section which was discussed included shoulder width reductions.

Mr. Wettlaufer stated that the COE prefers bridge options to retaining walls. He also stated that the COE does not want the SHA to compromise its standards or safety criteria to minimize wetland or stream impacts.

SHA will have the existing stream bank located by survey. The wall/bridge options will be reviewed based on the survey data. SHA personnel noted that once the

location of the stream bank is established by surveys, the plans would be developed based on a fixed bank location. The design would not be revised to reflect naturally occurring changes in the stream bed/bank location.

3. Wetland 11 - Based on the use of retaining walls, SHA anticipates providing a twin pipe culvert to drain the 112± acre drainage area upstream of this location. One pipe will be placed at a lower elevation to maintain the existing channel flow. The length of the culverts would be approximately 230 feet without scour protection. The outlets of the pipes could be enlarged and baffles/energy dissipators installed to minimize the need for riprap in the existing channel. The low flow pipe would be designed to maintain the full bank flow of the existing channel.

The feasibility of bottomless arches was discussed. It was noted by SHA personnel that the construction of the foundations and lateral ties could result in greater disturbance to the existing channel than the construction of pipe culverts. It was also noted that the pipe culverts ($$50,000\pm$) were less expensive than the bottomless arches ($$50,000\pm$).

Mr. Smith stated that he preferred the use of the bottomless arches to maintain a meandering stream channel. He stated that the overbank areas could be armored beneath the arches.

Mr. Wettlaufer requested that the SHA provide details on the methods which would be used to maintain the base flow channel through the pipe culvert. SHA personnel stated that they would provide details of methods used on similar projects. Mr. Smith stated that he required a demonstration that the SHA could maintain the existing fish habitat. Ms. Kelbaugh stated that she would provide the necessary evidence.

Mr. Ali Mir was concerned about the feasibility of maintaining a viable fish habitat in a 230± foot long culvert. Both Mr. Mir and Mr. Wettlaufer requested that the SHA investigate widening the median to provide a 100± foot long open channel between the roadways. This concept would require two additional retaining walls, for a total of four walls, one on each side of each roadway. This concept reduces the overall culvert length and provides increased light levels within the culverts. SHA personnel stated that they would investigate this alternative. However, they were concerned about the increased wall costs and the additional right-of-way requirements.

4. Wetland 12 - The locations of the proposed retaining walls for both the full diamond and the half clover MD 100/MD 103 interchange options were reviewed. At this location, the elevation of the roadway is the same for both Option D Modifications I and II, ranging from 10± feet of cut at Station 230+ to 35± feet of fill at Station 236+ to 13± feet of cut at Station 240+.

It was noted that the half clover interchange option would impact the rendering plant, which is a potential hazmat site. The SHA will investigate the feasibility of revising the ramps to avoid impacts to the plant.

In response to questions from agency representatives it was noted that the anticipated limits of clearing and grading outside of the retaining walls would be $10\pm$ feet. The SHA would investigate the use of energy dissipators within the pipe culverts to minimize the limits of riprap in the stream beds.

Representatives of DNR, COE, and USFWS were initially concerned that the depth of the roadway cut east of the Wetland 12 stream crossing would impact the groundwater seeps draining into the wet areas south of MD 100. However, based on the apparent location of the roadway centerline with respect to the wet areas, it appears that an adequate drainage area and undisturbed groundwater hydrology will be maintained. The bottomless culvert issue is still open at this location.

Mr. Schultz stated that the Wetland 12 delineation (September 1993) was wider than required. If necessary, SHA will redelineate, hold a Agency Field Review, and perform a new boundary survey of the wetland. (SHA surveyors completed a survey of the new delineation during September 1993.)

JEH:slm

cc: K. Teitt

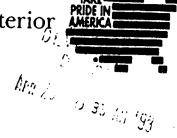
Section VIII-C4
NEPA/404 Concurrence



United States Department of the Interior

FISH AND WILDLIFE SERVICE Chesapeake Bay Field Office 1825 Virginia Street Annapolis, Maryland 21401

April 23, 1993



Louis H. Ege, Jr., Deputy Director Office of Planning Maryland State Hwy. Administration 707 North Calvert St. Baltimore, MD 21203

RE: Route 100, Howard County

Dear Mr. Ege:

The Maryland State Highway Administration (SHA) recently sent the U.S. Fish and Wildlife Service (Service) a revised, "Alternatives Retained for Detailed Study", for the Route 100 project. SHA asked the Service for concurrence with this revised alternatives analysis section. The Service reviewed this revised analysis and found it to be very similar to the "Alternatives Retained for Detailed Study" section of the Draft Supplemental Environmental Impact Statement (DSEIS). The Department of the Interior and Service officially responded to the DSEIS on February 18, 1993. The Service's concerns with the potential environmental impacts of the project have remained unchanged since February.

SHA has recently initiated a detailed study of the potential impacts of crossing and longitudinally filling Deep Run during Route 100 construction. We recommend that SHA evaluate all the potential impacts of the Northern and Lazy-S Alternatives during this study. Once this study is completed, the Service will provide further comments. Until this study is completed, the Service believes it has no further obligation under the NEPA/404 process to provide further comments on the alternative analysis section. Please contact Bill Schultz at (410) 269-5448 if you have further questions regarding this matter.

-Sincerely,

John P. Wolflir

Supervisor

Chesapeake Bay Field Office

cc:

Paul Wettlaufer, Corps, Baltimore, MD Peter Stokely, EPA, Philadelphia, PA Sean Smith, DNR, Annapolis, MD



O. James Lighthizer Secretary
Hal Kassoff
Administrator

September 28, 1994

Re:

Contract No. HO 661-201-770 MD 100 from MD 104 to I-95 Howard County, Maryland

Mr. Robert Zepp U.S. Fish and Wildlife Service Delmarva Area Office 1825 B Virginia Street Annapolis MD 21401

Attention: Mr. Bill Schultz

Dear Mr. Zepp:

In response to comments received from the U.S. Army Corps of Engineers, U.S. Fish and Wildlife Service and The Maryland Department of the Environment on the January 24, 1994, the Selected Alternate concurrence for the MD 100 project was revised and is being resubmitted.

In accordance with the combined NEPA/404 process, the Maryland State Highway Administration seeks your concurrence with the selected alignment, Alternate 3-Option D Modification IIA, and the mitigation goals and replacement ratios of the Conceptual Wetland Mitigation Sites for the proposed MD 100 project. We also seek your concurrence with our decision to drop Alternate 3-Modified Option C. Enclosed for your review is a discussion of the Selected Alternate and Conceptual Wetland Mitigation Sites Option C.

To ensure that this coordination is included in the final environmental document, upon receipt please fax the signed concurrence letter to Ms. Gay Olsen at (410) 333-1045. It is imparative that we receive your concurrence immediately to meet the document schedule.

My telephone number is	
Maryland Relay Service	ce for Impaired Harris

Mr. Robert Zepp Page Two

Should you require additional information, please contact Mr. Howard Johnson at (410) 333-1179.

Very truly yours,

Louis H. Ege, Jr.
Deputy Director
Office of Planning and
Preliminary Engineering

Joseph Kresslein

Assistant Division Chief Project Planning Division

cc: Ms. Jareene Barkdoll (w/attachments)

Mr. Louis H. Ege, Jr. Mr. Joseph Kresslein

Ms. Gay Olson

Ms. Cynthia D. Simpson

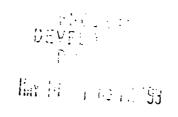
Mr. Karl Teitt

Concurrence:

U.S.Fish and Wildlife Service

Date





May 11, 1993

William Donald Schaefer
Governor

Jacqueline H. Rogers Secretary, DHCD

Office of Preservation Services

Ms. Cynthia D. Simpson
Deputy Division Chief
Project Planning Division
State Highway Administration
707 North Calvert Street
Baltimore, Maryland 21203-0717

RE: Contract No. HO 661-201-770 MD 100 from MD 104 to I-95 Howard County, Maryland

Dear Ms. Simpson:

Thank you for your letter, dated 2 April 1993 and received by the Trust on 7 April 1993, requesting our comments on the Alternatives Retained for Detailed Study for the above-referenced project.

Based on the documentation submitted with your letter, we understand that Alternative 3/Option C and Alternative 3/Option D have been retained for detailed study. In addition to the known impacts to historic structures noted in the summary (2.5 acres of the Curtis Shipley Farm historic property required under Alternative 3/Option D), both alternatives have the potential to affect significant archeological properties. We are unable to make informed comments regarding effects to historic properties (including standing structures and archeological properties) until we have received the results of SHA's evaluation of archeological resources within the two alternatives.

For Alternative 3/Option C, Phase II archeological investigations of site 18HO52 are warranted. to determine the site's eligibility for the National Register of Historic Places. For Alternative 3/Option D, Phase II examination of sites 18HO52 and 18HO193 is necessary. Based on the Phase II results, SHA will be able to determine if the project will have effects on National Register eligible archeological resources.

Division of Historical and Cultural Programs

Department of Housing and Community Development

100 Community Place, Crownsville, Maryland 21032-2023 (410) 514-7600

Ms. Cynthia D. Simpson May 11, 1993 Page 2

We trust that SHA will undertake the Phase II research before project plans have developed to an extent that would preclude the avoidance of significant archeological sites. Further consultation with our office will be necessary to complete the project's Section 106 review.

If you have questions or require additional information, please call Ms. Elizabeth Hannold (for structures) or me (for archeology) at (410) 514-7628.

Thank you for providing us this opportunity to comment.

Sincerely

Elizabeth Jl/Cole

Administrator, Archeological Services

EJC/EAH 9300671

cc: Ms. Mary Barse

Mrs. Philip St. C. Thompson

Ms. Rita Suffness



Office of Preservation Services

William Donald Schaefer Governor

Jacqueline H. Rogers Secretary, DHCD

March 16, 1994

DEVELOPETOR

DIVISION

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Ms. Cynthia D. Simpson
Deputy Division Chief
Project Planning Division
State Highway Administration
707 North Calvert Street
Baltimore, Maryland 21203-0717

RE: Contract No. HO 661-201-770 MD 100 from MD 104 to I-95 Howard County, Maryland

Dear Ms. Simpson:

Thank you for your letter, dated 24 January 1994 and received by the Trust on 31 January 1994, notifying us of the selected alignment and conceptual wetland mitigation sites for the above-referenced project, for our review and comment.

The letter requested our comments on SHA's decision to drop Alternate 3-Modified Option C from further consideration. From an historic preservation viewpoint, the Trust is disappointed that SHA eliminated this alignment. Alternate 3-Modified Option C would not have impacted any historic properties, whereas the selected alternate will have an adverse effect on the Curtis Shipley House (HO-439), which our offices previously agreed is eligible for the National Register of Historic Places.

Although we appreciate the inclusion of the Trust in SHA's combined NEPA/404 process, it does not appear that the combined process has resulted in any positive benefits or enhanced consideration of impacts on historic properties for this project. In fact, we wonder if the process may actually de-emphasize historic properties relative to natural resources and other concerns, favoring the strongest and loudest advocate. We note that the materials prepared by SHA to justify alternatives selected for further study and the selected alternate and to document the decision making process omit or barely mention historic properties. We hope this situation is not indicative of the way planning decisions will proceed on future projects handled under the combined NEPA/404 process, with regards to historic preservation concerns.



Division of Historical and Cultural Programs
100 Community Place • Crownsville, Maryland 21032 • (410) 514-7627/7628

Ms. Cynthia D. Simpson March 16, 1994 Page 2

SHA has been coordinating with the Trust over the last several years regarding the historic preservation issues related to this project. For archeology, SHA completed the necessary Phase I and II investigations of the proposed alignments and wetland mitigation sites. The Trust has agreed with SHA that there are no National Register eligible archeological sites within the area of potential effect for the selected alignment and wetland mitigation areas. No further archeological investigations are warranted for this project. However, there are outstanding architectural issues that have yet to be resolved for the selected alternative.

As you know, further consultation with the Trust will be necessary to complete the project's Section 106 review. It appears (based on information provided with SHA's 2 April 1993 letter) that the selected alignment will adversely affect the Curtis Shipley House (HO-439). We advise SHA to initiate consultation with the Trust and the Advisory Council on Historic Preservation to seek ways to avoid, reduce, or mitigate those effects, pursuant to 36 CFR 800.5(e). A Memorandum of Agreement will likely be necessary for this project.

If you have questions or require additional information, please call Ms. Elizabeth Hannold (for structures) or Ms. Beth Cole (for archeology) at (410) 514-7628. Thank you for your cooperation and assistance.

William J. Pencek

Chief

Office of Preservation Services

WJP/EJC/EAH/ 9400259

cc: Mr. Bruce Grey

Dr. Charlie Hall Ms. Rita Suffness

Mr. Donald W. Roeseke

Mrs. Phillip St. C. Thompson

Mr. Clive Graham

453

William Donald Schaefer Governor May 13 1 1... 111 193

Ronald M. Kreitner Director

May 12, 1993

Louis H. Ege, Jr.
Deputy Director
Office of Planning and
Preliminary Engineering
State Highway Administration
707 North Calvert Street
Baltimore, Maryland 21203-0717

Re: MD. 100 from MD 104 to I-95

Dear Mr. Ege:

Staff at the Maryland Office of Planning has reviewed the documentation on the Alternatives Retained for Detailed Study for the MD 100 project. This project is included in Howard County's 1990 General Development Plan, and will provide transportation infrastructure support in an area designated for growth.

We find there is adequate documentation provided on the impacts of the Alternatives dropped from further study. We also find the documentation to justify the retention of Modified Alternative 3 (Option C) and Modified Alternative 3 (Option D) adequate.

Sincerely,

James T. Noonan

JTN/CW

cc: Gary Schlerf, OP

William Donald Schaefer Governor

March 7, 1994

Ronald M. Kreitner

Louis H. Ege, Jr.
Deputy Director
Office of Planning and
Preliminary Engineering
State Highway Administration
707 North Calvert Street

Attn: Mr. George W. Walton

Baltimore, MD 21203-0717

Re: MD 100 from MD 104 to I-95

Dear Mr. Ege:

Staff at the Maryland Office of Planning has reviewed documentation on the Selected Alternate 3-Modified Option D, for the MD 100 project. SHA's decision to drop Alternate 3-Modified Option C is reasonable. The Selected Alternate supports the State's growth management policy by providing transportation infrastructure in an area designated for growth. Although the Selected Alternate may reduce the amount of land available at the planned, mixed-use site, its potential for compact development remains viable.

The County's support of the Selected Alternate should be accompanied by local efforts to direct any planned growth that cannot be accommodated on this mixed-use site to other suitable locations. The Region's Long-Range Transportation Plan identifies infrastructure improvements in the State highway system that would support growth in other areas intended for mixed-use, compact development. We support limiting access to MD 100 within the study area to the three interchanges indicated at: MD 104, Snowden River Parkway, and MD 103. We concur with SHA's decision to drop Alternate 3-Modified Option C.

The information provided on the Selected Alternate is adequate. If you wish to discuss these comments further, please contact Christine Wells at 225-4562

Sincerely,

James T. Noonan

JTN\AMI

cc: Gary Schlerf, OP



DEPARTMENT OF THE ARMY BALTIMORE DISTRICT, U.S. ARMY CORPS OF ENGINEERS P.O. BOX 1715 **BALTIMORE, MD 21203-1715**

MAY 1 9 1993

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REPLY TO ATTENTION OF

Operations Division

Subject: CENAB-OP-RX(MD SHA/MD RT 100, MD 104 to I-95)93-00302

Mr. Bruce Grey Maryland State Highway Administration 707 North Calvert Street Baltimore, MD 21203-0717

Dear Mr. Grey:

I am replying to your April 2, 1993 request for concurrence in the Alternatives Retained for Detailed Study. We concur in the report with two exceptions.

- Page 1, paragraph 4 indicates that MD 108 Option A would not bisect any communities. This seems to contradict the statement in paragraph 3 which indicates 264 residences would be relocated.
- Page 6 indicates that Wetland 8 is medium quality because the construction of the regional stormwater pond resulted in siltation of the stream. Our site visits with SHA staff and your environmental consultant have revealed that the siltation resulting from the construction activity has subsequently been removed during storm events. We do not consider that the quality of Wetland 8 has been diminished to "medium" quality by either the short-term or long-term effects of construction of the regional pond. Therefore, we recommend that this statement be revised to indicate that Wetland 8 is high quality.

If you have any questions, please contact Mr. Paul Wettlaufer at 962-1843.

Sincerely,

Keith A. Harris

Buch Hallank

Acting Chief, Special Projects



DEPARTMENT OF THE ARMY BALTIMORE DISTRICT, U.S. ARMY CORPS OF ENGINEERS VELOPITY OF P.O. BOX 1715 BALTIMORE, MD 21203-1715

FEB 1 2 1994

FEB 14 10 03 194

Subject: CENAB-OP-RX(MD SHA/MD RT 100, MD 104 TO I-95)93-00302

Mr. George Walton Maryland State Highway Administration 707 North Calvert Street Baltimore, MD 21203-0717

Dear Mr. Walton:

This is in reply to your request for our concurrence in the Selected Alternate and mitigation for the subject project. We have several questions regarding the information presented.

- 1. We request a copy of the mapping for the Selected Alternate; and a typical cross section (particularly for the area adjacent to Village of Montgomery Run). We also require a site plan of the Zeltman Farm mitigation site.
- While the SHA has decided to construct a retaining wall and culvert in the vicinity of wetland 6A (the tributary to Deep Run), there is no discussion to indicate whether the retaining wall proposal includes measures to satisfy the three conditions we previously placed on our acceptance of this option (see attached memo, para. 2.a.). We wish to know how far from the face of the retaining wall the floodplain would have to be cleared and excavated in order to construct the footing. sheeting be used to form the footing so that additional excavation beyond the footing limits is not required for form work? Could an L-shaped wall be used to minimize the distance that a footing would project in front of the wall? Would there be a system to convey groundwater through the roadway fill and retaining wall to Deep Run? Could this include a drainage system in the base of the retained-fill section? What provision would there be to ensure that the discharge velocities from the culvert do not require the armoring of the stream channel, nor result in a deposition of sediment within the culvert? While we are in basic agreement with this proposal, we cannot formally concur until these issues have been addressed.
- 3. Regarding the comparison of box culverts versus bottomless arch culverts at wetlands W-11 and W-12, the cost comparison shows that the costs are virtually identical. No other information is presented as to why the bottomless arch culvert should not be built. It is our belief, based on observations of bottomless arch culverts constructed around the state, that bottomless culverts are superior to box or pipe culverts in many respects (see our Aug. 25, 1993 letter attached), but particularly with respect to providing riparian corridors beneath a roadway. In the absence of any further data to support your decision to select a box culvert, we will not be

able to concur. Also, can you give us any indication at this time what size culverts would be proposed? We understand that double cell 8x6 culverts are only hypothetical.

- 4. Based on cost data, we concur in the decision not to widen the median at wetland W-11.
- 5. Based on the comparison of cost and impacts, we concur in the decision to select the compressed diamond interchange at wetland W-12.
- 6. Although it is not stated in the letter, we understand from discussions with Mr. Johnson and Mr. Teitt that Modification II of Option D has been selected, with a reduction in the median to 46 feet. We understand further that MD 100 will go over Snowden River Parkway. In addition, we understand from previous discussions that MD 100 will be in retained fill at wetlands W-11 and W-12. We concur in these elements of the Selected Alternate.
- While we continue to concur in the incorporation of the FEIS alignment through wetland W-13 because the avoidance alignment would not have been practicable (four homes were taken), we maintain that the avoidance alignment would become practicable if, at some point in the future, the residents were no longer there (i.e., in the event that the home owners sell to a developer who proposes to demolish the homes and construct townhouses). We have always maintained that the situation should be continuously monitored, into the design phase, to determine whether the home owners have changed their minds and sold their properties. We understand that there is some point in time beyond which the SHA will be irreversibly committed to We suggest the point of no return might be at 60% an alignment. Therefore, we propose that SHA proceed with the development of the Selected Alternate through wetland W-13, but that you monitor the situation continuously through 60% design, with the understanding that, at any time prior to 60% design, the alignment at wetland W-13 could be revised. We propose to include this as a condition in our Phase I permit, but would like to discuss it with you first.
- 8. We do not concur at this time in any proposal for stream restoration of Deep Run, since no specific details have been presented. Furthermore, we are not convinced of the need for stream restoration downstream of the regional stormwater pond.
- 9. Regarding the mitigation sites, we have previously approved the University of Maryland site and the Zeltman site, with conditions (see July 2, 1993 letter attached). We caution against trying to maximize the acreage of these two sites. Because the hydrology at both sites will be supported primarily by groundwater, we recommend grading these sites only for the acreage required to mitigate the project impacts. Past experience indicates that large excavations result in a lowering

of the groundwater table below the monitored preconstruction elevations. In addition, because the land surrounding both sites is likely to undergo development, the water table is not likely to be sustained at current elevations. We also recommend that the Zeltman site contain provisions to protect the created wetland from destruction by grazing. Fencing of the site would be an appropriate measure.

10. There has been some discussion previously about the possible locations of stormwater management ponds. The area along the south side of Deep Run was mentioned as a possible location. We understand that this issue will not be decided until later in design. However, we would like to state our preference that the area between the new roadway and the south side of Deep Run be reserved, if at all possible, for reforestation, to provide a buffer to the stream. We would prefer to see SWM ponds placed on the south side of MD 100 or within the Snowden River Parkway interchange.

If you have any questions, please call Mr. Paul Wettlaufer of this office at (410)962-1844.

Sincerely,

Paul R. Wettlawfer

Keith A. Harris Chief, Special Projects

Enclosures

CC: Sean Smith, DNR
Peter Stokely, EPA
Bill Schultz, FWS
Jim Tracy, MDE
Karl Teitt, SHA
Linda Kelbaugh, SHA

MEMORANDUM FOR RECORD

SUBJECT: CENAB-OP-RX (MD SHA/MD ROUTE 100, FROM MD 104 TO I-95) 93-00302

- 1. A site visit was conducted on 29 September 1993 to examine the proposed crossings of wetlands 6A, 11, and 12. The purpose of the site inspection was to discuss the type of structure which would be employed to cross each of these streams.
- At wetland 6A, the face of retaining wall had been staked out for a distance of approximately 150 feet east and 150 feet west of the tributary to Deep Run. The stakes were approximately 50 feet apart. Two of the stakes were only 6 feet from the top of bank of Deep Run, and one stake was only 2 feet from the top of bank of Deep Run. The roadway profile would be either 15 feet or 30 feet above the existing ground, depending on the option selected by SHA. It was felt by DNR, FWS, and the COE that a retaining wall built at this location would severely impact the main channel of Deep Run. Even if a retaining wall footing could be constructed without the need to armor the stream bank, which is doubtful, there would be no place to plant vegetation in the narrow area between the wall and the channel. Without any vegetative stabilization of the bank, the channel would erode until it eventually widened out to the wall itself, resulting in a further degradation of the habitat value of the While this would be SHA's least expensive alternative, it was noted that this alternative would result in the need to relocate 300-350 feet of Deep Run, and the cost of this relocation should be added to the cost estimate for this alternative. Two other alternatives were discussed, either one of which could prove acceptable to the environmental agencies.
- Shifting the face of the retaining wall an additional 16 feet to the south would provide an area adjacent to the stream where shade-tolerant shrubs could be planted to stabilize the bank of Deep Run. In addition, any existing trees along the bank of Deep Run would be topped if required, but not removed, so that the roots would be left to provide habitat in the stream. Acceptability of this alternative would be conditioned upon (i) maximum minimization of disturbance to the area between the face of wall and Deep Run during construction of the wall footings, (ii) provision of a drainage system to convey groundwater through the roadway fill and retaining wall to Deep Run, and (iii) design of a culvert to carry the tributary such that it does not result in the need to armor the banks of the tributary at the culvert outfall nor the banks of Deep Run at the confluence. Regarding item (i) above, we would be looking to minimize the excavation necessary for the construction of the footing through such means as using sheeting to retain the excavation and serve as the form for the concrete footing, and construction of an L-shaped wall which minimizes the distance the footing projects in front of the wall.

- b. The other acceptable alternative would consist of a bridge, approximately 230 feet long, to carry the westbound lanes only. The bridge would necessitate the planting of some shade-tolerant shrubs along the south bank of Deep Run. In addition, piers would have to be located at the points where they would be furthest from Deep Run, even though this might necessitate designing unsymmetrical span lengths. A bridge would have the advantage of enabling any groundwater discharges to continue to reach Deep Run, would not displace any floodplain nor result in increased stream velocity, and would provide more riparian area for wildlife movement.
- 3. At wetland 11, two alternatives were raised by DNR. The cost of both these alternatives should be evaluated to determine whether they are practicable.
- a. One alternative would consist of a bottomless culvert to carry the stream under MD 100. In analyzing the benefits and costs of this alternative versus the SHA's preferred alternative, it is recognized that anadromous fish would not benefit since the stream is not expected to convey anadromous fish above this location. The unit cost was stated as \$2000 per linear foot for bottomless culverts.
- b. The other alternative would consist of a southward shift in the alignment of the eastbound roadway to create a wider median. The stream would be culverted under each roadway, but would remain undisturbed in a natural channel in the median between the two roadways. Each roadway would be in retained fill in the vicinity of the stream crossing. The natural channel in the median would be approximately 100 feet in length.

The SHA-preferred alternative is to culvert the stream for the entire destance beneath both roadways in two pipes, with the stream impact to be minimized through the use of retaining walls. One pipe would be designed to base flow. The second pipe would be designed to carry flood flows, and would be installed at a higher elevation. This vertical offset of the pipes would obviate the need to widen the stream channel to match the cross section of the culverts, a practice which generally results in a slowing of velocity and a large accretion of bedload material at the entrance to the pipe. The watershed at this location is 112 acres. If a pipe culvert is demonstrated to be the most practicable alternative at this location, we would like to see the following measures incorporated (these issues could be worked out during design):

- a. The base flow culvert should be large enough to carry the bank full flow. We would like the dimensions of the channel, as it exists immediately upstream of the culvert, to be duplicated inside the culvert.
- b. We would like the approach to the flood-flow culvert left in natural (i.e., vegetated) condition to the extent possible so as not to impede the passage of small mammals.

- c. The stream's original gradient should be duplicated so as not to create a flatter gradient where fine material would settle-out.
- d. If the pipe contains features designed to slow the discharge velocity, as SHA suggested at the site visit would be done, care should be exercised to avoid creating a deposition area within the culvert that would obstruct the low flow channel.
- 4. At wetland 12, in addition to estimating the cost of a bottomless culvert to determine practicability, the only other option being considered is the reconfiguration of the interchange to remove the two ramps from the wetland. The cost of acquiring the rendering plant (and the cost of cleanup, if it is determined to be a hazardous waste site) will be evaluated to determine whether this is a practicable alternative. The SHA has also elected to have their consultant take a second look at the delineation in this area since it was apparent from on-site observation that the flagging encompassed some upland areas.
- 5. Upon resolution of these few issues, the Corps would be able to concur in the selected alternative.

PAUL R. WETTLAUFER CIVIL ENGINEER

AUG 25 1993

Operations Division

Subject: CENAB-OP-RX(MD SHA/MD RT 100, MD 104 TO I-95)93-00302

Mr. Hal Kassoff Maryland State Highway Administration 707 North Calvert Street Baltimore, MD 21203-0717

Dear Mr. Kassoff:

This letter is to provide clarification pertaining to the request by this office, the USFWS, and DNR that bottomless culverts be considered for the MD Route 100 project in Howard County, Maryland. Our interest is to ensure that the highway's impacts to tributaries of the Deep Run stream system are minimized. When the final barrier to the migration of anadromous fish (at the railroad crossing) is removed from Deep Run, the tributaries which are crossed by this project will undoubtedly provide critical support to the early life stages of anadromous fish by providing refuge area, food sources, base flow, nutrients, and oxygen. Bottomless culverts offer several advantages over pipe culverts and box culverts in terms of accommodating the passage of aquatic species into these upper reaches of the stream system. Specifically:

- 1. Bottomless arch culverts generally let in more light. Studies have shown that fish passage is inhibited through dark culverts of the length that would be constructed for an eight-lane, divided highway.
- 2. A bottomless culvert would maintain a natural substrate in the stream. Even though a box culvert can be depressed one foot below the stream invert for the purpose of allowing material to be deposited, this deposition usually consists of unconsolidated fine sediments which are more susceptible to movement during storm events. The stream substrate would not be similarly altered in a bottomless culvert, thus providing a more stable substrate and allowing the colonization of benthic organisms.
- 3. Unlike a box culvert, a bottomless culvert would not necessitate the installation of a riprap apron, nor would it necessitate any widening of the channel, as is frequently done to taper a stream channel cross section to match the cross section of the box culvert. This widening of the channel immediately upstream of a culvert is undesirable because it would result in a slowing of velocity at the culvert and the deposition of sediment at that location (a long-term maintenance problem). The riprap apron is undesirable because it can create a barrier to fish movement during periods of low flow, and can result in the loss of additional habitat along the bank. Both the widening and the riprap installation require the removal of VIII-C4-15 Encl #2.

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stream bank vegetation with a corresponding loss of shade. Recent studies indicate that flow over extended length of riprap can significantly increase water temperatures, thereby affecting aquatic habitat.

- 4. Unlike a box culvert, the stream channel inside a bottomless arch culvert can contain meanders which provide resting area (pools of lower velocity water on the inside of bends) for aquatic species. In addition, such meanders contribute to the dissipation of velocity.
- 5. Bottomless arch culverts also better accommodate the passage of terrestrial animals. At a July 7, 1993 inspection of a recently constructed bottomless arch culvert in the Constitution Hills subdivision in Charles County, conducted with members of your staff, many tracks of small mammals were observed inside the culvert.

In view of the commitment in the Chesapeake Bay Agreement to restore the river herring fishery in Deep Run, and the ability of bottomless structures to mitigate specific long-term habitat impacts, we have concluded that the benefits cited above are important features that this highway project should provide, and can reasonably provide with no reduction in highway safety, capacity, or function. We would consider bridging to be another practicable means of providing these benefits.

Based on other permit application which we have received, many county public works departments, as well as neighboring state highway administrations, are currently utilizing concrete and steel bottomless arch culverts.

If desired, the Corps, USFWS, and DNR would be willing to accompany your Bridge Department staff on a second site inspection of a constructed bottomless arch culvert to allow your staff to observe first hand the benefits to aquatic systems afforded by these structures. We also will conduct a site visit with your staff of the proposed MD Route 100 crossings of wetlands 6, 11, and 12. A date for this inspection is being arranged by your staff.

If you have any questions, please call Mr. Paul Wettlaufer of this office at 962-1844.

Sincerely,

Keith A. Harris Acting Chief, Special Projects

CC: Sean Smith, DNR
Bill Schultz, FWS
Dave Lawton, FHWA
Earle Freedman
Bob Scheesley

Operations Division

Subject: CENAB-OP-RX(MD SHA/MD RT 100, MD 104 to I-95)93-00302-1

Maryland State Highway Administration Attn: Ms. Linda Kelbaugh 707 North Calvert Street Baltimore, MD 21203-0717

Dear Ms. Kelbaugh:

This is in response to the July 1, 1993 site visit to review potential mitigation sites for the subject project which is being evaluated using the joint NEPA/404 process.

The environmental agencies were represented by Ms. Jill Reichert and Mr. Sean Smith of DNR, and Mr. Paul Wettlaufer of this office.

Of the sites investigated east of MD 104 and west of I-95, two sites appear to have the most potential for wetland creation. The University of Maryland Animal Husbandry Farm site is located north of the main stem of Deep Run. Previous investigations of ground water indicated that ground water is close to the surface on at least a portion of the site. The site is dominated by wild Deer bedding areas were observed in several places. Several feet of earth would have to be removed to construct a wetland whose hydrology is dependent upon ground water. Because a regional stormwater pond has been constructed upstream, it is not expected that the stream would overtop its banks and flood the wetland except during severe storm events. A hydrologic outlet should be constructed from the wetland to Deep Run in order to provide nutrient export and ground water discharge functions. Other functions expected to be developed are wildlife habitat, passive recreation, a buffer from development proposed north of this site, a water quality enhancement of any runoff from such development, and stream canopy.

The second site is known as the Zeltman site located on Shallow Run (ADC Map, Page 17, B8). The site is currently a horse farm. Grazing and livestock watering is occurring in a portion of the stream. The site has an extremely high potential for future development, due to its location next to I-95, and due to the golf course proposed to the south. Plans of the golf course indicate that an upstream portion of this tributary will be included in the golf course development. The stream was vegetated predominantly by grasses. The topography lends itself to creation of approximately two acres of palustrine wetlands which would be fed by both groundwater and stream flooding. The site has high potential for success and would provide the functions of sediment removal, flood storage, nutrient uptake and nutrient export, groundwater discharge, wildlife habitat, a

buffer to future development, stream canopy, and stream restoration.

Both sites are considered by the Corps to be acceptable for mitigation by wetland creation. However, acceptability is contingent upon the satisfactory completion of an archeological survey, completion of environmental documentation pursuant to NEPA, hydrological investigations, and the consensus of the environmental agencies. A recorded non-development easement will be required prior to advancing these sites to construction. The final NEPA document should include an environmental assessment of the impact of constructing these mitigation projects, a narrative describing the proposed manipulations of the site and the expected source of hydrology, results of archeological investigations, and the property owner's approval to use the site.

Although not specifically investigated during the site visit, it is likely that areas along the south side of Deep Run (between Deep Run and the proposed Option D, assuming Option D is selected) could also be suitable for wetland creation, provided the hydrology is determined to be sufficient to support a wetland. We understand this area is also likely to be used for stormwater management. If there is a reforestation requirement for this project, we recommend that the reforestation also take place along Deep Run, particularly along the south side where the existing canopy is sparse on the Curtis and University of Maryland properties.

There are also areas along Shallow Run, upstream of the area we inspected, that may be suitable for wetland creation. One such area was identified on the plans for the golf course. Conceptual approval to mitigate in such areas will be dependent upon further site investigation.

If you have any questions, please contact Mr. Paul Wettlaufer of this office at 962-1843.

Sincerely,

Keith A. Harris Acting Chief, Special Projects

CC: Jack Hett
Karl Teitt
Bill Schultz
Sean Smith



O. James Lighthizer Secretary Hal Kassoff Administrator

September 28, 1994

Re: Contract No. HO 661-201-770 MD 100 from MD 104 to I-95 Howard County, Maryland

Mr. Keith Harris U.S. Army Corps of Engineers P.O. Box 1715 Baltimore MD 21201

Dear Mr. Harris:

In response to comments received from the U.S. Army Corps of Engineers, U.S. Fish and Wildlife Service and The Maryland Department of the Environment on the January 24, 1994, the Selected Alternate concurrence for the MD 100 project was revised and is being resubmitted.

In accordance with the combined NEPA/404 process, the Maryland State Highway Administration seeks your concurrence with the selected alignment, Alternate 3-Option D Modification IIA, and the mitigation goals and replacement ratios of the Conceptual Wetland Mitigation Sites for the proposed MD 100 project. We also seek your concurrence with our decision to drop Alternate 3-Modified Option C. Enclosed for your review is a discussion of the Selected Alternate and Conceptual Wetland Mitigation Sites along with justification for dropping Alternate 3-Modified Option C.

To ensure that this coordination is included in the final environmental document, upon receipt please fax the signed concurrence letter to Ms. Gay Olsen at (410) 333-1045. It is imparative that we receive your concurrence immediately to meet the document schedule.

My telephone number is ______

Mr. Keith Harris Page Two

Should you require additional information, please contact Mr. Howard Johnson at (410) 333-1179.

Very truly yours,

Louis H. Ege, Jr.
Deputy Director
Office of Planning and
Preliminary Engineering

oy: Joseph Kresslein

Assistant Division Chief Project Planning Division

cc: Ms. Jareene Barkdoll (w/attachments)

Mr. Louis H. Ege, Jr. Mr. Joseph Kresslein

Ms. Gay Olson

Ms. Cynthia D. Simpson

Mr. Karl Teitt

Concurrence:

V.S. Army Corps of Engineers

Chief, Special Projects Section

fin Keith A. Harris

Date



DEPARTMENT OF THE ARMY

BALTIMORE DISTRICT, U.S. ARMY CORPS OF ENGINEERS BALTIMORE, MD 21203-1715

Oct 3 10 10 m 194

1SEP 30 1994

REPLY TO ATTENTION OF

Operations Division

Subject: CENAB-OP-RX(MD SHA/MD RT 100, MD 104 TO I-95)93-00302

Ms. Linda Kelbaugh Maryland State Highway Administration 707 North Calvert Street Baltimore, MD 21203-0717

Dear Ms. Kelbaugh:

This is in reply to your September 6, 1994 request to construct 0.3 acres of palustrine emergent wetlands, as full mitigation for the impacted emergent wetlands on the subject project, at the Deep Run Mitigation Site in Howard County, Maryland.

We concur with your request. Please be advised that we have not received any proposal to mitigate the impact to 2200 linear feet of Waters of the U.S., as we required by letter of August 1, 1994 to Ms. Cynthia Simpson. We hope the resolution of this issue can be accomplished in a timely manner so as not to delay the issuance of our permit.

In addition, we have enclosed the minutes of two recent site inspections that we conducted with members of your staff. If you have any questions about our findings, please call Mr. Paul Wettlaufer of my staff at (410) 962-1844.

Sincerely,

Keith A. Harris

Chief, Special Projects

Paul R. Wettlaufer

Cynthia Simpson cc:



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY REGION III

841 Chestnut Building
Philadelphia, Pennsylvania 19107-4431 1 35 111 133

Louis H. Ege, Jr.
Deputy Director
Office of Planning and Preliminary Engineering
State Highway Administration
707 North Calvert St.
Baltimore, Md 21203

Attn: Karl Tiett

MAY 2 0 1993

Re: Md 100 from MD 104 to I-95

Dear Mr Ege:

In accordance with the combined NEPA/404 process EPA provides the following comment on SHA's requested concurrence for "alternatives dropped from further study" for the Rt 100 project. The revised package sent to our office in early April is similar to that provided in the Supplemental Draft Environmental Impact Statement (SDEIS). Since our written comments on the SDEIS several interagency meetings have been held to discuss this project and a more detailed study on project alternatives has been initiated by SHA.

EPA concurs with the alternates dropped from further study including the MD 108 and 103 options, the raised grade FEIS alternate and all of the MD Rt 100/104 interchange options except C3. In addition EPA concurs with the dropping alternatives D2 through D6 and the 30 foot median alternative.

EPA is under the understanding that SHA will carry forward for detailed study the C3 interchange and alternates D1 and D7. D1 has been renamed as Option C and D7 renamed Option D. SHA has initiated a detailed study of these retained alternates which we are now in the process of reviewing. After preliminary review EPA offers the following comment on the detailed study of the remaining options.

EPA concurs with the 54 foot median concept carried throughout this detailed study.

An interagency meeting was held on May 19, 1993 to further discuss Rt 100 options. At the meeting, based on lack of additional environmental benefit and/or high construction cost, it was recommended to drop the channel only and flood plain bridge options for all options. EPA concurs with this action. In addition EPA believes that bridges are only necessary where main stem impacts will occur such as with the westbound lanes of

Option D and where option C crosses Deep Run (if option C is selected then a specific bridge length that spans the wetlands will be recommended for the Snowden River Parkway and made part of the Rt 100 permit). EPA recommends, where feasible, that bottomless arches be utilized at the other tributary crossings.

From preliminary examination of the tables and maps provided it appears that there is no significant environmental gains from further developing Option D Modification II (lower profile) or Option D with fill slopes (base option). In addition the Option C base option has significant environmental impacts. EPA recommends that these can be dropped from further evaluation.

EPA recommends that SHA focus on Option D Mod I (northern shift) with retaining walls at W-6 and walls and a westbound lane bridge at W-8 and Option D Mod III (bifurcated) with the same provisions. Option C Mod I with retaining walls and a bridge over the Deep Run wetlands should be further evaluated. In addition, as part of Option C Mod I, EPA requests that the Snowden River Parkway bridge over Deep Run be included as part of the design. The combination alternative (C/D) suggested by the Corps may result in lower wetland and stream channelization impact and should also be evaluated by SHA.

At this time EPA still favors Option D as it has the least amount of wetlands impact, reduces the number of Deep Run crossings and with proper design should also minimize stream channelization impacts. Unresolved issues include the selection of a single alternate with exact bridge lengths and mitigation site location and design.

If you have any questions regarding our comments please do not hesitate to call Mr. Peter Stokely of my staff at 215-597-9922.

Sincerely,

William Hoffman, Acting Chief Wetlands Protection Section



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY REGION III

841 Chestnut Building Philadelphia, Pennsylvania 19107-4431

HAR 14 8 03 KM 194

George Walton Maryland State Highway Administration 707 North Calvert St. Baltimore, Md. 21203

MAR 0 8 1994.

Dear Mr. Walton

EPA has reviewed the documentation and request for concurrence for MD RT 100 in Howard County. I would like to begin by expressing our agencies appreciation to the State Highway Administration for the hard work and dedication it demonstrated by developing and selecting Option D Modification II. This practicable alternative reduced wetlands impacts over the FEIS álignment by approximately 50%, in addition stream channel impacts were greatly reduced, including complete avoidance of main stem impacts to Deep Run. SHA's hard work and especially that of Mr. Karl Teitt has demonstrated that the federal and state agencies can effectively work together on highway development issues.

EPA concurs with the selection of Option D Modification II. As with any project, additional design considerations provide opportunity for further minimization of impacts. EPA requests that SHA consider the following comments/recommendations as SHA moves into the final stages of highway design.

In regard to the retaining wall at wetland 6A, from discussions with the Corp and SHA it appears that there are some outstanding issues to be addressed. EPA trusts that SHA will continue to work with the Corps to further minimize impacts in this area.

From the analysis provided by SHA it appears that the use of bottomless arch culverts is a cost effective alternative to cement box culverts at W-11 and W-12. For reasons of wildlife passage and establishing natural substrate conditions bottomless arch culvert design is preferred over conventional culvert designs, it seems reasonable to expect SHA to incorporate bottomless arch culverts into the final design.

Regarding the mitigation package, we concur with the use of the University of Maryland and Zeltman sites but have no information to concur on regarding the proposed stream restoration. Please continue to coordinate and seek concurrence with the federal agencies on the mitigation proposals. In addition, EPA recommends SHA seize the opportunity for creation

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of a forested buffer zone along the south side of Deep Run to buffer it from RT. 100.

Thank you for this opportunity to comment . If you have any additional questions please do not hesitate to call me at 215-597-9922.

Sincerely,

Peter M Stokely



William Donald Schaefer Governor

Maryland Department of Natural Resources Water Resources Administration

Tawes State Office Building Annapolis, Maryland 21401

Torrey C. Brown, M.D. Secretary

Robert D. Miller
Director

!

"A Commitment to Excellence in Managing Maryland's Water Resources"

June 25, 1993

Ms. Cynthia Simpson
Deputy Division Chief
Project Planning Division
State Highway Administration
707 North Calvert Street
Baltimore, MD 21203-0717

RE: MD 100 from West of MD 104 to I-95 (SHA Contract 661-201-070): Draft Environmental Impact Statement, Patapsco River Watershed, Howard County

Dear Ms. Simpson:

The Department of Natural Resources (DNR) has reviewed the referenced document in accordance with the newly established NEPA/404 process. In accordance with our concerns and resource protection objectives, we have compiled the following comments generated from the coordinated DNR review of the submitted materials.

Background

The Department has significant concerns regarding Deep Run, a tributary to the Patapsco River, located within the project area. Deep Run is targeted by this Department for restoration of historic anadromous fish spawning areas in accordance with the 1987 The waterway is currently stressed, Chesapeake Bay Agreement. structures primarily by the development in-stream of urbanization of the surrounding watershed. The proposed highway development project and future urban development in the watershed is expected to place additional stress on the aquatic system. The future protection and/or enhancement of the aquatic resources in the Deep Run aquatic system will require the implementation of measures which will achieve the following objectives:

 maintenance of the existing in-stream aquatic habitat by avoiding the placement of riprap and structural conduits for roadway crossings;

Telephone: (410) 974-2156

DNR TTY for the Deaf: 301-974-3683

- 2) maintenance of the subsurface hydrologic sources contributing to discharges constituting baseflow in Deep Run;
- 3) avoid the alteration of stormflows, including events less than the two year storm, which will degrade the channel over the long term; and
- 4) provide for a contiguous riparian corridor large enough to effectively provide shade cover over the stream and maximize wildlife habitat potential under the proposed land-use conditions.

Alternate Selection

- 1) We concur with the conclusions regarding the excessive social impacts associated with the MD 108 and MD 103 alignments and the inadequacy of the wetland avoidance associated with the Raised Grade options.
- 2) In accordance with the findings of the document, we prefer interchange Option C-3, which has the least impact to Wetland 6. However, we anticipate that indirect impacts to Wetland 6 will occur due to the proximity of the roadway to the wetland.
- 3) Of the alignments retained for detailed study, Alternative III Option D is preferred because of the associated minimum impact to wetlands and the Deep run mainstem. It appears that Option D-7 between MD 104 and Old Montgomery Road will provide a larger buffer area between the roadway and the riparian corridor of Deep Run than Option D-1 along this segment. Specific refinements to the proposed alignment will be necessary to ensure impacts to aquatic resources are minimized to the greatest extent practicable.

Specific Comments

- 1) Page II-10 states that the 1989 FEIS alternative requires the relocation of approximately 1600 feet of Deep Run. Page IV-13 states that Alternative III, the 1989 FEIS alternative, requires the relocation of 1800 feet of Deep Run. This discrepancy should be addressed.
- 2) Page III-8 discusses the planned utilities in the project area. Any relocation of exiting or proposed utilities which will result in additional impacts to wetlands or waterways should be identified in the document.
- 3) Page IV-11 identifies the construction of stone embedded baffles in concrete channels as an option to dissipate energy. We recommend against the construction of concrete channels because of the associated potential aquatic habitat destruction in the immediate and downstream areas.

- 4) Page IV-12 states that no long term impacts to the Red Hill Branch tributary are expected to occur in association with the MD 100 crossing. The document should clarify that the permanent loss of several hundred feet of stream will result from the crossings. In-kind mitigation will be required for these impacts.
- 5) The total wetland acreage associated with Alternative III Option D is incorrectly summarized in Table IV-4 on page IV-20. The total acreage should be revised to 6.8 acres. This total may change if the impacts to Wetland 13 increase in response to the social impact associated with avoidance.
- 6) Page IV-26 references soil and sedimentation control practices outlined by the Fisheries Division of this Department and Maryland Department of the Environment.
 - a) Although Fisheries Division has made comments regarding sediment control on specific projects, it should be clarified that standards for sediment control are established by the Standards and Specifications for Soil Erosion and Sediment Control. Accordingly, we recommend implementation of sediment control practices in accordance with the MDE standards and the Chesapeake Bay Initiatives Action Plan for sediment control compiled by the State Highway Administration.
 - b) Maryland Guidelines to Waterway Construction addresses procedures for conducting dewatering activities and the construction of stream diversions, bank stabilization, and stream crossings. These guidelines should be referenced in the document and the pertinent procedures should be incorporated into the construction plans.
 - c) The document should identify the inability of sediment control measures to fully mitigate impacts from land disturbance associated with typical projects.
- 7) Four homes are to be displaced at the western end of the project (Sta. 250+00 260+00) due to a southward shift volunteered by SHA. A northerly shift, although it may result in a slightly greater impact to Wetland 13, may eliminate the proposed displacement. The additional wetland impacts may be justified considering the associated social impact.
- 8) The use of non-wetland open space should be maximized by fine tuning the alignment between Sta. 145+00 and Sta. 165+00. We recommend the following:
 - a) reducing the median width to the minimum necessary to satisfy the project purpose and need;

- b) installing retaining walls;
- c) using a geo-grid to allow the construction of a stable 1:1 slope;
- d) shifting the termination of the west-bound ramp from Snowden River Parkway to the east, away from wetland 6A; and
- e) the use of bottomless arches to cross the tributary at wetland 6A.
- 9) We recommend the construction of the diamond interchange at Snowden River Parkway in "cut", if feasible, in order to reduce the width of disturbance.
- 10) The diamond interchange at Snowden River Parkway under Option D does not accommodate traffic volumes as great as the originally proposed trumpet interchange, but does reduce wetland impacts. We recommend that concurrence be obtained from Howard County relative to the ability of the interchange to meet the projected traffic demands. This may prevent the necessity for future impacts to Deep Run associated with additional roadway improvements.
- 12) Any alteration of the 100-year floodplain, nontidal wetlands, expanded buffer must meet the WRA regulatory requirements. Necessary permit(s) shall be obtained in accordance with Natural Resources Article 8-803 (A) and 8-1206(B) Annotated Code of Maryland, COMAR 08.05.03.03A and .08.05.04.02A. addition, a Water Appropriation and Use Permit is required for any water withdrawal from a stream, pond or well for construction controlling mixing materials, activities such as A Water Appropriation and Use Permit is also hydroseeding, etc. required for construction dewatering.
- 13) The document should specify that mitigation for impacts to nontidal wetlands will be provided according to the following ratios: 2:1 (replaced:impacted) for forested wetlands, 2:1 for scrub shrub wetlands, 1:1 for emergent wetlands. In addition, stream impacts should be mitigated on a minimum 1:1 basis through the implementation of stream enhancement, restoration, and corridor reforestation activities within the Deep Run watershed.
- 14) The incorporation of buffer areas adjacent to Deep Run and its tributaries are considered necessary for the long term protection of the aquatic system. We recommend that SHA evaluate the feasibility of constructing the Snowden River Parkway interchange design proposed by the Corps of Engineers in their November 9, 1992 letter to SHA. The relocation of the Snowden River Parkway ramp

closer to the northeast side of MD 100 should be considered in the evaluation to increase the distance between the roadway and Deep Run. The potential to address sight distance problems associated with the ramp by lengthening the MD 100 bridge over Snowden River Parkway should be considered in the evaluation.

- 15) We recommend that the six lane roadway proposed at this time be constructed so that the west-bound lanes are placed as far to the south-west as possible, thereby leaving the right-of-way for two possible expansion lanes between the north-east side roadway limit and Deep Run.
- 16) The information provided to date does not indicate the proposed stormwater management strategies associated with each alignment option. Potential impacts from SWM infrastructure to Deep Run, its tributaries, and the buffer area between MD 100 and the Deep Run mainstem should be identified.

I hope these comments help in resolving the issues associated with the Route 100 project. If you have any questions, please contact me.

Sincerely,

Elder A. Ghigiare li, Jr.

Chief, Coastal Zone Consistency Unit

EAGJr:cma

cc: Sean Smith, TID
Ali Mir, WRA
Paul Wettlaufer, COE
Gary Setzer, WRA



Maryland Department of Transportation State Highway Administration

O. James Lighthizer Secretary Hal Kassoff Administrator

January 24, 1994

Re: Contract No. HO 661-201-770 MD 100 from MD 104 to I-95 Howard County, Maryland

Mr. Elder Ghigiarelli
Maryland Department of Natural Resources
Tidewater Administration
Power Plant and Environmental Review
Division
Tawes State Office Building C-2
Annapolis MD 21401

RECEIVED

JAN 29 1994

WATER RESOURCES ADMIN. WATER & WETLANDS PROGRAM

Dear Mr. Ghigiarelli:

In accordance with the combined NEPA/404 process, the Maryland State Highway Administration seeks your concurrence on the signature line provided with the selected alignment, Alternate 3-Modified Option D (II), and the mitigation goals and replacement ratios of the Conceptual Wetland Mitigation Sites for the proposed MD 100 project. We also seek your concurrence with our decision to drop Alternate 3-Modified Option C. Enclosed for your review is a discussion of the Selected Alternate and Conceptual Wetland Mitigation Sites along with a discussion for dropping Alternate 3-Modified Option C. Please return the signed cover letter to Mr. George W. Walton by March 8, 1994.

Should you require additional information, please do not hesitate to contact me at (410) 333-3439.

Very truly yours,

Louis H. Ege, Jr.
Deputy Director
Office of Planning and
Preliminary Engineering

by:

George W. Walton Assistant Division Chief

Assistant Division Chief Project Planning Division

Mr. Elder Ghigiarelli Page Two

LHE:HJ:sc

CC: Ms. Jareene Barkdoll
Mr. Louis H. Ege, Jr.
Ms. Cynthia Simpson
Mr. Jeff H. Smith
Mr. Karl Teitt

Concurrence:

Maryland Department of Natural Resources

VIII-C4-27B





Maryland Department of Transportation State Highway Administration

O. James Lighthizer Secretary Hal Kassoff Administrator

January 28, 1994

Re: Contract No. HO 661-201-770 MD 100 from MD 104 to I-95 Howard County, Maryland

Mr. A. Porter Barrows
Division Administrator
Federal Highway Administration
The Rotunda-Suite 220
711 West 40th Street
Baltimore MD 21211

Attention: Mr. David Lawton

Dear Mr. Barrows:

In accordance with the combined NEPA/404 process, the Maryland State Highway Administration seeks your concurrence with the selected alignment, Alternate 3-Modified Option D (II), and the mitigation goals and replacement ratios of the Conceptual Wetland Mitigation Sites for the proposed MD 100 project. We also seek your concurrence with our decision to drop Alternate 3-Modified Option C. Enclosed for your review is a discussion of the Selected Alternate and Conceptual Wetland Mitigation Sites along with a discussion for dropping Alternate 3-Modified Option C. Please return the signed cover letter to Mr. George W. Walton by March 8, 1994.

Should you require additional information, please do not hesitate to contact, the Environmental Manager, Mr. Howard Johnson, at (410) 333-1179.

Very truly yours,

Hal Kassoff Administrator

by:

Weil & Lelevan

Neil J. Pedersen, Director Office of Planning and Preliminary Engineering Mr. A. Porter Barrows Page Two

Ms. Jareene Barkdoll (w/attachments)

Mr. Louis H. Ege, Jr. Ms. Cynthia D. Simpson

Mr. Jeff H. Smith

Mr. Karl Teitt

Mr. George W. Walton

Concurrence:

Federal Highway Administration Division Administrator

2-1694

Date



Maryland Department of Transportation State Highway Administration

O. James Lighthizer Secretary Hal Kassoff Administrator

September 28, 1994

Re: Contract No. HO 661-201-770 MD 100 from MD 104 to I-95 Howard County, Maryland

Mr. A. Porter Barrows
Division Administrator
Federal Highway Administration
The Rotunda-Suite 220
711 West 40th Street
Baltimore MD 21211

Attention: Mr. David Lawton

Dear Mr Barrows:

In response to comments received from the U.S. Army Corps of Engineers, U.S. Fish and Wildlife Service and The Maryland Department of the Environment on the January 24, 1994, the Selected Alternates concurrence letter for the MD 100 project, was revised and is being resubmitted.

In accordance with the combined NEPA/404 process, the Maryland State Highway Administration seeks your concurrence with the selected alignment, Alternate 3-Option D Modification IIA, and the mitigation goals and replacement ratios of the Conceptual Wetland Mitigation Sites for the proposed MD 100 project. We also seek your concurrence with our decision to drop Alternate 3-Modified Option C. Enclosed for your review is a discussion of the Selected Alternate and Conceptual Wetland Mitigation Sites along with a justification for dropping Alternate 3-Modified Option C.

To ensure that this coordination is included in the final environmental document, upon receipt please fax the signed concurrence letter to Ms. Gay Olsen at (410) 333-1045. It is imparative that we receive your concurrence immediately to meet the document schedule.

410-333-1110

My telephone number is _____

Mr. A. Porter Barrows Page Two

Should you require additional information please contact Mr. Howard Johnson at (410) 333-1179.

Very truly yours,

Hal Kassoff Administrator

by:

Neil J. Wedersen, Director Office of Planning and Preliminary Engineering

cc: Ms. Jareene Barkdoll (w/attachments)

Mr. Louis H. Ege, Jr. Mr. Joseph Kresslein

Ms. Gay Olson

Ms. Cynthia D. Simpson

Mr. Karl Teitt

Concurrence:

/Federal Highway Administration Division Administrator 10-3-94

Date

Section VIII-D
Citizen Correspondence

Mr Neil J. Pedersen Director, Office of Planning and Preliminary Engineering State Highway Administration Room 401 707 North Calvert Street Baltimore, MD 21203-0717 December 13, 1992

Dear Mr. Pedersen:

Enclosed is a copy of my speech presented at the Route 100 Public Hearing held at Howard Senior High School on Tuesday, December 1, 1992. Some information was not orally presented during the hearing and I wish it to be included. Thank you.

Sincerely,

Ruth 2. Fith Keith W. Fitch Vice President. Montgomery Run Condominium Association 8561-L Falls Run RD Ellicott City, MD 21043

Maryland Department of Transportation State Highway Administration

O James Lighthize Secretary Hal Kassoff Administrator

February 11, 1993

Mr. Keith W. Fitch Vice President Montgomery Run Condominium Association 8561-L Falls Run Road Ellicott City MD 21043

Dear Mr. Fitch:

Thank you for your recent letter concerning the proposed MD 100 project.

Your comments presented at the December 1, 1992 public hearing and submitted via your recent letter will be addressed in detail in the Supplemental Final Environmental Impact Statement (SFEIS). The State Highway Administration (SHA) will identify a preferred alternative within the next several months. Following that decision, SHA will prepare the SFEIS and submit the document to the Federal Highway Administration for review and approval.

Thank your again for your interest in the MD 100 project. If you have any additional questions or comments, please feel free to contact the project manager, Mr. Karl Teitt. Karl can be reached at (410) 333-6437 or toll free at 1-800-548-5026.

Very truly yours,

Louis H. Ege. Jr. Deputy Director Office of Planning and Preliminary Engineering

Karl R. Teitt Project' Manager

Project Planning Division

LHE: KRT: ds

cc: Mr. Howard Johnson (w/incoming)

Mr. Paul Wettlaufer "

Mr. James Wynn

My telephona number is

410-333-6437

Telatypewriter for Impaired Hearing or Speech 383-7555 Baltimore Metro - 565-0451 D.C. Matro - 1-800-492-5062 Statewida Toll Free 707 North Calvert St., Baltimora, Maryland 21203-0717

D-1-1

December 1, 1992

Mr. Neil J. Pedersen
Director, Office of Planning and Preliminary Engineering
State Highway Administration
Room 401
707 North Calvert Street
Baltimore, MD 21203-0717

Dear Mr. Pedersen:

My name is Keith Fitch and I am Vice President of the Village of Montgomery Run Condominium Association, Section II. Tonight, I am speaking on behalf of my community's Board of Directors and its three hundred and fifty-four section II homeowners. The Montgomery Run community, Sections I and II, consists of a total of 588 homes. Our community is a mixture of the elderly, purchasing their final residence, and the young, buying their first home. As a community, we have been relatively quiet about Route 100 because we believed that it would be constructed as originally planned. Recent proposals that were considered improbable before, are now being offered as options. In March of 1992, Section I and Section II's Boards sent a letter to the state supporting the original and northern alignments of Route 100. Other community's association leaders have misled elected officials, the media, and State Highway Administration personnel about the significance and popularity of moving the original Route 100 path to a more southern route. Montgomery Run is the most affected community.

Montgomery Run Section 2 is vehemently opposed to Route I00's Alternate 3's Options B and D. Options B and D, referred to as the Lazy'S' proposals, move Route I00 south to be within 100 feet of our homes. There are four reasons why we oppose Options B and D: poor engineering, socioeconomic impact, environmental concerns, and contractual obligations. If Route I00 is to be built, it should be built right. The Army Corps of Engineers has already noted that the Lazy 'S' has some operational disadvantages. The Army, in its letter to Mr. Karl Teitt on March 25, 1992, has raised the issue of traffic flow problems with Options B and D at the intersection of Snowden River Parkway. Also, the curvilinear alignment of Option B and D raises the issue of safety. Does the State Highway Administration want to develop a high-speed highway with excessive and unnecessary curvature? Options B and D are poorly engineered solutions.

The second reason for opposition of Options B and D is its socioeconomic impact. Increased noise levels from these two alignments directly impacts the value of all 588 homes in Montgomery Run. Units close to tests sites 24 and 26 will be exposed to 73 dBA and 72 dBA respectively, which exceeds Federal Highway Administration Noise Abatement Criteria. Noise abatement measures will not be effective for second and third floor units and may jeopardize future FHA/VA loans. A minimum of eight families per building affected will be displaced if this occurs at a a cost of over \$800,000 per building or \$2.4 million for three buildings (\$100,000 per unit valuation for second and third floor units.). Also, Route 100's Option B and D have already affected the sales-of several Montgomery Run units, homeowners have complained to the state and Montgomery Run's Board that they have been unable to sell their properties at reasonable prices. One component of real estate pricing is the recent sales of units within the community, the depreciation of Route 100 affected units affects all in our community. A 10 per cent reduction in unit pricing equates to over 5.4 million dollars in lost Montgomery Run homeowner equity. (\$92,000 average unit valuation, conservative estimate).

The third reason for opposition of Options B and D is our environmental concern. Designing Route 100 to minimize impacts to wetlands is not a holistic environmental approach. Air pollution

D-1-2

created by travelling excess miles has been an unaddressed problem. Options B and D are longer routes than Options A and C. Using Maryland State Highway estimates for average daily traffic and an optimistic 20 MPG per vehicle fuel economy estimate, it is easy to show that Option B and D will waste over 100 thousand gallons of fuel per year by 1995. Option B will waste close to 200,000 gallons of fuel per year by 2015 and Option D will waste over 236,000 gallons of fuel each year by 2015. [As shown in Table 1.] The State Highway Administration and Environmental Protection Agency should evaluate the amounts of CO, CO₂, and sulphur pollutants that would be released if Options B or D are implemented. It is far easier to mitigate wetlands than clean polluted air. Options B and D cross two unnamed Deep Run tributaries, impact to these streams has been overlooked. Also, proposals by Robert Curtis have shown that the lost wetlands could be mitigated at a rate of 4:1 in the Deep Run Watershed with Options A and C. Thus, Options A and C are environmentally preferred for air quality and wetland mitigation. Also, Options A and C use the least acreage of old field, forested, and wet lands. There has also been a new forest preservation law passed in the State of MD. Has the State, EPA, and Army Corps of Engineers considered this aspect?

2015 Yearly Excess 1995 Yearly Excess Excess Dis-Distance (ft) Option Fuel Consumed Fuel Consumed tance over 20MPG/vehicle 20MPG/vehicle Alternate 3 0 0 26500 FEIS 3 27,499 14,154 130 26630 Option A 199,477 102,672 943 27443 Option B 126,920 65,327 600 27100 Option C 236,072 121.508 1116 27616 Option D

Table 1. Yearly Fuel Waste 1995 & 2015 Projections

Based on Average Daily Traffic of 31500 & 61200 vehicles for 1995 and 2015 respective from SHA February 9, 1988 Hearing

The fourth reason Montgomery Run opposes Option B and D is contractual. Macks Homes and Newmiss Partnership have planned, developed, and sold the Village of Montgomery Run with the assumption that the State Highway Administration would abide by its written agreements of November 18, 1985 and September 13, 1989. Both documents were approved by the County Council and have been a part of the public record for many years. The second document, First Addendum to Memorandum of Understanding, was created to appease the residents of Hunt Country Estates. Newmiss Partnership agreed to deed part of its land planned for the Village of Montgomery Run to allow the building of two houses in the Hunt Country Estates by pushing Route 100 south. If Option B or D are selected the State Highway Administration would be in violation of its two agreements and the Board of Directors of Montgomery Run in conjunction with Macks Homes, and Newmiss Partnership would seek compensation.

In conclusion, the Village of Montgomery Run Condominium Association Section 2 and its three hundred and fifty-four homeowners are against Option B and D. Route 100's proposed Alternate 3, Option A and Option C would have far less impact to our community and are preferred. The Village of Montgomery Run has already compromised, we will compromise no more. Thank you.



K. W. Fitch 8561-L Falls Run Rd. Ellicott City, MD 21043

COMMENTS TO THE ROUTE 100 PUBLIC HEARING

HELD DECEMBER 1, 1992

AT HOWARD HIGH SCHOOL

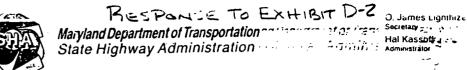
My name is Donald Macfarlane and I live at 8063 Fetlock Court in Ellicott City with my wife and daughter. I do not possess a great deal of oratory skill and therefore, choose to express my views, concerns, and questions regarding the Route 100 project in written form. All the comments and questions provided are only intended to reflect my own personal opinions and concerns. I am writing only in my own behalf.

I attended the public hearing held December 1 and listened to the various points of view expressed by residents of Hunt Country Estates, Montgomery Run, and the surrounding area, as well as, the presentation by the State Highway Administration (SHA). I walked out of the hearing with a feeling of frustration and a great deal of concern. You see my home is directly adjacent to the two homes that will be destroyed if alternatives A or C are selected. Approximately two-thirds of my backyard will be required under these alternatives and the fence line will be within 50 feet of my house.

My concern and frustration are centered around three points: (1) the timing of events; (2) the voluntary buy out of six homes; and (3) noise abatement.

- 1. Timing of events There has been no effort by the state highway administration to provide even a proposed schedule for the Route 100 project. I understand the large number of government agencies that are involved in providing input to the decision process, but peoples lives have been drastically disrupted. A schedule for the project from the point a decision is made as to the alignment of Route 100 can surely be projected. From every person I have spoken to in SHA, I understand the project planning, design, and right away land acquisition has been funded. The scheduling from that point on can surely be estimated based on past experience.
- 2. The voluntary buy out of six homes Six of the eight owners of homes on Fetlock Court that met with representatives of SHA September 30, 1991 were offered, at that time, a voluntary buy out if Route 100 is constructed along the northern alignment (Alternatives A & C). At that meeting and again at the November 23, 1991 meeting in Fetlock Court the SHA was requested to put this offer in writing. Mr. Pederson (Sept. 30, 1991) and Mr. Kassoff (Nov. 23, 1991) both stated that this offered would be made in writing. No exact terms of the buy out other than the purchase would be made at fair market value had been determined at that time. As the owner of the most severely impacted home included in this offer. I am requesting the offer be made in

D-2-1



February 11, 1993

Mr. Donald Macfarlane 8063 Fetlock Court Ellicott City MD 21043

Dear Mr. Macfarlane:

Thank you for your recent letter concerning the proposed MD 100 project.

Your written comments submitted following the December 1, 1992 public hearing will be addressed in detail in the Supplemental Final Environmental Impact Statement (SFEIS). The State Highway Administration (SHA) will identify a preferred alternative within the next several months. Following that decision, SHA will prepare the SFEIS and submit the document to the Federal Highway Administration for review and approval.

Thank your again for your interest in the MD 100 project. If you have any additional questions or comments, please feel free to contact the project manager, Mr. Karl Teitt. Karl can be reached at (410) 333-6437 or toli free at 1-800-548-5026.

very truly yours,

Louis H. Ege. Jr. Deputy Director Office of Planning and Preliminary Engineering

Karl R. Teitt

Project Manager Project Planning Division

cc: Mr. Howard Johnson (w/incoming)

Mr. Paul Wettlaufer "

Mr. James Wynn

410-333-1136 My telephone number is _

Teletypewriter for Impaired Hearing or Speech 383-7555 Baltimore Metro - 565-0451 O.C. Metro - 1-800-492-5062 Statewide Toll Free 707 North Calvert St., Baltimore, Maryland 21203-0717

12

writing and all terms of the offer that have been determined at this time be included. In addition I request that if either of the northern alignments are selected, the purchases be expedited as quickly as possible. A few questions come to mind such as:

- a. When is a decision anticipated?
- b. If the decision is made to construction Route 100 along the northern alignment (Alternative A or C), how long after that decision is made will it take to finalize the buy out?
 - c. What are the procedures for the buy out?
- d. Will any moving or relocation expenses be provided to the six families?
- e. Will any assistance be provided to the six families in establishing comparable financing for their next home?
- f. Will all closing costs of the voluntary buy out be covered by the SHA?
- 3. Noise Abatement Based on the discussions at the public hearing it is apparent that my home as well as the other houses located on Fetlock Court will all be severely impacted by any of the alternatives being proposed. Noise abatement needs to be included in the cost estimates for each alternative so any significant noise impacts to any existing community are minimized. Route 100 will be built I am sure, but the construction of the road should not only minimize environment and wildlife impacts, but also minimize impacts to the quality of life of the human population.

Impacts to the quality of life not only include the noise impacts, but also the emotional and economic impacts of the uncertainty of the situation. For fourteen months now, I have wondered where I would be living and whether my wife, daughter, and I would be able to afford a house that we would want to call home. The economic times multiply the uncertainty and the concern. The basic economic and personal decisions every family faces, such as refinancing your home, when to have a second child, or how to save for your daughter's education are all interrupted by the uncertainty of Route 100. Do I continue to put the extra \$25 a pay towards Lisa's college fund or to save so we can afford a house we can call home? All these decisions by my family and I am sure the other families being impacted by Route 100 are waiting for the decision by the SHA.

I have refrained from commenting on the need for Route 100 primarily because I really do not know if the road will be of any benefit. For the region it may very well be beneficial, but on the local level I am not so sure. The development of new homes in Montgomery Meadows, off Ilchester Road, and off Kerger Road along with the development of a Curtis-Shipley/Maryland Horse

Farm property will surely more than replace any traffic diverted from Routes 103 and 108 by Route 100.

In closing, my final comment is just this. When deciding on the alignment make a good and correct decision, but please make a decision and remove the uncertainty from so many lives. Once the decision is made move forward expeditiously, so we can get on with our lives.

Donald W. Macfarlane

D-2-2

D-2-3

Mr. Thomas O'Brien's letter and attachments appear on the following pages.

RESPONSE TO EXHIBIT D-3

Maryland Department of Transportation Annual Secretary Research Administration To Hall Kassofts Administration

O. James Lighthizer

February 11, 1993

Mr. Thomas O'Brien 8066 Fetlock Court Ellicott City MD 21043

Dear Mr. O'Brien:

Thank you for your recent letter concerning the proposed MD 100 project.

Your comments presented at the December 1, 1992 public hearing and submitted via your recent letter will be addressed in detail in the Supplemental Final Environmental Impact Statement (SFEIS). The State Highway Administration (SHA) will identify a preferred alternative within the next several months. Following that decision, SHA will prepare the SFEIS and submit the document to the Federal Highway Administration for review and approval.

Thank your again for your interest in the MD 100 project. If you have any additional questions or comments, please feel free to contact the project manager, Mr. Karl Teitt. Karl can be reached at (410) 333-6437 or toll free at 1-800-548-5026.

Very truly yours,

Louis H. Ege. Jr. Deputy Director Office of Planning and Preliminary Engineering

Karl R. Teitt

Project Manager

Project Planning Division

LHE: KRT:ds

Mr. Howard Johnson (w/incoming)

Mr. Paul Wettlaufer "

Mr. James Wynn

410-333-6437 My telephone number is

Teletypewriter for Impaired Hearing or Speech
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5062 Statewide Toll Free 707 North Calvert St., Baltimore, Maryland 21203-0717

D-3-1

11/2

My name is Tom O'Brien and I live at 8066 Fetlock Court, Ellicott City, Maryland 21043.

Once again, we must look at the past, so we can plan the future.

For those of you, who <u>now</u> have to make that final decision, please keep in mind my neighbors--our community that was wronged in 1985 by SHA, the county council and the developer.

Let me start by saying, I believe that the ethical behavior of SHA, Howard County Council (of that time) and the developer, should be looked into by the Attorney General's office. In our society, we expect and should demand that our politicians, bureaucrats and corporate leaders should be above reproach in dealings with the public.

In reading materials pertaining to the proposed Rt. 100, there creates a conflict in my mind, as to who was truthful and who lied. "You be the judge".

In 1984-1985, the original alignment of the proposed Rt 100, Alternate #3, and others ran between Rt. 104 (Waterloo Road) and Old Montgomery Road, cutting through the middle of Macks & Macks Property and Curtis Horse Farm. Mr. Macks & Mr. Curtis sought the support of the county council, chaired by Vernon Gray, and SHA to shift the road slightly to the north of their properties. This way, Mr. Macks could develop more of his property, and Mr. Curtis could have access to Deep Run stream to water his horses. This certainly sounds reasonable. As matter of fact, Mr. Macks was willing to donate land to SHA for this alignment.

Now---, I don't know what slightly means to you, when talking about shifting a road, but this shift was over 1,000 feet. This agreement to donate land had to be prior to the county council passing the amended resolution on November 18, 1985 (which selected Alternative #3). Please remember this date, November 18, 1985.

One must ask, why did Mr. Macks donate this land?? Could it be that he could not develop it because of the wetlands, and would have had to get permits from the Corp of Engineers?

Why didn't he request a slight shift to the south, using part of the existing state road across the husbandry farm owned by the state?

Now the key players in this venture; SHA, Vernon Gray, and others, claim that they were unaware of the existence of Hunt Country Estates. Let me put into record excerpts from various documents (which are included).

 The land dedicated by Mr. Macks did in fact include some wetlands but the majority of this land was buildable. At that time, SHA felt that they could get a permit to construct a roadway through these wetlands.

Exhibit #1:

On March 13, 1992, Mr. Macks wrote Delegate John Morgan and I quote "It is inconceivable that SHA did not know about the homes at Hunt Country Estates when the first alignment was selected; aside from knowing about Hunt Country through reviewing public records, SHA Engineers surveying or walking the right-a-way would see the development. It is similarly inconceivable that SHA did not know about any wetlands impact prior to the 1989 addendum."

2

I personally agree with Mr. Macks--for you see even a blind squirrel can find an acorn.

Exhibit #2:

Mr. Macks wrote Hall Kassoff, SHA, on March 13, 1992 and I quote "I feel really good about the spirit of mutual cooperation between our companies and the SHA. But his lazy S alternative severely hurts people who bought homes in good faith reliance on the SHA accepting the right-a-way on our plats, SHA planting the sound buffer as well as the written agreements between us and SHA that were approved by the council. Please help craft a reasonable solution in light of the history of the alignment."



Mr. Macks certainly brought to my attention that SHA should have known about Hunt Country Estates, and on the 2nd memo, he certainly brings to my attention "good faith". How about Mr. Macks good faith?



Exhibit #3:

On October 25, 1985 a letter was sent to Mr. Macks pertaining to his proposed northern shift, and it was from the Office of Planning and Zoning of Howard County and signed by Thomas G. Harris, Jr., Director. I quote "As a result of my initial review of your letter and the proposed alignment shown on an attached tax map submitted with your letter, I concur that a northern alignment appears to solve many problems associated with the University of Maryland farm, the Curtis farm and appropriate development of your property under RSA zoning district if this alignment can be accommodated under the following conditions: (Note No. 3)



- The alignment meets the SHA design standards between Rt. 100/95 interchange and its intersection with Rt. 104.
- The proposed alignment is compatible with the proposed alternative highway design approved by the county council west of Rt. 104.

- 2. Mr. Macks was aware at the time of the first addendum to the 1985 agreement that development was proceeding. When the original agreement was processed in 1985, Mr. Macks submitted a tax map with an alignment plotted on it that went north of his property through Hunt Country Estates. At that time it was asked if houses were heing developed and the answer from Mr. Macks was no. The SHA proceeded to develop this alignment on aerial photos produced in early 1984 which did not show development activity. When the SHA went to a County Council meeting in Octoher/November 1985 it was pointed out that houses were already constructed within the newly proposed alignment. SHA and the County hoth admitted a mistake was made and committed to working with Hunt Country Estates to develop a southern shift of that alignment. SHA did know ahout the wetland impacts, but felt that the construction of the roadway in the Alternative 3 location was feasihle. The current increased sensitivity of wetland functions and values are why the SHA cannot huild Alternative 3 and why other options are now heing evaluated.
- Alignment refinements are currently heing evaluated for the Lazy "S" option which
 would allow the existing berm to remain in place.
- 4. This oversight will be corrected in the final document.
- 5. Discussions between Mr. Macks and SHA on the development of the northern shift of MD 100 started in mid-Octoher (October 15 and 16, 1985). The first County Council meeting on MD 100 was held on Octoher 23 at 8:00 p.m. and October 29 at 9:30 p.m. in the Banneker Room of Howard County. In all likelihood, this was the first time that the public saw the northern shift. On October 24, Mr. Macks submitted the letter referenced by Mr. O'Brien to Tom Harris, then Chief of Howard County Office of Planning and Zoning. This letter requested Howard County approval of the northern shift. In Mr. Harris's response, condition No. 3 was based on the controversy of the October 23 and 29 public hearings. SHA did not receive a copy of this letter until one week later.

3. The property alignment does not require the acquisition of existing residential dwellings in the vicinity of Old Montgomery Road, including the Hunt Country Estates subdivision as well as other residential communities along its alignment to Rt. 104.

It is interesting to note that copies of this letter went to: County Council, chaired by Vernon Gray, Hal Kassoff & Neil Pedersen of SHA, Mr. Stollof and Mr. Bandel at Transportation and Planning. This letter was totally ignored by these key players. Why???

(5)

Belatedly, the Hunt Country Community found out about the proposed shift, which encroached on their homes and the complained bitterly. SHA and Howard County claim that they were up-front with the public.

Exhibit 4:

A letter dated November 12, 1985 to the County Council from R. L. Curtis pertaining to the road, I quote "It would run adjacent to the existing Hunt Club Estates subdivision." Another quote from the same letter "And finally, we are disturbed that SHA is now trying to ramrod a Route 100 alignment decision without sufficient public discussion." This letter also had copies going to Tom Harris, OPZ and Neil Pedersen, SHA.



Why did SHA and Macks and Macks sign a memorandum of understanding to abandon the original alignment without public debate?



Was due process denied? I think so. When you realize resolution 184 was amended in late October. Were alternates #2, #4, and #5 which also cross Mr. Macks property amended; or was the alignment already predetermined to be alternate #3?



The memorandum of understanding was signed on November 18,1985; the same day the County Council passed the amended resolution. SHA and Mr. Macks must have been standing in the Howard building with pens in hand.

It is interesting to note, that the memorandum was received on November 18, 1985 at 10:36 A.M. Wasn't the session at night?

Even after all of this, Why didn't SHA and HC right this wrong? This was undeveloped property. Could it be that SHA would have to pay for the land, or was it cheaper to destroy peoples homes?



I mentioned in the beginning "ethical behavior" and I hope and pray you can see my concerns.

- 6. The November 12 letter from Mr. Curtis to the County Council was not received by the Bureau of Engineering until November 14. The evening of November 14 was the County Council Meeting to hear resolutions to the General Plan. The SHA's records do not indicate when or if the SHA received a copy of this letter. SHA was not the lead agency at that time. From 1984 to July 1986, Howard County was lead agency responsible for public involvement.
- Howard County was very supportive of the moderate income housing being supplied by Mr. Macks. The County and the SHA attempted to resolve all issues prior to the November 14 County Council Meeting.
- It is the SHA's understanding that Howard County intended to use the northern shift with whichever alignment crossed Mr. Mack's property.

 After the County Council sessions were completed, SHA, Howard County, Macks, and Hunt Country Estates worked out a southern shift away from Hunt Country Estates in late 1985 or early 1986. This alignment became the 1989 approved Alternative 3. I would be remiss not to mention the campaign funds. In Maryland, there is a law that limits the amount of contributions to candidates. Its intentions are good and there is nothing wrong with individuals contributing to various candidates. But, I certainly wonder about individuals or candidates who appear to circumvent the purpose of that law. If you, as an elected official of Howard County, receive campaign contributions from different names, but from the same address, would you feel that someone is trying to influence you?

Exhibit 5:

ie.	Canterbury	I	6615	Reisterstown	Road
	Canterbury	II	6615	Reisterstown	Road
	Canterbury	III	6615	Reisterstown	Road
	Chesapeake	Realty	6615	Reisterstown	Road
	Newmiss Li	mited Partnersh	ip 66.	15 Reistersto	n Road

Now my neighbors to the south, Montgomery Run: I feel that you, along with us have become the victims of SHA, Howard County and the developer's shenanigans. I remember an article that appeared in the newspapers, where Mr. Kassoff of SHA indicated that there was a feud going on between the communities. Why would he make such a statement? Was it to divide us?

Let me reiterate, Hunt Club Estates was an established community before Macks built on his undeveloped property.

Macks, SHA and the county knew we were there. They could have corrected this injustice, and chose not to do so. It has cost the taxpayers of this state----it has cast a shadow over this county, and it has done damage to the communities.

10

Route 100 should not be built until an investigation is made by the Attorney General's Office.

(II)

Thank you.

- 10. Once the SHA determined that an error had heen made, the problem was rectified and approval of that alignment was received in 1989.
- 11. Prior to the construction of the MD 100 project, all aspects of the National Environmental Policy Act must be complied with and a Supplemental Final Environmental Impact Statement prepared and a Record of Decision prepared.



Macks & Macks, Inc. Suito 205 6615 Reistorstown Road Ballimore, Maryland 21215 Folghons 301 - 358-494

March 13, 1992

Delegate John Morgan Suite 201B 8610 Baltimore Washington Boulevard Jessup, MD 20794

Dear Delegate Morgan:

We have been informed that the Maryland State Highway Administration ("SHA") is considering several new alignments for the construction of the Maryland Route 100 extension in Howard County. It is our understanding that one of the preferred new alignments would generally run to the south of the originally agreed upon Route 100 alignment. This possible new alignment is shown on the February 19, 1992 Alternative Alignment Study as 1-92-5 (known as the "Lazy S alignment"). We object to any southerly shift in the alignment of Route 100 for the following reasons.

In 1985, following public hearings and selection of an alignment by the Howard County Council, the SHA and Macks & Macks, Inc. executed a Memorandum of Understanding which established an alignment of Route 100 running generally to the north and west of The Villages of Montgomery Run. a large condominium community then proposed by Macks & Macks, Inc. Subsequently, in 1989. following a second round of public hearings, that Memorandum of Understanding was amended, at the request of the SHA, to include Newmiss Limited Partnership. Pursuant to the amendment. Newmiss Limited Partnership, developer of Montgomery Run, and the SHA agreed upon a revised alignment of Route 100 so as to avoid interference with 2 new homes in the development north of Route 100 koowo as Huor Country Estates.

As of March 1, 1992 over 500 families have moved into Montgomery Run in reliance on the SHA's public commitment to an alignment which would be no closer to the community than that reflected in the 1989 Amendment to the contract with Newmiss and approved by the County Council. The SHA wants to break the contract with Newmiss, and the public promise it made to home purchasers at Montgomery Run, and construct Route 100 within 100 feet of dozens of homes at Montgomery Run. The newly-proposed "Lazy S" realignment violates the 1989 agreement and has significant negative implications for Montgomery Run. First, the proximity of the proposed alignment of Route 100 to certain of the buildings in Montgomery Run will result in drastically increased noise to the homeowners in these buildings. If Route 100 was realigned, the existing berm and plantings (which the SHA has already put in pursuant to the 1989 Addendum) would not be sufficient screening. Indeed, the SHA has informed us that no buffer or wall can adequately protect the third floor residences if the Lazy Salignment is used. Second, the recently proposed realignment will increase the noise level at certain Montgomery Run homes above the FIIA/VA standards. Future FIIA/VA financing for these homes could be jeopardized by the proposed realignment. The Addendum expressly recognized the importance of FHA/VA financing to affordable housing like Montgomery Run and committed the SHA to allow homes at Montgomery Run to meet the FHA/VA guidelines

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Builder Investment Properties

D-3-6

for sound. Third, the specific portion of Montgomery Run which will be directly impacted by a shift in the alignment for Route 100 represents a condemnation or taking of that property, thus requiring compensation by the SHA to the affected property owners. Finally, the proposed realignment is detrimental to the properties next to Montgomery Run, those being the Curtis farm and the University of Maryland farm. The Lazy S realignment would slice both in half and, effectively, render them useless.

The cost of compensation to Montgomery Run homeowners and the Curtis family, as well the expense of barriers or other attempts to mitigate damages, does not appear to have been taken into account in SHA cost comparisons. Damages in this matter will likely exceed \$5,000,000 if the Lazy S realignment is adopted. Additionally, time-consuming and expensive litigation will certainly result from any southern shift in Route 100. The quality of life in Howard County will deteriorate if local traffic congestion cannot be relieved and millions of tax dollars will be lost if economic development is stopped in areas where the public infrastructure already exists.

The perceived environmental benefit of shifting Route 100 to the south to reduce (but not eliminate) its impact on wetlands is not all that it seems. It appears that the number of stream crossings will be increased due to the Lazy S alignment and the length of roadway and affected land area is much greater than under the present alignment. Obviously, the further cars travel, the greater the pollution from exhaust and the broader the affected area.

We believe that the proposed realignment represents a breach of the prior agreement with SHA which all Montgomery Run homeowners had a right and reason to rely on. It is also our belief that Montgomery Run homeowners are entitled to the benefit of all prior agreements entered into between the SHA and Macks & Macks, Inc. or Newmiss Limited Partnership.

The history of choosing an alternative for Route 100 leaves the impression that the SHA will agree to anything deemed politically expedient and feel free to break their agreement if the wind shifts. It is inconceivable that the SHA did not know about the homes at Hunt Country Estates when the first alignment was selected; aside from knowing about Hunt Country through reviewing public records, SHA engineers surveying or walking the right-of-way would see the development. [I] is similarly inconceivable that the SHA did not know about any wetlands impact prior to the 1989 Addendum, and quote Apparently, with regard to Route 100, "a deal is a deal" only if the SHA wants to enforce it - written agreements do not bind the SHA.

Finally, the manner in which this issue has come to light also leaves the impression of callous disregard for Montgomery Run homeowners and ourselves. No attempt was made to contact either the homeowners at Montgomery Run or ourselves concerning this matter. Montgomery Run residents, as well as ourselves, were informed of the recent SHA workshop less than 36 hours in advance and then only by small, hand-made signs-posted in a few locations within the community. State government should not act in this manner of his other and the Conversity of Planyage farm. The Copy of stally ment will be the

Times Williams For all of the reasons listed above, the alignment of Route 100 should not be altered.

Please call me if you have any questions or need additional information.

Signature of the state of the s Lawrence M. Mackstand constitutes of the state of the sta

Vice President - Van water and you're not to the angel

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LAWRENCE M. MACKS

March 13, 1992

Hal:

I feel really good about the spirit/of mutual coopration between our companies and the SHA butashid tazy S alternative/ severely hurts people/who bought homes in good faith/reliance on the SHA accepting/ the right-of-way on our plats/ SHA planting the sound buffer/as well as the written agreements/between us/and SHA/that were approved by the Council. / Please help craft a reasonable solution in light of the history of the alignment.

end quote

THOMAS G. HARRIS, JR.

DEAF TELETYPE NUMBER **1-1323



TIVIBION OF LAND DEVELOPMENT . AND LONING ADMINISTRATION MUSSELMAN CHIEF

OCT 3 BIJABEN OF COMPREHENSIVE AND TRANSPORTATION PLANNING AMAR'S BANDEL CHIEF

OFFICE OF PLANNING & ZONING OF HOWARD COUNTY DIRECTAL DISCREDI

GEORGE HOWARD BUILDING

PLANNIC & PRELIMINARY ENGINEERING

3430 COURT HOUSE DRIVE, ELLICOTT CITY, MARYLANO 21043.4589

October 28, 1985

Mr. Lawrence M. Macks, Vice President Macks & Macks, Inc. Suite 205, 6615 Reisterstown Road Baltimore, Maryland 21215

> Re: Northern Shift in Alignment of Route \$100 as it crosses Old Hontgomery Road and moves westerly toward Route #104: and an on-grade entrance for Weidemeyer (Macks & Macks) property .

Dear Hr. Macks:

I wish to acknowledge receipt of your letter of October 24, 1985, requesting our concurrence in a northern shift in the alignment of proposed Route 100 as it crosses Old Montgomery Road and travels in a westerly direction toward Route 104.

As a result of my initial review of your letter and the proposed alignment shown on an attached tax map submitted with your letter. I concur that a northern alignment appears to solve many problems/associated with the University of Maryland farm, the Curtis farm and the appropriate development of your property under the RSA zoning district if this alignment can be accommodated under the following conditions:

- 1. The alignment meets the State Highway Administration design standards between the Route 100/1-95 interchange and its intersection with Route 104.
- 2. The proposed alignment is compatible with the proposed alternative highway design approved by the County Council west of Route 104.
- The proposed lignment does not require the acquisition of existing residential dwellings in the vicinity of Old Montgomery Road including/the Hunt Country Estates Subdivision as well as other/ residential communities/along its alignment to Route 104/

The Office of Planning and Zoning will make itself available for Wurther discussions on the above mentioned proposed alignment with you and the State Highway Administration as soon as the County Council takes action to approve one of the alternatives for Route 100 now under consideration by the Council.

D-3-9

Our first preference is Alternate 4; a widening of Route 103 which would not sever or affect the Curtis or University Farm. We oppose all other alternatives as currently designed as they cut our farm in half. One alternative which would greatly reduce impacts to our property is the Northern Shift of Alternate 3. This alternate would follow our northeast back property line. It would provide leas damage to the University Farm as well as the Mack's property. It would run adjacent to the existing Hunt County Eatates Subdivision and provide access to them as well as other existing and planned subdivisions in the area. Old Alternate 3 would not provide any access to any of the existing subdivisions but would be landlocked as it passed through ours and the University Farm. The Northern Shift alignment would also create a buffer between the RSA property and the R-20 property in the area.

And finally, we are disturbed that SHA is now trying to ramcod a Route 100 alignment decision without sufficient time for public discussion. My family has had this issue hanging over our heads for 25 years. It has affected our personal lives and our future estate plans. SHA can never compensate my parents for the severe level of personal stress and pain it has caused them over this length of time. At 77 years old and after 25 yoars of debete, my father and mother don't deserve this kind of aggravation.

In aummary, we oppose any alignment which would sever our farm into land-locked parcela. We support Alternatives 1 and 4. Of the new alignment alternatives, we support a Northern Shift of Alternate 3 to follow the University and Curtis Farm northeast property lines.

Thank you for your consideration of our views, concerns, and situation.

Sincerely,

RL Curtis

Robert L. and Susan M. Curtis Route 1, Box 453A

Lake City, Tennessee 37769

cc: Thomes G. Herris, Jr. Neil J. Pederson

be. Liz Calia .

Thouse for your help and information. Bob Curtis

D-3-10

RECEIVED

NOV141985 ROADS, BRIDGES, STORM DRAINAGE BUREAU OF ENGINEERING November 12, 1985

bee ce

County Council of Howard County Goorge Howard Building : 3430 Court House Drive Elliott City, Maryland 21043

RE: NORTHERN SHIFT IN ALIGNMENT OF ROUTE NO. 100 AS IT CROSSES OLD HONTGOHERY ROAD AND HOVES WESTERLY TOWARD ROUTE NO. 104

Doar Council Members:

I wish to provide commants on alignment Alternote 3 for the proposed Route 100 Highway. Hy parent's farm would be critically impacted by this as well as all other SMA proposed alignments.

Our farm and that owned by the University of Maryland remain os the only two operating farms in this area. They currently provide open space amenities, wildlife habitat, protection to the Deep Run Wotershed and halp to create for all who live in our area, a sense of semi-rurel character to the land and our community. These ore values worth preserving. I plan to return to my parent's farm, to take over its operation and management and to reestablish my home there. The farm has boon in our family since 1840 and is historically significant on the oldest lond grant in Howard County. It was patented to Adam Shipley na Adam the 1st and was comprised in large part by what in now the Curtis end University of Maryland farm. The original patent included 500 ecrea. It is significant that this 500 acres remains today as it did in the 1660's; agricultural land.

My family and 1 are opposed to ony alignment which would sever our farm. Our ferm is one of the single largest private land-holdings to be directly impacted by the proposed Route 100 alignment. The final alignment will personolly impact our family which has resided on this property for over 125 years. We probably have the longest tenure of ownership of any proporty in the corrider study and under ony alternatives other than 1 or 4, we stand to realize the greatest amount of adverso porsonal impact.

Cutting our farm in half would severely damago its value now and in the future for farming operations. We would be cut off from access to the sovored parcel northoast of Route 100. Tho integrity of our farm would be deatroyed. What would we do with two 40 acro parcels divided by a six lane highway? Scil for dovelopment is the only vioble snawer and this option is one which we have vigorously rejected on many occasions. (RE: most recent zoning hearings regarding the Curtis farm).

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EXHIBIT

Jul 1 9 15 2 193 cember 7, 1992

Karl Teitt Maryland Department of Transportation State Highway Administration Office of Planning and Preliminary Engineering 707 N. Calvert Street Room 501 Baltimore, MD 21203

Dear Mr. Teitt:

As a resident of Brightfield Farms I would like to support the proposed route 100 alignment, Alternative 3 Option D. I feel that this alignment is the best choice for all communities and our environment in the area between MD 104 and I-95. I also feel very strongly that the other choices, Alternative 3 and it's options A & B will have a devastating and negative effect on our entire community due to the proximity of the highway to our properties. Thank you for considering my comments.

Andrew & Michelle White 7972 Brightmeadow Ct. Ellicott City, MD 21043 KESPONSE TO EXHIBIT D-4



O. James Lighthize:

February 11, 1993

Mr. and Mrs. Andrew White 7972 Brightmeadow Court Ellicott City MD 21043

Dear Mr. and Mrs. White:

Thank you for your recent letter expressing your support for Alternative 3, Option "D".

Your comments will be taken into consideration in the determination of a preferred alternative. The State Highway Administration (SHA) will identify a preferred alternative within the next several months. Following that decision, SHA will prepare a Final Supplemental Environmental Impact Statement and submit the document to the Federal Highway Administration for review and approval.

Thank you again for your interest in the MD 100 project. If you have any additional questions or comments, please feel free to contact the project manager, Mr. Karl R. Teitt. Karl can be reached on (410) 333-6437 or toll free at 1-800-548-5026.

Very truly yours,

Louis H. Ege, Jr. Deputy Director Office of Planning and Preliminary Engineering

Project Manager

Project Planning Division

LHE: KRT: ds

Mr. Howard Johnson (w/incoming)

Mr. Paul Wettlaufer "

Mr. James Wynn

410-333-1136 My telephone number is

Teletypewriter for Impaired Hearing or Speech 383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5062 Statewide Toll Free 707 North Calvert St., Battimore, Maryland 21203-0717

D-4-1

STATE HIGHWAY ADMINISTRATION QUESTIONS AND/OR COMMENTS

Contract No. HO 661-201-770 Supplemental Location/Design Public Hearing MD 100

MD 104 to I-95 Tuesday, December 1, 1992 @ 7:00 p.m.

Howard Senior High School PDMS No. 132062

	NAME LATRICIA A. L'right	DATE 1 Décember 1992
PLEASE PRINT	ADDRESS STOLE Montgomery Run Roa	di
	CITY/TOWN Ellicott City STATE MD	ZIP CODE SICAS
I/We wis	sh to comment or inquire about the following espi	octe of this project:
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*Persons who have received a copy of this brochure through the mell are already on the project Melling Liet.



O. James Lighthizer Secretary

Hal Kassoft . 💪 🕳 Administrator

February 11, 1993

Ms. Patricia A. Wright 8352-E Montgomery Run Road Ellicott City MD 21043

Dear Ms. Wright:

Thank you for your recent letter concerning the proposed MD 100 project.

Enclosed you will find a brochure used at the December 1, 1992 Combined Location/Design Public Hearing. This brochure includes a general description of the proposed alignment modification, a summary of impacts and maps associated with each alignment option.

Your name will be added to the MD 100 project mailing list.

Thank you again for your interest in the MD 100 project. If you have any additional questions or comments, please feel free to contact the project manager, Mr. Karl Teitt. Karl can be reached at (410) 333-6437 or toll free at 1-800-548-5026.

Very truly yours,

Louis H. Ege, Jr. Deputy Director Office of Planning and Preliminary Engineering

Project Manager

Project Planning Division

LHE: KRT: ds

cc: Mr. Howard Johnson (w/incoming)

Mr. Paul Wettlaufer "

Mr. James Wynn

410-333-6437

My telephone number is

Teletypewriter for Impaired Hearing or Speech 383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5062 Statewide Toll Free 707 North Calvert St., Baltimore, Maryland 21203-0717



STATE HIGHWAY ADMINISTRATION QUESTIONS AND/OR COMMENTS

PROJECT DEVELOPMENT Ni Herri

Contract No. HO 661-201-770 Supplemental Location/Design Public Hearing MD 100

DEC 11 10 26 mi 192

MD 104 to I-95 Tuesday, December 1, 1992 @ 7:00 p.m. Howard Senior High School PDMS No. 132062

	NAME THERESA CATHERINE CAMPEN DATE 12/8/92
PLEASE	ADDRESS STATE MENTICONICES RULL ROAD
	CITY/TOWN KILLIGHT City STATE MD ZIP CODE 2043
I/We wis	sh to comment or inquire about the following aspects of this project:
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*Persons who have received a copy of this brochura through the mall are already on the project Mailing List.





O. James Lighthizer Secretary

۲.

Hai Kassoff Administrator

February 11, 1993

Ms. Theresa Catherine Campen 8343-I Montgomery Run Road Ellicott City MD 21043

Dear Ms. Campen:

Thank you for your recent letter concerning the proposed MD 100 project.

Enclosed you will find a brochure used at the December 1, 1992 Combined Location/Design Public Hearing. This brochure includes a general description of the proposed alignment modification, a summary of impacts and maps associated with each alignment option.

Your name will be added to the MD 100 project mailing list.

Thank you again for your interest in the MD 100 project. If you have any additional questions or comments, please feel free to contact the project manager, Mr. Karl Teitt. Karl can be reached at (410) 333-6437 or toll free at 1-800-548-5026.

Very truly yours,

Louis H. Ege, Jr. Deputy Director Office of Planning and Preliminary Engineering

Karl R. Teitt Project Manager

Project Planning Division

cc: Mr. Howard Johnson (w/incoming)

Mr. Paul Wettlaufer "

Mr. James Wynn

My telephone number is

410-333-1136

Teletypewriter for Impaired Hearing or Speech
383-7555 Baltimore Metro • 565-0451 D.C. Metro • 1-800-492-5062 Statewide Toll Free
707 North Calvert St., Baltimore, Maryland 21203-0717

STATE HIGHWAY ADMINISTRATION QUESTIONS AND/OR COMMENTS

Contract No. HO 661-201-770 Supplemental Location/Design Public Hearing

MD 100

PROJECT

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MD 104 to I-95 Tuesday, December 1, 1992 € 7:00 p.m. Howard Senior High School PDMS No. 132062

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NAME PLIMILLY SILL DATE 12/0/92
PRINT ADDRESS 8337-A Montgomery Run Pd
CITY/TOWN ElliCOHCTY STATE MO ZIP CODE 21043
I/We wish to comment or inquire about the following aspects of this project:
T would like to express my opposition to the proposed lazy "s" and all other southern realignments by Rove 100.
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Please add my/our name(a) to the Mailing List.*
Please delete my/our name(e) from the Malling List.

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*Persone who have received a copy of this brochure through the mall are airsady

RESPONSE TO EXHIBIT D-7

Maryland Department of Transportation - Transportation -

O. James Lighthizer Secretary Hal Kassoff

Administrator

February 11, 1993

Ms. Pamela J. Bell 8337-A Montgomery Run Road Ellicott City MD 21043

Dear Ms. Bell:

Thank you for your recent letter expressing your opposition to the southern alternatives for the proposed MD 100 study.

Your comments will be taken into consideration in the determination of a preferred alternative. The State Highway Administration (SHA) will identify a preferred alternative within the next several months. Following that decision, SHA will prepare a Final Supplemental Environmental Impact Statement and submit the document to the Federal Highway Administration for review and approval.

Thank you again for your interest in the MD 100 project. If you have any additional questions or comments, please feel free to contact the project manager, Mr. Karl R. Teitt. Karl can be reached on (410) 333-1136.

Very truly yours,

Louis H. Ege, Jr. Deputy Director Office of Planning and Preliminary Engineering

Project Manager

Project Planning Division

LHE: KRT:ds

cc: Mr. Howard Johnson (w/incoming)

Mr. Paul Wettlaufer "

Mr. James Wynn

410-333-1136 My telephone number is

Teletypewriter for Impaired Hearing or Speech 383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5062 Statewide Toll Free 707 North Calvert St., Baltimore, Maryland 21203-0717

Mr. Robert Gardner's letter and attachments appear on the following pages.



REFRANCE TO EXHIBIT D-8 O. James Lighthizer

Maryland Department of Transportation and appear to the second Secretary Secretar State Highway Administration and amount of the

C - &

February 11, 1993

Mr. Robert L. Gardner 5558 Hunting Horn Drive Ellicott City MD 21043

Dear Mr. Gardner:

Thank you for your recent letter concerning the proposed MD 100 project.

Your comments presented at the December 1, 1992 public hearing and submitted via your recent letter will be addressed in detail in the Supplemental Final Environmental Impact Statement (SFEIS). The State Highway Administration (SHA) will identify a preferred alternative within the next several months. Following that decision, SHA will prepare the SFEIS and submit the document to the Federal Highway Administration for review and approval.

Thank your again for your interest in the MD 100 project. If you have any additional questions or comments, please feel free to contact the project manager, Mr. Karl Teitt. Karl can be reached at (410) 333-6437 or toll free at 1-800-548-5026.

Very truly yours,

Louis H. Ege. Jr. Deputy Director Office of Planning and Preliminary Engineering

Karl R. Teitt Project Manager

Project Planning Division

LHE: KRT: ds

cc: Mr. Howard Johnson (w/incoming)

Mr. Paul Wettlaufer "

Mr. James Wynn

My telephone number is

410-333-1136

Teletypewriter for Impaired Hearing or Speech 383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5062 Statewide Toll Free 707 North Calvert St., Baltimore, Maryland 21203-0717

D-8-

12/11

Robert L. Gardner 5558 Hunting Horn Drive Ellicott City, Maryland 21043

PROJECT DEVELOPMENT DIVIDION FEC 15 | 1 48 77 92

11 December, 1992

Mr. Karl Tiett Maryland State Highway Administration 707 North Calvert Street Room 506 Baltimore, Maryland 21203 Mr. Paul Wetlauffer U.S. Corp of Engineers P.O. Box 1715 Baltimore, Maryland 21203

Subject DSEIS for Rt. 100 - Contract H0661-101-770

Gentlemen:

Gentlemen:

During the public hearing on 1 December 1992, I made a statement that the DSEIS, dated 10/1/92 approved by Neil Pederson, with revisions, dated 11/2/92, was "slop". This was not my personal preference, but was chosen out of respect to the citizens at that hearing and to keep a civil tone.

As an engineer, I am obligated to report accurate information. There are times when my reports are upsetting, however, the truth, as ugly as it may be, is reported so that decisions can be made without bias. The above document, with its continuous inaccuracies and half truths is a prime example of engineering without ethics or integrity. Additionally, those responsible for generating this information, along with those responsible for its accuracy, should have their professional license revoked on the grounds of trust, this is not an accurate picture of this project.

After the public hearing, Mr. Kassoff wrote to each attendee: objecting to the statements challenging his and his staff's integrity; stating that there are human errors in any project; and glorifying that these projects allow the public to view its opinion. My personal feeling is that SHA's integrity is already tarnished and it will be continually challenged until the process is cleaned up. There are more than just human errors in this study, else SHA and its preparers do not know how to read and evaluate data, including values presented in previous reports/public information nights. These projects are done in the interest of the citizens and not the desires of land developers and politicians looking to support pork-barrel projects and/or get reelected. I only hope that public opinion is not ignored, that it is treated with value to a project. The age of insufficient documentation and government waste is over and this project should be no exception.

This letter hopefully demonstrates that the inaccuracies are not human errors, they are planned to persuade selection of a preferred alignment. It is not in the public's interest to correct documents generated by public officials nor challenge the decisions that are made. It is in the public's interest to see projects planned and

performed accurately, legally, and with cost efficiency through the project's duration. How much of this project could have been completed with the funds spent on negotiation for the past seven (four years longer than the average) years? The consequence as we all know have been frustration with politicians, highway developers, and the citizens who live along Rt. 100's corridor.

The following are my comments to the DSEIS. From the amount and type of anomalies that are being noted to this boiler-plate document, I am requesting this project be placed on hold until this document accurately reflects the actual impact of this project.

Summary Section, page 6, Summary of Impacts

Residential Displacement - Since three (3) residence have already been displaced (sites 1, 2, 3), there should be an additional column that reflects a "nobuild" situation or these residence should be removed from this summary since they are past tense.

Farms Affected - All alternatives will affect the same number of farms. Keep in mind that The Curtis farm ends at the property line of Hunt Country Estates, unless the property between Hunt Country Estates and Curtis is Openspace Parkland that isn't being reported.

2

Summary Section, page 6, Summary of Impacts (continued)

Parkland Affected - Although SHA is insisting Openspace Parkland is not 4f criteria, openspace should be reported since it is public land that all residence of Howard County would have to surrender.

(3

Active Agricultural Land - If agricultural land is of significance, please take the four (five) farms mentioned earlier and identify the land use in acres affected. For example, if U of M Husbandry Farm is considered institutional, yet is being farmed, therefore, this should be accounted for. If land is being used for pasture, rented to others, or idle field it should it should be tabulated. The information as reported presents a picture of four abandoned farms and one that is currently operating. Also note Curtis property was not in active use during the 1991 growing season, it was left idle. Furthermore, Alternative 3 passes through Curtis farmland. Ar least 1/2 acre of active land would be affected, but this was not reported in the summary.



Wetlands - Reference Section 4, page 20. According to this document, Alternative 3 impacts 4.8 acres at wetland #6 (16.6 total project). Information provided to the delegation, public, and federal agencies on 19, February 1992 identified wetland #6 as 1.6 acres. The February meeting resulted in options is Section 2 to become not preferred. Since SHA neglected these impacts in February,



D-8-3

- Since the MD 100 alignment decision has been reopened between MD 104 and I-95 and the three residences already displaced are within these limits, the SHA is including these impacts so everyone is aware of the total impacts associated with this project. Just because it is a past expenditure and impact does not make it right to eliminate those impacts from the summary chart. The Supplemental Final Environmental Impact Statement will not count these three residences already relocated.
- When we identify Farms Affected, we identify the active portions of those farms impacted by alignments. Since Options A and C impact the northern tip of the Curtis property, the portion that had never been farmed by Curtis because of its inaccessibility by farm machinery was not included in the summary chart. Again, impact to this portion of the property does not restrict or reduce farming capabilities of the Curtis property.
- The open space property owned by Howard County Park and Recreation bas been determined not to be a 4(f) issue and is therefore not used in the evaluation of alternatives.
- 4. The agricultural farmland impacts were calculated based on the presence of prime farm land soils and the zoning for the property. Therefore, some properties may be actively farmed, however, because they are zoned for other uses, they were not counted as farms.
- 5. The 4.8 acres of impact to Wetland No. 6 by Alternative 3 is a result of the interchange design at MD 100/MD 104 and MD 108 (Loop Ramp and diamond ramp in southeast quadrant of the interchange, see Figure II-3 in this document). The 1.6 acres reported on February 19, 1992 to Federal agencies and delegation reflect a change in the design of that interchange. This made Alternative 3 compatible with Options A Option D in the area of Wetland No. 6. Alternative 3 as shown in the DSEIS is the 1989 approved alignment and is being used as a basis for comparison for wetland impact reduction from the 1989 approved FEIS alignment.

analysis should be done to reconsider several options (D-6, ref Section 2, Figure 14).

Historic Site -There should be no impacts to historic land since Curtis-Shipley Farm is only an eligible candidate for historic significance.

6

Section I, page 1, para. 4

This paragraph states Rt. 100 was dropped in 1982 since a development foreclosed opportunities for that alignment. With the development of Villages of Montgomery Run and the difficulty in achieving 404 permits for Deep Run Creek, hasn't history repeated itself with respect to what the county wanted in 1985?

Section I, page 4, para. 2

This paragraph explains the county project for Snowden River Parkway (SRP) and the need to include SRP into the Rt. 100 design. However, in September 1991 when SHA approached residence in Hunt Country Estates on the need to consider a northern shift, the plans presented did not consider SRP. Therefore, this paragraph should include the history that residence insisted that SRP be included into any study, including wetland and noise impacts.

7

Section I, page 4, last para.

Please change the word five to four, as correctly stated by Mr. Teitt during the 1 December hearing.



Section II, page 1, para. 2

This paragraph paints a picture that an interchange is under construction. The fact is, this intersection consists of approx 100' of asphalt that would have to be torn up to construct the Rt. 104/100 overpass. If SHA contends this is under construction, this is the longest in-idle construction (at least two years) I have yet to experience. How much money has been spent by the state for this construction? Does this statement imply a pre-determined endpoint for this project? All alternatives have been tied to the end-point at Rt. 104. Option D-5 (considered, but not preferred), when submitted to the SHA, did not consider the end-point and therefore could have minimized the impact to wetland #6. The contour that Option D-6 intended was similar to Figure II-1, shown as Option B but staying east of Rt. 108.



Section II, page 3, para. 3, and Section II, page 6, para. 4.

Options A and B for Rt. 103 discuss direct impacts to County open space and Homeowner Association lands where the Homeowner land is considered 4f. How is

(10)

D-8-4

 Section 4(f) states that historic sites which are listed or considered eligible for listing on the National Register of Historic Places must have impacts assessed and documented.

The requirement that Snowden River Parkway be evaluated for all environmental
effects is being done at the insistence of the environmental agencies.

8. Comment noted.

9. The original project limits extended from I-95 to the U.S. 29/MD 103 interchange currently under construction. The DSEIS should have read "I-95 to MD 104 approximately 2.5 miles." These areas are used in general terms and were not used to influence the decisions on eliminating or retaining alternatives. Since the section of MD 100 from U.S. 29 to MD 104 remained valid, it only makes sense to tie into that section in the vicinity of MD 104. Only impacts were used to determine if alternatives should be dropped or retained.

10. The fact that a property is considered to have park or recreational use and afforded 4(f) protection is more a function of use rather than ownership. The 4(f) regulation explicitly states that the property must be used for public recreation. Howard County Department of Recreation and Parks has indicated that the specific open space area is used to provide a buffer area around floodplains, utility easements, etc., and serves no recreational needs of the community.



it that private property can be considered 4f and openspace, which is public parkland, is not considered. This statement relates back to all alternatives where open space parkland is not even identified in the summary. Openspace parkland is not discussed until Section IV, page 5, where SHA states the County, concurred with FHWA, openspace parkland is not 4f criteria. This letter will return to the open space issue.

Section II, page 8, para. 2

Please change Columbia Gas Pipe Line to Colonial Gas Pipe Line.

(1)

Section II, page 12, last para.

Option D-5 implies a resident on Elko Drive will be impacted. This is not true. The property in question has not been developed. The point is, SHA should have names and addresses at a minimum if a residence is to be considered an impact to any option or alternative. Quantified residences through past public information, presented by SHA, have included garages and chicken sheds. If all impacts are to be considered, maybe it would be in the interest of all to include fox and ground hog holes (this <u>is</u> a joke).

(12)

Section II, page 13, f. Option D-6

This option was presented to SHA in November 1991 during a wetland walk by Hunt Country Estates. SHA, state and county delegates and county zoning officials attended that meeting.

(13)

page 14, para 2.

The 20.2 acres would not be landlocked since this property has access from Falls Run Road in Montgomery Run at the northern boundary. Additionally, the end of SRP would provide access at the southern boundary.

(14)

page 14, para. 4

This option should not be compared with Option D-5. There are no impacts to the cemetery, there are only 9 residential and 1 business impacts along Rt 108 (Elko Drive and garages do not count), and the wetland impact (the reason for this study) is greatly reduced if SHA would have designed Rt 104/108/100 intersection as suggested above.



Figure II-21 and Figure II-26, comparing Option A (or C) with Option B (or D)

For Option A at Station 165, a retaining wall is specified to minimize impacts to Hunt Country Estates. The amount of right-of-way appears to be 30 ft. between



D-8-5

11. Columbia bas been changed to Colonial Gas Pipe Line.

12. This area will be field checked and the appropriate correction noted. It was intended to be identified as a proposed residence on Elko Drive and not an existing.

 Option D-5 was presented to SHA at the November 1991 wetland walk by Hunt Country Estates and Option D-6 was developed by SHA to minimize impact associated with Option D-5.

14. The 20.2 acres of impact to the bistoric property is not landlocked. Only 7.9 acres of the 20.2 acres is considered landlocked. Access from the northern termini of the Snowden River Parkway is not an acceptable option to Howard County. Only if a 404 permit is obtained to cross the tributary to Deep Run can this landlocked parcel get access from Falls Run Road. Also, after zoning restrictions are implemented on this property (i.e., building restriction limits and setbacks from wetlands), this property may become infeasible for development.

 The Alternative D-6 right-of-way line is not shown on the alternatives maps, however, the right-of-way would cause impacts to the cemetery and additional residences.

16. The situation with Option A and the retaining wall at Station 165+00 is that there are essentially no additional costs associated with the wall vs. without the wall. For the Draft SEIS the SHA identified the maximum possible wetland impacts. When the Final SEIS is prepared the SHA will identify additional minimization options (i.e., retaining walls, bridges, bottomless culverts, 1:1 slopes, etc.). These minimization efforts would be an additional cost to the project.

road edge and retaining wall. When this Option crosses wetland 8, about 75 ft of right-of-way is needed for elevation above Deep Run Creek.

For Option B at Station 165, about 150 ft of right-of-way is needed to cross wetland 6 and 8. There is no design to minimize wetland impact by using a retaining wall. If the same design criteria was used for Option A, impact to wetland 8 could be reduced to 0.0 acres, the quantity presented to the public in February, 1991. If design looks at the Option scenarios as a worst case, then Options A and C should not include a retaining wall and the picture presented should include 5 additional residence. Consider that the retaining wall can not be built as suggested. If 150 ft is truly needed for Options B or D, and knowing the fill ratio is 2:1, does this imply that Rt. 100 will be about 50 ft above current ground level?

(6)

Section IV, page 2, Table IV-I

From the figures in Section II, all alternatives/options suggest the movement of Oak Run Way at Timber Run. With this assumption, site 3 should be included with Alternate 3. Additionally, assuming sites 1 through 3 have already been acquired and the families removed, these should be included in all alternative and a no-build alternative since they are hear-say.

(17)

Section IV, page 5, item 6, Effects on Parks and Public Recreation

Under this topic Open Space Parkland is discussed. Open Space regulations are the same as all Parks and Recreation facilities in Howard County. These areas are used for recreation purposes and Howard County Parks and Recreation (HCRP) enforces encroachments and other unacceptable private use of these lands, including, but not limited to the disturbance of wildlife habitat. HCRP also insists that these properties are of extreme significance. The determination made by HCRP, states the open space properties do not play a significant role based on "the 4f criteria as presented." Yet this study does not provide the criteria that Mr. Bourne made his decision. Was this criteria complete and accurate? During a discussion with Mr. Bourne, he made the statement that each of the open space parcels within the Rt. 100 corridor was not surveyed to determine if any recreation or wildlife utility was in place. He also indicated that if this was the case, as with Homeowner Association property, than the parcel may be 4f criteria.

Additionally, Mr. Irvin was contacted in November 1991 about the significance of open parkland. His response to Ms. Valorie McGuire was that openspace is parkland that is 4f significant. The Hunt Country Estates Community Association is currently disputing this change with the country council. Furthermore, SHA contends they are open and honest, yet this issue was not discussed with the public until after SHA had concurrence from FHWA.

(B)

(19)

19. The determination as to whether property is parkland is dependent upon its use or determined by the Agency with jurisdiction over the resource, Howard County Recreation and Parks.

Relocation No. 3 was included in the Alternative 3 impacts as discussed and

corrected at the December 1st Public Hearing. Since the MD 100 alignment

decision has been reopened between MD 104 an I-95 and the three residences

already displaced are within those limits, the SHA is including these impacts so

that everyone is aware of the total impacts associated with this project. Even though it is a past expenditure, it is still an impact resulting from MD 100. These

Through coordination with Howard County Recreation and Parks, the agency with

jurisdiction over open space areas along the Selected Alternative 3 Modification

D Option 2A alignment, these areas are used for floodplain protection areas and

open areas which do not lend themselves to recreational use, therefore Section 4(f)

three impacts are affected by all alignment options.

does not apply.

250

D-8-6

5

Section VIII Comments and Coordination

ls the title for this section a joke? The comments are not complete nor ia there any coordination within this document. Below is a sample of incomplete documentation:



VIII-23, 25, 34 Letters from Maryland Historical Trust

There is a lot of "We concur", but there is no supporting documents to coordinate what is being concurred. From Mr. Little's letter, it appears SHA proposed the boundary for the Curtis-Shipley property. (page V111-40 is from a SHA letter). This issue is very suspicious in that SHA suggested the boundaries to eliminate the study options D-5 and D-6 and present significant impacts to D-7, now known as Alternative 3, Option B and D. In all fairness, this property is eligible for historic significance, but it is still not significant. It will be interesting to see when application is filed, with respect to this letter, any re-evaluations, and the final approving process, to request national historic significance and if significance is granted.

In closing, these comments are those found that were significant to my community. "Please correct" comments are truly human errors. I'm sure there are many more "human errors" that competent personnel could correct. However, I am again requesting this document be withdrawn and the pursuit of Md. 100 be delayed until the Maryland State Highway Administration and Federal Highway Administration can prepare a document that represents what is intended to approving officials, delegates, and the public.



Finally, I am requesting a copy of the final SEIS when it is developed.

6

20. The Comment and Coordination Section of this document is composed of conclusions and final responses. To include all supporting documents leading to the resolution of an issue would require a document which is to voluminous.

21. Every effort will be made to address all errors found in the MD 100 document. The Maryland 100 document was prepared in accordance with 23 CFR 771 and has been accepted and approved by the Federal Highway Administration as meeting all the requirements of the National Environmental Policy Act.

EXHIBIT D-9

STATE HIGHWAY ADMINISTRATION QUESTIONS AND/OR COMMENTS

Contract No. HO 661-201-770 Supplemental Location/Design Public Hearing MD 100 MD 104 to I-95

Tuesday, December 1, 1992 @ 7:00 p.m. Howard Senior High School PDMS No. 132062

	NAME	Valerie McGuire	DATE	12-12-92
PLEASE PRINT	ADDRESS	8070 Fetlock Court		
	CITY/TOWN_	Ellicott STATE	Md. ZIP C	ODE21043
t/We wish to comment or inquire about the following aspects of this project:				
	You've a	lready heard my testi	mony. I only wi	sh to add
the observation that the Summary of Impacts Table S-1 does not				
reflect the same numbers that the maps do with the residential				
,		. Also the chart sho		
	isplaced. H	hy isn't the "busines	s" category trea	ted the same
. We	ay? Only bu	siness displacements	are indicated.	If a category
were made for businesses affected, then I know of at least one				
that would qualifymine. Options A & C would seriously affect my				
business. The chart should also indicate the affected parkland,				
w)	nich it does	not. The land bey	ond my yard is H	oward Co.
parkland and is so indicated with a sign. Perhaps 4 (f) parkland				
sl	hould have a	separate category.	Lastly, please re	evise noise
a)	patement cos	ts to reflect inflati	on price adjustm	ents. Many
	ommunities c	ould qualify for miti	gation of noise	pollution.
			•	
Thank you.				
			_/	-1-1-
- Calerin N/c Khine				
Pleess edd my/our namels) to the Malling Liet.				
Piesse delats my/our nemels) from the Mailing List.				
*Persons who have received a copy of this brochurs through the mell are sireedy				



February 11, 1993

Mrs. Valerie McGuire 8070 Fetlock Court Ellicott City MD 21043

Dear Mrs. McGuire:

Thank you for your recent letter concerning the proposed MD 100 project.

Your comments presented at the December 1, 1992 public hearing and submitted via your recent letter will be addressed in detail in the Supplemental Final Environmental Impact Statement (SFEIS). The State Highway Administration (SHA) will identify a preferred alternative within the next several months. Following that decision, SHA will prepare the SFEIS and submit the document to the Federal Highway Administration for review and approval.

Thank your again for your interest in the MD 100 project. If you have any additional questions or comments, please feel free to contact the project manager, Mr. Karl Teitt. Karl can be reached at (410) 333-6437 or toll free at 1-800-548-5026.

Very truly yours,

Louis H. Ege. Jr. Deputy Director Office of Planning and Preliminary Engineering

Project Manager

Project Planning Division

LHE: KRT:ds

Hr. Howard Johnson (w/incoming)

Mr. Paul Wettlaufer "

Mr. James Wynn

410-333-1136 My telephone number is

Teletypewriter for Impaired Hearing or Speech 383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5062 Statewide Toll Free

707 North Calvert St., Baltimore, Maryland 21203-0717

on the project Melling List.

Valerie McGuire 8070 Fetlock Court Ellicott City, Md. 21043

January 13, 1993

The Honorable J. Joseph Curran Jr. The Attorney General 200 St. Paul Place 16th Floor Baltimore, Md. 21202

Sir:

I feel compelled to reveal that citizens are concerned over the alignment process of Route 100 in Howard County, Maryland. Issues of right-of-way attainment, dubious human engineering "errors" and public statements that are contradictory or which tell only partial truths are some of the concerns residents in my community have. Enclosed is my written testimony to SHA from the December 1, 1992 Public Hearing for your perusal. The actions of SHA in this process are in violation of our public trust. Howard County's actions are equally suspect. I ask you, sir, to take an indepth look into this matter with a full-fledged investigation concerning possible criminal activity and negligence of office. Thank you for your diligence in responding to our concerns.

Respectfully,

Valerie McGuire

OFFICE OF THE ATTORNEY GENERAL

Good evening. My name is Valerie McGuire and I reside at 8070 Fetlock Ct. in the Community of Hunt Country Estates in Ellicott City.

I first got involved with Rte. 100 when SHA held a meeting with 8 homeownners on Fetlock Ct. on Sept. 30, 1991. I was one of those homeowners. We were told that due to Feb. 1990 wetland regulations, no net loss of wetlands would be tolerated and so SHA needed to re-evaluate Rte. 100. According to the minutes taken at that meeting, SHA had conducted preliminary studies and a northern shift of Rte. 100 was anticipated. Of course no firm decision had been made as to the alignment of Route 100 because additional studies (biological, hydrology, economic analysis, noise, etc...) were required before the Alignment of Route 100 was finalized. However, preliminary studies conducted up to the time of this meeting indicated the most likely alternative was a "northern" shift. The question was raised as to whether a "southern" shift of Route 100 had been considered. Mr. Neil Pedersen indicated that this had been looked at briefly and that a southern shift would require taking 3-5 buildings in the Montgomery Run development. Based on the studies and analysis to date the southern shift would be prohibitively costly. (info. based on H.C. minutes, #'s 6 and 8 on Sept. 30, 1991) I question whether they really took a look at the southern shift. I mean really, it didn't take a rocket scientist or an engineer to figure out the LAZY S alignment. All it took was 20-some hours of my time to draw up the concept plan. It seems to me that SHA either consists of a bunch of flunkies who should be replaced or my community was outright lied to.

I'm sure everyone can imagine our fear when we found out this news. Afterall, we had already come to an agreement with SHA to move the alignment out of our community once already. That 17 month fight was due to Mr. Lawerence Macks, a large Baltimore based developer, who has ties going all the way up to Governor Schaeffer. In the beginning, the Rte. 100 Alternate 3 which was presented and approved by the public back in 1987 ran through the property recently purchased by Mr. Macks. This original Alt. 3 was 1500 feet away from our existing community of Hunt Country Estates. At the end of the public hearings and without our knowledge, Mr. Macks, and SHA entered into an agreement known as the MOU of 1985. The Howard Co. Council of that time approved the 1500 foot shift to the northern tip of Mr. Macks property which also ran through our community. Our fear at that time turned to anger at a process that was so shoddy that even the so-called "checks and balances" did not stop this nightmare from happening. This man (it would seem) single-handedly shifted the alignment over the creek without any studies being done and with out all adjacent property owners being consulted. So you see, we became angry at a system that did nothing to protect us from a developer's influence with politicians and public officials.

D-9-3

 The southern alignments were investigated under the original study. Because of commitments made by politicians, Howard County, and SHA to adjacent land owners, the southern alignment shifts were discarded and a commitment to stay on the north side of Deep Run was made.

2. The original alignment presented in 1987 was not 1,500 feet away from Hunt Country Estates. The alignment referenced was dropped from the Howard County General Plan in 1982. When discussions resumed on MD 100 in late 1984, the original alignment was revived but modified in 1985 to reflect the 1989 approved Alternative 3 alignment.

So last year at this time, we found ourselves reliving those emotions of fear and anger all over again. Some of us got together to form a group willing to spend time, effort and money to gather information about Rte. 100 in order to make an informed decision about our homes and lives. It was also decided that we do our own concept drawings to determine other feasible alignments. Within weeks, we had two viable alignments which were presented to officials. They were dubbed "The ROB Alignment" and "The LAZY S Alignment".

Before I start talking about the LAZY S, I would like to talk about our research and the findings that totally outraged us. As I said before, SHA believed the only possible shift was a Northern one to protect the creek of DEEP RUN and its surrounding wetlands. Our research shows that from the very beginning when the draft EIS was circulated for revision, various agencies did not concur with the Rte. 100 P.I. alignment that was agreed to previously by SHA, Macks, and the County.

The following are illustrative of the Agencies' concerns:

- 1. The Maryland Department of Natural Resources (letter to Mr. Ege, June 28, 1988) states "the relocation of stream channel and rechannelizations must be the last alternative considered. Every effort must be taken in order to avoid stream relocations and/or rechannelizations." "The Department should be kept informed of the Snowden River Parkway, as impacts to wetland #'s 9 and 10 may be substantial. The possibility of shifting Route 100 farther out of wetland #11 should be investigated. Construction should be from the south."
- 2. The U.S. Environmental Protection Agency (letter to Mr. Ege, March 14, 1988) "The rationale given for not shifting the preferred alignment west to avoid W-7 and W-8 are impacts to proposed residences, the Curtis Farm, and the proposed Snowden River Parkway alignment. EPA understands the inconvenience and disruption relocations cause to residents and the community, however, neither the subject residences nor the parkway physically exist. Giving precedence to proposed residences over wetlands is not consistent with Federal policy regarding wetlands, which states that wetlands shall be avoided wherever possible. Based on the DEIS, we believe that avoidance is possible in this case. In addition, the proposed 1800 feet of stream relocation in this area may be avoided by a western shift.

The impacts of the proposed Snowden River Parkway Extension are not presented in the DEIS because it will 'be built by others'. To the contrary, the extension is directly dependent upon the proposed project, regardless of the responsible party. The acreages of W-9 and W-10 that it would impact must be identified, in accordance with the section 1508.7 and Section 1508.8 of the CEQ regulations.

Page IV-23 states that a western shift may decrease impacts

D-9-4

- 3. It is true that the environmental agencies had several concerns over the placement of Alternative 3 in the vicinity of Deep Run, but the FHWA approved the alignment in 1989. SHA did not feel that this would be a problem because they were able to build other roads with similar or worse impacts than MD 100. It only became an issue when the sensitivity to wetland protection changed.
- These statements refer to comments from Environmental Agencies regarding the 1988 Draft EIS for MD 100. SHA addressed these comments in the 1989 Final EIS. No additional response is required.
- 5. Refer to Response No. 4 for this document.

6. Refer to Response No. 4 for this document.

to W-11, but would increase impacts to wetlands 9 and 10. Disregarding the assumption that Snowden River Parkway will be constructed, it appears from Figure 5c that a slight western shift may actually preserve more of W-11 without additional impacts to W-9 and 10. It is important to consider not only impacted acreage, but also the position of the alignment relative to the entire wetland area. For example, severing a wetland may have greater impact than taking land from the border. The relative values of W-9, 10 and 11 should also play a role in the decision of whether to shift the alignment. The U.S. Dept. of the Interior Baltimore District Corps 3. of Engineers, COE, (letter to Colonel Finch, Feb. 8, 1991) states "SHA had the opportunity to condemn land from the Village of Montgomery Run development before any condominiums were built. Both SHA and Howard County decided that this was not necessary. They chose to relocate Deep Run instead."

"In the area of Deep Run, SHA should shift the highway right-of-way to the south. This can be accomplished by beginning the alignment shift at the western boundary line of the Village of Montgomery Run. The alignment can then proceed inside the northern property line of this development while avoiding the codominiums. The road right-of-way should proceed to the east but not cross Deep Run. The alignment of this road should cross Deep Run where it turns to the south. This would permit a more perpendicular crossing of Deep Run by the highway right-of-way. In addition, this shift in the alignment would allow the building of the proposed Route 100/Snowden Parkway interchange south of Deep Run and avoid the destruction of seven more acres of wetlands adjacent to this stream."

As you can see, these agencies <u>recommended</u> a SOUTHERN or SOUTH-WESTERLY SHIFT of Rte. 100 away from Hunt Country Estates-not the northern shift SHA had proposed!!! Now feel if you will the fear of loosing your home giving way to a deep anger and a sense of betrayal over the lies we have had to accept because we didn't know any better. Our trust in state officials was severly undermined, and so was our trust in local politicans, as we shall see.

Right now though, I'd like to take the opportunity to talk about the "LAZY S" because I happen to like the alignment. I submitted this alignment for study to SHA because it effectively deals with several issues which are:

- 1. Reducing impact to the wetlands
- Taking no homes from Montgomery Run or Hunt Country Estates
- Allowing for the Snowden River Pkwy. interchange to be built by Ho. Co. to be out of the wetlands as well as reducing length and cost of said interchange

(10)

- Follows the recommendations of various state and federal agencies
- 5. Could be cost effective

D-9-5

7. Refer to Response No. 4 for this document.

8. Refer to Response No. 4 for this document.

9. It is true that the environmental agencies requested a south or southwesterly shift of MD 100 in 1988, but the FHWA approved the Alignment 3 knowing SHA was able to construct other roadways with similar or worse impacts. A southern shift was no longer being considered due to commitments made to the adjacent property owners. These commitments were made by politicians, Howard County, and the SHA.

10. The SHA concurs with these statements.

There is no doubt that the LAZY S deals with all the issues effectively. However there are concerns from a few residents in Mongomery Run and Hunt Country which should be looked at.

FIRST, in a counter-clockwise position, the LAZY S does move 125 feet closer to the SIDE of the building furtherest to the southeast, 50 feet closer to the SIDE of the next building situated to the north, and 75 feet closer to the BACK of the next building in Montgomery Run. The point to be made here is that the buyers should have been made aware of the MOU of 1988 between NEWMISS and SHA. If they were not informed that "pursuant to requirements of the National Environmental Policy Act, alternatives to the preferred alignment have been and continue to be considered" those buyers should seek legal action against Newmiss. The MOU further states "The donation of property by Newmiss will not influence the environmental assessment of the Maryland Route 100 project, including determinations regarding the need for the project or final selection of an alternative." I believe that this 1988 MOU doesn't give absolute assurance to the prospective buyer because it was based on the assumption that the R/W given to SHA was the "preferred" alignment. To my way of thinking, the alignment is not "preferred" until all permit approvals have been obtained by the agencies concerned. Since permit approval was not given, prospective buyers were given a misrepresentation of the facts.

SECOND, the condo owners of Montgomery Run will receive noise mitigation. The homeowners of Hunt Country Estates will not receive mitigation with any alignment.

THIRD, Montgomery Run buyers bought with the knowledge of the vicinity of the proposed Rte. 100. Hunt Country homeowners bought before Rte. 100 was put back on the General Plan.

FOURTH, Hunt Country Estates homeowners were denied "due process" in the decision making of a major 1500 foot shift towards their community. It appears that there may be the possibility that Montgomery Run buyers bought under false pretenses. Did buyers receive a copy of the 1988 MOU? It seems to me that with both communities, their ownership was not protected when it could and should have been protected.

It would appear that the donation of land from Macks to SHA has caused alot of grief to the older existing neighborhoods and the newer ones. The LAZY S is a compromise to an intolerable situation forced on residents because of GREED. There has been GREED on the part of Mr. Macks because the more condos he built, the more money he made. As I understand it condo owner fees will double after only four years due to siding replacement. Could this also be due to GREED on the part of the builder??? And then of course, there has been GREED on the part of the Howard County Council at that time. Chaired by our own councilman Vernon Gray, the council did not hold

D-9-6

11. Preferred alternatives were the decision of SHA and County in 1988 and 1989 and did not require permit acceptance from the environmental agencies. SHA was not required to obtain these permits to determine a preferred alternative. The fact that the agreement stated that the donation of land by Newmiss would not influence the selection of an alternative should highlight the potential for a possible change in the alignment.

- 12. There is no guarantee that the residents of the Villages of Montgomery Run will receive noise mitigation. Likewise, it is still not certain that Hunt Country Estates will not. The final noise analysis have not be completed. This issue will be evaluated further during the final design phase of the project.
- 13. The SHA concurs with this statement.

(14)

- 14. At the time the 1,500-foot shift was made, SHA was unaware of the development within Hunt Country Estates. When the SHA was made aware of the situation, it spent the next several months working with Hunt Country Estates to develop an acceptable alternative. The SHA did have and conduct due process.
- 15. Public hearings were held on the shift involving Mr. Macks (November 14, 1985). The County Council decision was made on November 18, 1985. SHA admitted the mistake and made a southerly shift of MD 100 that was agreed upon by Hunt Country Estates.

a public hearing on a major shift of Rte. 100. In fact, no study to my knowledge was made to consider adverse conditions. Instead, the council (chaired by Vernon Gray) rendered "due process" out the window by passing the shift through resolution. All of this was done to build high density housing for low to moderate incomes. And last but not least, there was GREED on the part of SHA to get "someth'in for noth'in". We all know there's a gimmick hidden in the fine print. The fact is SHA screwed up from the very beginning with this road. In the area of Deep Run, SHA should not have been influenced by the developer. And if SHA was to be influenced to change the alignment, then SHA should have made damn sure it had all its bases covered!! Information that they had in their files was not used to assure an alignment's non-interference with existing communities. Instead, Howard County citizens in this area must put up with obvious attempts to preclude worthy alignments from consideration. This can be seen with the "not preferred" designation of the "ROB" Alignment which our community also presented.

It is also interesting to note that Mr. Curtis has gained eligibility on the Historic Register recently, even though his farm was not considered eligible back in 1989. What's even more amusing is the fact that the original file on the Curtis Farm has been "lost" so that we may never know why it was passed by for its' historical significance a couple of years ago. The real punch line comes with the knowledge that Mr. Curtis intends to develop his property in accordance with the mixed-use zoning of the 1990 General Plan. I guess the reason I don't hear anyone laughing is because the joke is on us. Mr. Curtis has intentions to use the <a href="https://district.org/historic.com/historic.co

I have two scenarios to illustrate what will happen if mixed-use zoning is used on the combined Curtis and Md. Husbandry Farms. The first, assumes the highest residential density (55% residential -- 20 units per acre, 30% open space, and 15% commercial--using the highest maximum ratio). You would get 1,518 housing units, 890,000 square feet of office space or 3,600 jobs. This can then be translated into average trips per day which are: 10% retail=7,200 trips, and non-retail= 12,960 trips for a commercial total of 20,160 trips per day. Add the commercial trips of 20,160 to the residential trips of 11,460 and you get 31,620 trips per day with high residential density in the mixed-used zoning. That's 31,620 trips per day dumping onto our local roads. The second scenario assumes high commercial density with low residential density. These percentages are: 50% commercial, 30% open space and 20% residential. The results are a maximum of 610 dwelling units and two million, 950 thousand square feet of commercial space equaling 11,800 jobs. Using 7.55 trips per household gives

D-9-7

16. There is no such thing as the original "Curtis File" so it can't be lost. The coordination with MD Historical Trust in 1986-89 did not identify the Curtis property as being eligible for the National Register, but it was identified as an inventory level site and documented as such in the 1989 FEIS, Page III-9. Under current law, a land owner of a historic site can do as he pleases, but other people or agencies that impact that property must prove that there is no feasible or prudent alternative to avoid that impact associated with Section 4(f) if Federal funds are utilized. There are other reasons why the "Robb" alignment was dropped from further study.

us 4,605 trips per day for residential. If 10% is retail that would bring 23,600 trips per day, if we assume 20 trips for the multiplication factor. If we assume 4 trips for everything else in the commercial district, then the total trips per day for high commercial with low residential density would be: 66,000 trips (per day). Imagine dumping more cars to create 31,000 to 66,000 additional trips PER DAY! And SHA has no plans to widen the roadbed of Rte. 108 to handle this zoning nightmare! These projections are based on the Land Use Information General Plan Site Specific Density and Intensity Land Use Assumptions of Howard County. The percentages are based on this county's proposed MXD-USE zoning, pages 233-249. The multiplication factors are based on the Baltimore Regional Council of Government "Validation of Baltimore Regional Travel Demand Model" staff paper 92-1 dated April 1992 page 16. The frataring factors (4x and 20x) have been used in several studies by SHA and Howard County. These 2 scenarios are based on 86 acres from the Curtis Farm and 94 acres from the Md. Husbandry Farm combined, and then subtracting 42 acres for right-of-way (for the P.I. alignment).

Another way in which the Rte. 100 alignment alternatives have been kicked around concerns the parkland issue. At this point there are basically 2 alignments to chose from: the LAZY S--shown as options D or B and the Northern Shift thru Hunt Country Estates--shown as options A or C. The Northern Shift not only goes thru backyards, living rooms, and wetlands but it also goes thru parkland/open space in my community.

Back when the northern shift was first proposed a year ago, I wrote to Mr. Jeffrey Bourne, Director of Recreation and Parks about the road going thru parkland. I asked for the county's position on open space/parkland and received a response dated November 8, 1991 from Mr. Jim Irvin, Director of the Dept. of Public Works. Mr. Irvin stated "As far as the County is concerned the subdivision regulations dictate that new subdivisions provide certain lot coverage and are required to dedicate a specific percentage of land to 'open space'. Sometimes a community association is the designated caretaker of this open space, but more often, if the County sees this as a significant benefit to the area residents, it exercises its right to request dedication of the open space to the County [as was done in Hunt Country Estates] to provide for the general population's enjoyment of interconnected stream valleys and active or passive park activities. The Department of Recreation and Parks usually becomes the caretaker of the open space properties." According to Mr. Irvin, Howard County considers Hunt Country Estates parkland to be of LOCAL SIGNIFICANCE! Mr. Irvin's statement is in accord with the General Plans of the last twenty-five years. However, it has been brought to our attention that Mr. Bourne, in a letter dated June 11, 1992 to SHA, has refuted Mr. Irvin's stand by saying that specific open space holdings in the Rte. 100 corridor "do not play a significant role in meeting the recreation, park, wildlife or

D-9-8

17. All alignments impact open space. Based on a letter received from Howard County Parks and Recreation Department, the owner of said open space, it is not considered park land and therefore, is not afforded protection under Section 4(f).

18. Mr. Jim Irvin is the Director of the Department of Public Works and not Parks and Recreation. Mr. Irvin may not be totally aware of the objectives and policies surrounding open space parcels. Mr. Bourne on the other hand is the Director for the Department of Parks and Recreation and should be aware of the total issues, policies, and definition of open space lands owned by the Howard County Department of Recreation and Parks, as well as the protection afforded these parcels if any. FHWA also concurred with Mr. Bourne's position on County held open space lands.

waterfowl refuge objectives of the communities involved...."
This is absolute nonsense! As can be seen, this terming of
"significance" is extremely important because if parkland is
considered of local, regional or national significance, then
other reasonable alternatives must be chosen.

For additional support of parkland significance, one needs only to look at the comprehensive plan of Recreation and Parks. It designated Deep Run as a major stream valley corridor park. In 1988, this plan stated that "the Patapsco and Deep Run ware declared of regional significance". In adoption of this plan, the Howard County Council declared the 5 miles of the Patapsco and 2 miles of Deep Run "a beautiful resource of regional significance." It should also be noted that Deep Run is considered to be of national significance as well. According to EPA's Quality Criteria for Water made available at the 1992 Howard County Fair:

(19)

"Lakes, streams, rivers, and wetlands---our waters are a national treasure."

It is logical to assume then that the EPA feels that Deep Run, as a stream and wetland area, is of national significance. Our community parkland which is of local significance on it's own merits is further enhanced in its' significance because it adjoins the stream valley of Deep Run, which has regional and national significance; and thus, adds to and becomes a part of the stream valley parkland.

A letter to County Executive Ecker and a long awaited meeting with the Howard County Council (at first, the council did not want to meet with the community, but persistence paid off after approx. nine months) on the parkland issue with the Rte. 100 aligment did not resolve anything. However, it did show the community that our county government does not intend to re-affirm the priority of parkland in the General Plan. So now, the government will look the other way if the delegation and the council vote for the northern shift (Options A or C) which goes thru homes, backyards, wetlands and stream valley parkland. This blatant disregard on the part of the county government is a grave injustice to the people it is supposed to serve! This total lack of responsibility to uphold the concepts of the General Plan reeks of developer influence and power plays behind the scenes. This is inexcusable behavior from our politicans. The "hear no evil, do no evil, see no evil" mentality of Howard County Government is disqusting. Since Mr. Ecker and the county council refuse to redress Mr. Bourne's decision that community parkland is insignificant, this in effect tells me that they will allow the northern shift through parkland. But WHY?? Is it possible that campaign contributions line the pockets or pocketbooks of our county executive and members of the council? Could the powers that be have undue influence in county politics???

D-9-9

19. The EPA considers Deep Run significant, not as a park land, but as a water quality, habitat, and wetland system or resource. That is why the SHA is conducting alignment studies to minimize impacts to Deep Run and not because of park land issues.

5/4

I'd like to ask the delegates and public-at-large why the LAZY S alternatives--options B and D--suddenly go thru a historic site that wasn't of historic value four years ago. I'd like to ask why Howard County recognized parkland significance as recently as November 1991 and has since done an about-face regarding its value to the community and to the wildlife habitat. I'd like to know why this parkland can not be acknowledged for 4 (f) status and thereby gain federal protection. Is parkland only of value to the community and wildlife if it has a parking lot and a picnic table? I THINK NOT!

It has been said that in times of adversity, we learn to live by our principles. So now is the time to seek the truth and demand that fairness and ethics be used (for once) in the decision making process. I pray that those persons voting on this alignment segment will remember this. For if this road is solely intended to relieve congestion among local communities (AND NOT PART OF AN OUTER BELTWAY), then let's build the road the RIGHT WAY! The "ROB" (which needs another look at) and "LAZY S" (OPTIONS D OR B) and the "NO-BUILD" alternatives are the only fair options to be considered.

Although I feel the LAZY S provides the fairest compromise for all communities, I am just as convinced that a NO-BUILD is a logical compromise as well. Given the fact that Howard County is currently up-zoning remaining parcels of land in the East, I question the purpose of Route 100. Why provide a new highway to relieve traffic congestion only to turn around and add that same amount of traffic (probably alot more) back onto our roads? It seems that the county and the state are at cross purposes in this regard. An example is the Curtis and Md. Husbandry Farms located on Rte. 108. The state (SHA) contends that it will not be widening Rte. 108. So, does it make a whole lot of sense to add 3,000 cars dumping onto Rte. 108, at the upzoned mixed use center to be located here? Of course not!

Options D or B only pale in comparison to the no-build alternate. I think SHA should reassess this alternative because it would handle the environmental and socio-economic concerns better. One thing is for sure, with the no-build scenerio Mr. Curtis, Howard County, and the residents of Montgomery Run, Brightfield, Montgomery Meadows and Hunt Country Estates would all be happier for it.

20. The open space land is not protected under Section 4(f) because its purpose was to provide a buffer for floodplain protection, steep slopes, utility easements, and not for habitat or wildlife protection.

D-9-10

So vote for Option D, B, the "ROB" or the No-build alternatives. They are the only compromises fair to all. I should also like to request a thorough investigation done into SMA's practices by the Federal Highway Administration and the U.S. Attorney's Office if an investigation has not already begun. The numbers in this DRAFT EIS do not match elsewhere within the document. One example is the number of residences taken as listed in the "Summary Impact" Chart. Those numbers do not coincide with the what the maps show. This DEIS is a poor excuse for the culmination of how many years of work? Seven? This whole process involving the right-of-way for Rte. 100 has been marked by inexcusable failure to exercise intelligence, common sense and fairness. To date, this DRAFT EIS is an asinine excuse for sound judgement and engineering.

Thank you for the opportunity to submit my opinions on this matter. $% \left(1\right) =\left(1\right) \left(1\right) +\left(1\right) \left(1\right) \left(1\right) +\left(1\right) \left(1$

Sincerely,

Valerie McGuire (Member of Hunt Country Estates Community Assoc. Board of Directors)

D-9-11

EXHIBIT D-10

Howard County Preservation Association, Inc.

P.O. Box 276
Woodstock, Maryland 21163

December 16, 1992

Nr. Karl Tlett Meryland State Highway Administration 707 North Calvert Street Beltimore, Haryland 21203

Mr. Paul Wetleuffer U.S. Army Corps of Engineers P.O. Box 1715 Beltlmore, Haryland, 21203

Oear Centlemen:

The following comments on the dreft SEIS for MD 100 between MD 104 and I-95 (Contract HO 661-101-770) are aubmitted by the Executive Board of the Howard County Preservation Association, Inc. on behalf of its members.

The Howard County Preservation Association, Inc. (HCPA) is an organization comprised of individuals from scrose Howard County, including individuals who will be directly affected by MD 100 should it be constructed along any of the sligments considered to date. Since one of the purposes of the organization is to promote the preservation and conservation of the environment and the quality of water resources in Howard County, we believe it is perticularly appropriate that we comment on the conduct of the NEPA process as it has been applied in this project as well as on the substance of the draft SEIS.

Prior to detailing our comments we request to have incorporated into the project record the following materials: 1) the 1965, 1971, 1982 and 1990 General Plana for Howard County; 2) the 1988 Parke and Recreation Plan for Howard County; 3) the Howard County Zoning Board record for ZB 929, 755, and any materials related to these cases held by Howard County, the Baltimore Metropolitan Council or SIRA; 4) the Howard County Board of Appeals record for case 269; 6) case BA 90-06E; 5) the Howard County Planning Board record for case 269; 6) any end all materials related to any asgment of the MD 100 project between the Baltimore County line and I-95 or to the relocation of MD 32 between MD 10B and Pindell School Road held by the above mentioned entities or their consultants; 7) any and all materials related to the role of Marylend SIRA or the relationship of SIRA and Howard County in the development and/or adoption of Howard County's 1990 General Plan; and 8) the materials provided to the General Counsel's Office of the Federel Highway Administration by citizens from the Baltimore/Washington region in the fell of 1992.

Comments

Based on our review of meny of the meterials referenced above and those submitted in to the record during the December 1, 1992 public hearing on this project, so well as the direct involvement of some of our members in the process, we must comment that what is a good process on paper unfortunately has been grossly perverted in practice. It is quite obvious that for a period of almost ten years both the public and federal review agency officials consistently have been misinformed and mislead on critical issues related to this project by SHA. Examples of misrepresentations which consistently have been made throughout the project planning process and which can be found in this draft SEIS include but are not limited to the following:

D-10-1



RESPONSE TO EXHIBIT D-10 Maryland Department of Transportation State Highway Administration

O. James Lighthizer Secretary Hal Kassoff Administrator

February 22, 1993

Ms. Susan B. Gray Howard County Preservation Association, Inc. P.O. Box 276 Woodstock MD 21163

Dear Ms. Gray:

Thank you for your recent letter concerning the proposed MD 100 project.

In paragraph #3 of your letter, you request "to have incorporated into the project record" some eight different categories of material. The materials you refer to include, among others, Howard County Zoning board cases and documents in those cases; Howard County planning materials generally; and unspecified materials which were sent by unnamed Citizens form the Baltimore/Washington region" to FHWA's general counsel.

The purpose for the public hearing on December 1, 1992 and the extension until December 16, 1992 to receive written comments, was expressly to receive comments from interested parties concerning the Public Hearing and the Supplemental Draft Environmental Impact Statement for the MD 100 project. By paragraph 3, however, you apparently seek to use the invitation for comments as an opportunity to conduct a broad based F.O.I.A. or Public Information Act request. This is not a freedom of information act process, however, and it is not appropriate that you direct the federal and state highway planning officials to include in their record what might be thousands of pages of material.

We will allow you an additional 15 days from the date of this letter, however, to <u>specifically</u> comment on whatever portions of the referred to materials that you feel are relevant to our consideration of this project.

My telephone number is

Teletypewriter for Impaired Hearing or Speech 383-7555 Beltimore Metro - 565-0451 D.C. Metro - 1-800-492-5062 Statewide Toll Free 707 North Celvert St., Baltimora, Maryland 21203-0717

50/

- 1) the characterization of SHA's early involvement in the plenning process and who took the initiative in getting Rt iOO put on Howard County's General Pien in 1985;
- 2) the description of the status of the "two iene developer road" between MD 104 and U.S. 29 in 1985 when the General Pien was amended;
- 3) the characterization of the atatua of Rt 100 between ND 104 and U.S. 29 as

-- county road

--which would be built by developers through the subdivision process regardless of the disposition of Rt 100;

- 4) the persistent omission in discussions of the acops of the project of the full range of facilities and improvements needed to make Rt 100 s viable project which meets the project need;
- 5) the stated purpose of the project and the degree to which the construction of Rt 100 will relieve congestion on local roads in the project's design year;
- 6) the description of the scope of public involvement in the process of putting Rt 100 on the General Plan, perticularly es it relates to public discussion of the northern shift;
- 7) the status of the construction (and the funding source for the construction) of the two lane developer road at various points in time;
- 8) the atatus of the agreementa between Howard County end SHA, and Howard County end developers regarding Rt 100;
- 9) the nature of the lend use underlying SHA's traffic forecasts;
- 10) the characterization that the Rt 100 slignmant was not "fixed" prior to the start of the project planning process.

In additional to the above, since SHA began re-looking at an alignment for this project in the fell of 1991, it consistently has misrepresented to the public and/or agency officials the position of federal review agencies on northern and southern shifts in the area of Deep Run; the relationship of Snowden River Perkway extended to the mainline project for Rt 100; the acope of fecilities needed in the Rt 100 corridor to make the transportation system in the corridor a viable system at full buildout given the land uses proposed in Roward County's 1990 General Pian; the watlend impacts of verious alternatives; the atsue of publically owned parkiand directly affected by various alternatives; and the land use plans for the jurisdiction. However, SHA has repeatedly refused to deal with the issue of major isnd use changes which are proposed for the corridor and the relationship of the Rt 100 project to those changes. In fact, it would appear that SHA and Howard County are working together to insure that neither the public nor review agencies are aware of the proposed lend use changes or their impacts.

Finally, it has become very obvious that Heryland SHA repeatedly has violated the provisions of the Maryland Public Information Act when citizens have sought information on the project.

In aummery, e review of the documents auggest Rt 100 is a project in which the public (and for ail practice) purposes the review agencies) has hed no meaningful input. It is siso a project which keeps being segmented in to smaller and smaller asgments.

It is shame that what should be a vary good process and been so bistantiy end unsbashedly abused. Familiarity with the Rt 100 and other projects is strong

D-10-2

Ms. Susan B. Gray Page Two

Thank your again for your interest in the MD 100 project. If you have any additional questions or comments, please feel free to contact the project manager, Mr. Karl Teitt. Karl can be reached at (410) 333-6437 or toll free at 1-800-548-5026.

Very truly yours.

Louis H. Ege. Jr. Deputy Director Office of Planning and Preliminary Engineering

bv:

Karl R. Teitt Project Manager

Project Manager Project Planning Division

LHE: KRT: ds

bcc: Mr. Howard Johnson (w/incoming)

Mr. Paul Wettlaufer "

Mr. James Wynn

evidence that SHA's process is not open and above board. One need only read Hal Kassoff's December 3, 1992 to persons who sttended the Rt 100 hearing to comprehend that such failure is ongoing and persistent.

Thank you for the opportunity to comment.

Very truly yours,

Jusan 10

EXHIBIT D-11

PROJECT

Mr. Louis H. Ege, Jr., Deputy Director Office of Planning and Preliminary Engineering Room 506 State Highway Administration 707 North Calvert Street Baltimore. Maryland 21202

Dear Mr. Ege:

The following are my comments on the Maryland Route 100 Supplemental Draft Environmental Impact State/Section 4(f) Evaluation (DEIS).

I am sorry these comments were not submitted by December 18. On December 18 I called Karl Teitt and was informed that these comments would become part of the record and would be considered in developing the final document if they were received by December 23.

I am one of the owners of the Curtis Farm which would be the most significantly impacted private property under Alternetive 3 - Option B (Lazy S). These comments are submitted on behalf of the Curtis family. Also, as background to these comments, I have included e resume of my education and experience relevant to Meryland 100 routing issues.

COMMENTS

Page III - 9 Economic Setting

This section mentions jobs and employment growth for Howard County and mention that "economic growth is dependent upon adequate transportetion systems." This statement is self-serving to the Maryland 100 project. Economic growth is also dependent upon high-quality undeveloped land. The Curtis Farm and Horse Farm are both planned as mixed-use centers and will provide major employment and residential opportunities. This planned economic growth is not mentioned in this affected environment section. Planned economic growth opportunities utilizing the Curtis and Horse Farm as mixed-use developments should be fully discussed, because it is precisely these economic benefits that will be lost Option B (Lazy S) is utilized. There should be projections of the total economic impact to the county end state with the full mixed-use development of the Curtis end Horse Ferm.

D-11-1



RESPONSE TO EXHIBIT DOLL Maryland Department of Transportation and Department of Transportation an

February 11, 1993

Mr. Robert L. Curcis, Jr. Route 1, Box 453-A Lake City TN 37769

Dear Mr. Curtis:

Thank you for your recent letter concerning the proposed MD 100 project.

Your comments on the MD 100 Supplemental Draft Environmental Impact Statement/Section 4(f) will be addressed in detail in the Supplemental Final Environmental Impact Statement (SFEIS). The State Highway Administration (SHA) will identify a preferred alternative within the next several months. Following that decision, SPA will prepare the SFEIS and submit the document to the Federal Highway Administration for review and approval.

Thank your again for your interest in the MD 100 project. If you have any additional questions or comments, please feel free to contact the project manager, Mr. Karl Teitt. Karl can be reached at (410) 333-6437 or toll free at 1-800-548-5026.

Very truly yours.

Louis H. Ege. Jr. Deputy Director Office of Planning and Preliminary Engineering

hv '

Karl R. Teitt

Project Manager

Project Planning Division

LHE: KRT:ds

Mr. Howard Johnson (w/incoming)

Mr. Paul Wettlaufer "

Mr. James Wynn

My telephone number is _

410-333-6437

Teletypewriter for Impaired Hearing or Speech 383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5062 Statewide Toll Free 707 North Calvert St., Baltimore, Maryland 21203-0717

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Mr. Louis H. Ege, Jr. Page 2 December 23, 1992

Page III - 12 Future Land Use

The projected change from agricultural to mixed-use on the Curtis and Horse Farm is the most significant impending land use change in the study corridor and should be specifically noted and discussed. It should also be noted that mixed-use utilization of these two properties is fully congruent with the current Howard County general plan.

Page III - 19 Surface Water

One water sample taken one time in June 1992 is totally inconclusive and can not warrant the statement that "water quality standards are being met..." Based on one sample, State Highway Administration (SHA) cannot make such a statement. Many more samples at varying times, conditions and flow rates are necessary to make such a conclusion. The statement that the water quality condition is attributable to sulfates and phosphates from adjacent and upstream agricultural lands is also without basis and should be removed from the DEIS. This conclusion cannot be drawn without substantial long-term water quality monitoring. This section does not discuss total dissolved solids or turbidity both of which affect water quality.

SHA appears to have very limited water quality data for Deep Run Branch and therefore cannot make any conclusive statements about its condition.

Page III - 23 Table III-8

Blackberry is not an over-story species.

Page III - 28 Wetlands

Palustrine forested stream channel wetlands such as found at wetland site 8 and 9 are seldom rated as "high" in functional value. In fact, this wetland type is one of the driest of all wetlands and is only very infrequently inundated. Its true functional value is more as an upland wildlife habitat rather than a true wetland.

It is also true that this particular wetland type will never be threatened or scarce in Howard County. Current Howard County building regulations mandate that all such floodplain wetlands be protected and made part of the county-wide open space system. Even such floodplains currently utilized for agriculture will revert to palustrine forested areas as a consequence of land development restrictions. The DEIS should consider the value of these few wetland parcels in terms of their overall occurrence in Howard County. Essentially, they are common and in fact, increasing in occurrence.

D-11-2

Mr. Louis H. Ege, Jr. Page 3 December 23, 1992

Degradation of the Deep Rum stream habitat, additional residential development, increases in sediment loading, stormwater runoff and nonpoint pollution, and increased human disturbance have already degraded wetland areas 8, 9, 10.

Wetlands 8, 9, and 10 are of only "medium" functional value, are not exemplary in their size, wildlife value, vegetation species or structure characteristics or inundation regime, and are plentiful, in fact, expanding.

Wetlands of much higher biological, wildlife, and functional value can be <u>created</u> through exemplary <u>mitigation</u> along Deep Run Branch at the Horse Farm. Shallow water wetlands providing value to waterfowl, birds, amphibians, reptiles, and aquatic mammals could be created utilizing current technology. A public wildlife observation area could be established at this public wetlands complex, which is already in state of Maryland ownership.

Page III - 31 Wildlife Resources

The superficial treatment of this section (like that dealing with water quality) indicates that little, if any, factual data is available to support the statements or conclusions.

l would <u>not</u> agree that mammalian habitat is "excellent." At best, wildlife habitat is often fragmented, stressed, over-utilized by humans and their pets, and located in parcels too small and isolated to meet needs of animals with even medium home-range requirements (greater than five acres). Residential development, utility construction, highway construction, and population density have depressed both upland habitat quality and wildlife species diversity.

"Good" habitats do occur in a few isolated instances in the study area and "excellent" habitats are present, but not nearly to the extent that is report in the DEIS.

The information contained in the Wildlife Resources section is so cursory that it is of very limited utility in characterizing wildlife habitats or populations that are to be impacted by the Maryland 100 project. At a minimum, a wildlife habitat evaluation procedure should have been utilized to rank or rate habitat values.

Page IV - 31 Residential Relocations

It is stated that, "right-of-way from two farms will not cause these farms to close operations."

Mr. Louis H. Ege, Jr. Page 4 December 23, 1992

1 take exception to this statement. If the Option B (Lazy S) is utilized, it will take a large portion of the Curtis farm out of production making it uneconomical for our leaseholder to continue to travel a substantial distance to lease and farm a reduced acreage. It is highly likely that the Lazy S (Option B) will force the Curtis Farm to cease farm operations.

Page IV - 7 Economic Impacts

This section does <u>not</u> adequately address the adverse economic impacts or the economic opportunity costs associated with the Maryland 100 project, especially the Option B (Lazy S) alternative.

The following economic impacts should be analyzed, included, and given serious consideration in routing alternatives:

- The Curtis/Horse Farm property is the last major parcel of undeveloped property in this area of the county. It contains 300 contiguous acres directly situated in the Baltimore/Washington Corridor and two miles from 1-95.
- Through a rigorous planning process as recently as 1990, Howard County designated this as being suitable and desirable for mixed-use development; one of <u>only seven</u> such use designations county-wide. Howard County is currently proposing that this property be rezoned to a mixed-use designation.
- 3. In any mixed-use development, high to medium density residential use will be a significant component. As of 1990, a Department of Planning and Zoning study stated, "Less than a third of the medium-density land and only 16 percent of the high-density land is left..." in Howard County. (Issues Paper: Growth and Development in Howard County, 1990)

Clearly, Howard County faces a serious shortfall of land for higher-density, affordable housing. The pressing need for a greater range of housing choices and affordability will be critical to county residents for years to come.

4. The aging of Howard County's population will remain a significant demographic change. Also, the county will experience growth in single-parent households, and increased home ownership among the young. Higher density affordable housing will be the choice of many from these groups and the only option for some.

D-11-4

Mr. Louis H. Ege, Jr. Page 5 December 23, 1992

- 5. The Horse Farm is considered an important part of the mixed-use zone, especially as it affords major new employment center opportunities. A key element in the Howard County General Plan is the reliance on mixed-use to improve the county's jobs/housing balance and to use the few key remaining development sites more efficiently. This is inclusive of the Curtis/Horse Farm. (Howard County, Department of Planning and Zoning, General Plan Scenarios)
- 6. The importance of the Curtis and Horse Farm becomes all the more significant since most future employment and affordable housing needs must be met in eastern Howard County in non-Columbia areas. Simply stated, Howard County cannot afford the Option B (Lazy S) alternative. Land in the western county is not available because the trends there still favor "rural conservation," lower densities, and agriculture.

The Option B (Lazy S) alternative placea extremely negative consequences and impacts on the Curtis and Hose Farm's future highest and best use development potential. In economic jargon, the economic opportunity costs to the county are truly significant. Opportunity costs are future opportunities forgone because of short-sited decisions made today. They will include:

- Serious loss to the county's accessible tax base. Each acre of prime land used for Maryland 100 is an acre lost forever to the property tax base.
- · Loss of construction and supporting industry jobs.
- Loss of affordable housing opportunities.
- · Loss of major employment center opportunity at the Horse Farm.

Option B (Lazy S) results in severance of the Curtis and Maryland Horse Farm into smaller, inefficient and uneconomical parcels making any development more costly and difficult. The use of two land-locked parcels, one on the Curtis and one on the Horse Farm, is lost entirely. Because of the ahort distance between the Lazy S and Route 108, there will almost surely be no access off of Snowden River Parkway due to entrance and exit ramp locations. This leaves only Route 108 as the primary arterial access to the two farms and further diminishes their use and development potential.

Compare, if you will, impacts of the Option A (Northern) and Alternative 3 (Original) alignments with the consequences of Option B (Lazy S) which I have outlined. In essence, to avoid impacts to several more acres of wetlands and relocations of only two single-family residences, Option B (Lazy S) route the six-lane Maryland 100 project through the only remaining prime property in this area eliminating future affordable housing and job opportunities for hundreds of county citizens. This an uneconomical, adverse, and short-sighted planning decision, and these adverse economic consequences should be fully addressed.

Mr. Louis H. Ege, Jr. Page 6 December 23, 1992

lmpacts to Montgomery Run homeowners from the Option B (Lazy S)
alternative is not addressed or adequately considered in the DEIS.
Consider tha following:

In 1985, following public hearings and selection of an alignment by the Howard County Council, the SHA and Macks & Macks, Inc., executed a Memorandum of Understanding (MOU) which established an alignmant of Route 100 running generally to the north and west of Tha Villages of Montgomery Run, a large condominium community then proposed by Macks & Macks, Inc. Subsequently, in 1989, following a second round of public hearings, that MOU was amended, at the requeat of the SHA, to include Newmiss Limited Partnership. Pursuant to the amendment, Newmiss Limited Partnership, develop of Montgomery Run, and the SHA agreed upon a revised alignment of Route 100 so as to avoid interference with two new homes in the development north of Route 100 known as Hunt Country Estates.

As of March 1, 1992, over 500 families have moved into Montgomery Run in reliance on the SHA's public commitment to an alignment which would be no closer to the community than that reflected in the 1989 Amendment to the contract with Newmiss and approved by the County Council. Option B (Lazy S) would construct Route 100 within 100 feet of dozens of homes at Montgomery Run. The newly-proposed "Lazy S" realignment violates the 1989 agreement and has significant negative implications for Montgomery Run. First, the proximity of tha proposed alignment of Route 100 to certain of the buildings in Montgomery Run will result in drastically increased noise to the homeowners in these buildings. If Route 100 was realigned, the existing berm and plantings (which the SHA has already put in pursuant to the 1989 Addendum) would not be sufficient screening. Indeed no buffer or wall can adequately protect tha third floor residences if Option B (Lazy S) alignment is used. Second, tha recently proposed realignment will increase the noise level at certain Montgomery Run homes above the FBA/VA standards. Future FHA/VA financing for these homes could be jeopardized by the proposed realignment. The Addendum expressly recognized tha importance of FHA/VA financing to affordable housing like Montgomery Run and committed the SHA to allow homes at Montgomery Run to meet the FHA/VA guidelines for sound. Third, the specific portion of Montgomery Run which will be directly impacted by a shift in the alignment for Route 100 represents a condemnation of taking of that property, thus requiring compensation by the SHA to the affected property owners. The cost of compensation to Montgomery Run homeowners and the Curtis family, as well as the expense of barriers or other attempts to mitigate damages, does not appear to have been taken into account in SHA cost comparisons. Damages in this matter will likely exceed \$5,000,000 if Option B (Lazy S) realignment is adopted. Additionally, time-consuming and expensive litigation will certainly result from any southern shift in Route 100.

D-11-6

Mr. Louis H. Ege, Jr. Page 7 December 23, 1992

Page IV - 11 Prime and Important Farmlands

Impacts to prime and important farmlands are important. Tha fact that the Curtis Farm may be zoned for future mixed-use has no bearing on the fact that important farmlands will be lost to the Option B (Lazy S) alignment. In fact, the Curtis Farm has been zoned for nonagricultural uses for many years, but that has not diminished its value as important farmland. If this land is lost to agriculture it is unlikely that tha remainder of the tract will continue to be farmed resulting in a net loss to agriculture of the entire farm.

Page IV - 12/13 Water Resources

I disagree with conclusions drawn in this section.

Environmentally, the Option B (Lazy S) alternative is the most intrusive alignment into the Deep Run Watershed. The Lazy S bisects and crisscrosses the watershed, consequently causing the most damage for the following reasons.

- Option B (Lazy S) crosses Deep Run Branch and tributary four times. Each crossing will involve the width of a six-lane highway and attendant structures and will impact up to 200 feet of linear stream and riparian habitat on each crossing. In total, the four crossings could impact at least 800 to 1,000 feet of natural stream and riparian habitat, including wetlands.
- 2. Option B (Lazy S) is especially damaging in that it severs these riparian corridors into fragmented, smaller habitats. In addition to direct habitat damage and wildlife displacement, it disrupts wildlife population movements and use of riparian habitat along Deep Run Branch and its tributaries. The larger, more mobila mammals which have larger home ranges and need larger unfragmented habitats will be particularly damaged by the Lazy S (Option B).
- 3. The Option B (Lazy S) alignment will be such more damaging than the Option A or Alternative 3 alignments to Deep Run Branch water quality. Even with the use of Best Management Practices, each of the four crossings will result in stream pollution and sedimentation. Once Maryland 100 is completed each stream crossing will provide an opportunity for highway runoff, including exhaust chemicals, salt, and petroleum to enter the waters of Deep Run Branch. The Option A and Alternative 3 alignment cross Deep Run then run along the northern boundary of the Deep Run Watershed where they have much less impact on the watershed as a whole and create less long-term water pollution hazard.

Mr. Louis H. Ege, Jr. Page 8 December 23, 1992

4. The SHA has under estimated the acres of watlands impacted by the Option B (Lazy S) alignment. Field identification and flagging of wetland boundaries included only the immediate riparian areas with woody vagetation. SHA did not include in their acreage the full extant of hydric soil areas bordering Deep Run or its tributaries. These areas much be included in wetland acreage calculations. They meet hydric soil and wetland hydrology criteria. Although currently cultivated in "dry" years, if retired from cultivation, thay would revert to hydrophytic vegetation typical of a PFO1A wetland. Adding the cultivated hydric soils areas into the acreage of wetlands impacted by the Option B (Lazy S) brings total wetlands impacts by Option B very closa to the impacted by Option A, resulting in no real significant impact differences between the two. From a total environmental impact standpoint, severing and fragmenting an entire watershed (Option B [Lazy S]) to retain less than one additional acre of wetland than is protected in Option A is neither a rational or wise decision.

When overall environmental impacts are considered, the alignment which does the least damage to Deep Run is the one which has the fewest stream crossings, and is situated largely to the north and out of the Deep Run watershed. This is the Option A alignment.

Federal regulations do not mandate that the alternative with the least damage to wetlands be selected. They permit SHA to select either the Option A or Alternative 3 alignment with mitigation as tha "feasible and prudent alternative" minimizing wetland impacts. Given the amount of hydric soil with proper hydrologic and geomorphic feathers in tha upper Deep Run Watershed it is possible to mitigate wetland losses at a 3:1 ratio. Such a mitigation plan will increase the valua of the riparian areas now used for pasture or crops along Deep Run and its tributaries. Many of these areas lend themselves to enhancement though establishment of bottomland hardwood wildlife plantings or shallow water habitats which would have much higher wildlife value than the typical and low value green ash/red maple communities usually found along Deep Run.

We would welcome the opportunity to discuss with you or the U.S. Army Corps of Engineers a plan for mitigating impacts and how we might participate in such a plan.

Given the extensive and long-term nagativa impacts of the Option B (Lazy S) alignment, both environmentally and economically, we request that it be daleted from further consideration. Furthermore we recommend that either the Alternative 3 or Option A alignment with extensive state-of-the-art mitigation be selected as the alignment with the least overall adverse impact on the environment, on the economy of Howard County, on its citizens, and on the Curtis and Horse Farms.

D-11-8

Mr. Louis H. Ege, Jr. Page 9 December 23, 1992

1 appreciate the opportunity to comment on this DEIS. 1 would be happy to discuss any of my comments with you or your SHA staff.

Robert L. Curtis, Jr. Route 1, Box 453-A Lake City, Tennessee 37769

Attachment

cc: Mr. Earl Arminger
Howard County Chamber of Commerce
5565 Sterrett Place, Suita 105
Columbia, Maryland 21044

Mr. Dyan Brasington, Director Howard County Economic Development 3427 Rogers Avenua Ellicott City, Maryland 21043

Mr. Glenn Curtis 76 Circle View Drive Lexington, South Carolina 29072

Mr. R. Lee Curtis 250 Jacaranda Drive Unit 410 Plantation, Florida 33324

Mr. Charles Ecker
County Administrator
George Howard Building
3430 Court House Drive
Ellicott City, Maryland 21043

Mr. Paul Farragut, Chairman Howard County Council George Howard Building 3430 Court House Drive Ellicott City, Maryland 21043

Col. Frank Finch U.S. Army Corps of Engineers Post Office Box 1715 Baltimore, Maryland 21023-1715

See continued cc list on page 10

D-11-9

&

Mr. Louis H. Ege, Jr. Page 10 December 23, 1992

> Mr. Vernon Gray, Councilman Howard County Council George Howard Building 3430 Court House Drive Ellicott City, Maryland 21043

Mr. Joseph Rudder, Director Howard County Planning and Zoning George Howard Building 3430 Court House Drive Ellicott City, Maryland 21043

Mr. Paul Wetlauffer U.S. Army Corps of Engineers Post Office Box 1715 Baltimore, Maryland 21203-1715

Mr. John Wolflin, Field Supervisor U.S. Forest and Wildlife Service 1825 Virginia Street Annapolis, Maryland 21401 The following correspondence relates to the 700+ letters submitted by Ms. Kim Abramson on behalf of the Village of Montgomery Run Community Association. Also attached is a list of individuals submitting the attached letter.

EXHIBIT D-12

January 5, 1993

Governor Willaim Donald Schaefer State House Annapolis, MD 21404

Dear Governor Schaefer:

Concerned residents in The Villages of Montgomery Run have sent the enclosed letters regarding the realignment of Route 100. We would greatly appreciate your consideration of our reasons for recommending a northern shift of the highway.

Additional letters will be forwarded to your office as we receive them.

If you wish to contact a Montgomery Run representative, please feel free to reach me at 750-2614 (home), 750-0238 (office) or at 8561-K Falls Run Road, Ellicott City, Maryland, 21043. Thank you.

Sincerely,

Mini D. aluanon

Kim D. Abramson Route 100 Task Force Coordinator The Villages of Montgomery Run

P.S. In consideration of the volume of letters being sent to you, we ask that you please recycle the paper if at all possible. Thank you for your environmental concern.

D-12-1

RESPONSE TO EXHIBIT D-

STATE OF MARYLAND OFFICE OF THE GOVERNOR IN REPLY REFER TO PG-MDOT

DIMIGRAL | 59 in '93

WILLIAM DONALD SCHAEFER

ANNAPOLIS OFFICE STATE HOUSE ANNAPOLIS MARYLAND 2:40

BALTIMORE OFFICE SUITE 15:3 30: WEST PRESTON STREET BALTIMORE, MARYLAND 21201 (410) 225-4800

WASHINGTON DEFICE

SUITE 31 WASHINGTON D.C. 2000 (202) 638-2215

TDD (410) 533-3098

Dear Ms. Abramson:

Ms. Kim D. Abramson

Route 100 Task Force

8561-K Falls Run Road Ellicott City MD 21043

January 29, 1993

Coordinator

Thank you for your recent letter regarding your community's concerns about the MD 100 alignment studies being conducted by the State Highway Administration (SHA).

I understand that letters have also been sent to Secretary O. James Lighthizer, Maryland Department of Transportation (MDOT), and Mr. Hal Kassoff, Administrator, SHA, MDOT. It is also my understanding that Mr. Karl Teitt, the SHA's project manager for the MD 100 study, spoke with you recently. Mr. Neil Pedersen, Director of the SHA's Office of Planning and Preliminary Engineering, will now be dealing directly with you as the contact person.

In 1989, I signed one of the first Executive Orders initiating many recycling efforts. One of the efforts was to implement recycling goals at the state and county level. I am very proud of the fact that we routinely recycle paper and other materials.

Again, thank you for your interest in the MD 100 project. If you have any additional questions or concerns, please feel free to contact Mr. Teitt at (410) 333-6437 or toll free at 1-800-548-5026.

Sincerely,

Governor

cc: Mr. Hal Kassoff

Mr. Neil J. Pedersen

Mr. Karl R. Teitt

December 30, 1992

Dear Sir/Madam:

I wish to express my vehement opposition to any southern shift in the alignment of proposed Route 100. My community, the Villages of Montgomery Flun, with more than 1,000 residents, is dramatically, unfairly and unnecessarily hurt by any southern shift. I urge the County Council and the SHA to maintain the existing alignment or to select options A or C. The facts are as follows:

- The existing alignment (Alternative 3) is the result of a series of public hearings in 1985, 1987, 1988
 and 1992. Alternative 3 was selected because it maximized land availability for badity-needed moderate-income housing, and minimized construction costs, tand acquisition costs and personal disruption. Any southern shift severely undermines these objectives.
- 2. Atternative 3 and Options A and C are preferred over any southern shift for Impacts on forest and agricultural land, air quality, fuel conservation and operational concerns. Options A and C reduce the impact of Alternative 3 on wetlands by approximately 6 acres and exactly 6 acres, respectively. Options B and D only reduce the impact on wetlands by 6 acres and 9.8 acres, respectively. When considering this minor difference, it is necessary to then look further into environmental impact. For example, Option D, in addition to the wetlands it impacts, will also take an additional 12.6 acres of forests over the Alternative 3 option.

Additionally, a southern shift would increase road length approximately 1,000 feet, adversely affecting air quality and fuel conservation. Options B and D would also, according to an Army Corps of Engineers study, reduce the efficiency of traffic flow through the intersection with Snowden River Parloway.

3. Alternative 3 and Options A and C maintain an "acceptable" level of noise created by the highway. Options B and D, however, produce noise in excess of FHWA criteria that would affect more than 100 families at Montgomery Run. Mitigation devices are neither effective nor inequired for second- and third-floor residences. According to the SHA's Technical Noise Analysis, developed in 1992, 144 Montgomery Run homes are at or above the 67 dB "acceptable" level of sound transmission. The SHA has proven that sound walls are often ineffective for elevated housing because noise levels increase with elevation; thus, no protection is eveilable for 96 second- and third-floor residences, short of SHA acquisition of these homes, at a cost of nearly \$11.3 million. This expense is not included in the cost assessments for each alternative alignment in SHA studies.

D-12-2



O. James Lighthizer Secretary Hal Kassoff Administrator

February 1, 1993

Ms. Kim Abramson Route 100 Task Force Coordinator The Villages of Montgomery Run 8561-K Falls Run Road Ellicott City MD 21043

Dear Ms. Abramson:

Thank you for your recent letter expressing your opposition to the southern alternatives for the proposed MD 100 study.

Your comments will be taken into consideration in the determination of a preferred alternative. The State Highway Administration (SHA) is currently performing additional minimization studies and will select a preferred alternative within the next several months. Following that decision, SHA will prepare a Final Supplemental Environmental Impact Statement and submit the document to the Federal Highway Administration for review and approval. The public will have an opportunity to review the document also.

Options A through D reduce wetland impacts when compared to Alternative 3 and the environmental agencies have indicated that they will not issue a wetland permit for Alternative 3. Therefore, Options A through D must be compared to each other when identifying impact assessment. The requirements of the permit process as called for in federal regulations is that we must select the alternative that is the least environmentally damaging with special emphasis placed on wetland avoidance or minimization and the reduction of aquatic impacts.

Based on our preliminary air quality assessment on all of the alternatives and options developed, no air quality violations occur. The difference in the lengths of the alternatives is not expected to significantly affect air quality. The number of vehicles using the facility, the amount of stop conditions and the congestion of the facility are factors that will likely be most important in affecting air pollution. The Army Corps of Engineers only questioned traffic flow efficiency at Snowden River Parkway. Based on our calculations, the Snowden River Parkway interchange will operate acceptably.

Based on the additional studies being conducted on both Options C and D, a new noise analysis may be performed. The results of additional minimization studies will be made available for review when completed.

My telephone number is (410) 333-1110

Teletypewriter for Impaired Hearing or Speech 383-7555 Galtimore Metro - 555-0451 D.C. Metro - 1-800-492-5062 Statewide Toll Free 707 North Catvert St., Galtimore, Maryland 21203-0717



Furthermore, HUD handbook 4150 provides for the <u>rejection of resale loans</u> if a property is subject to excessive noise that seriously affects liability, marketability or the health and safety of its occupants. At least 96 to 144 Montgomery Run properties may be negatively affected by this provision.

- 4. The County tax base will be severely eroded if a southern shift is approved. Property values at Montgomery Run and the adjoining Curtis Farm will fail precipitously, without any positive effect elsewhere. Furthermore, if a southern shift is approved, the Curtis Farm and Maryland Horse Farm—which, according to the General Plan, is stated for multi-use development including residential, commercial and retail use—will no longer be developable, resulting in significant tax losses for Howard County.
- 5. The existing alignment locates the highway approximately 200 feet from hundreds of homes in Montgomery Run. While Options A and C would maintain or increase that distance, Options B and D reduce the distance to the edge of roadway to only 100 feet. Montgomery Run residents have accepted a considerably greater impact from Route 100 than any other community and should not be further disadvantaged by a closer alignment of the highway.

In conclusion, there are sufficient environmental and economic reasons to maintain the existing alignment or to move Route 100 to the north. Your vote to select Alternative 3, Option A, or Option C, will keep faith with the promise of affordable housing, will minimize costs, achieve environmental goals, and limit the disruption to people's lives. If Route 100 is to be built, it should follow the approved Alternative 3, Option A, or Option C. Thank you for your consideration.

Very truly yours,

Address:

Gregory L. White Cathy R. Larn 8561-F Falls Run Rd. Ellicott City, MD 21043

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D-12-3

Ms. Kim Abramson Page Two

When the environmental agencies review alignment options, they do not weigh the loss of economic benefit or the potential increase of the county tax base as heavily as environmental impacts when other parts of the county are being considered for the same type of development. They try to balance the environmental impacts with the public benefit.

With the alignment modifications being studied on Options C and D, there is the potential of increasing the distance between the Villages of Montgomery Run and MD 100 Option D. However, some homes within the Hunt Country Estates will still be approximately 50 feet away from Option C and two homes will still require relocation.

Thank you again for your interest in the MD 100 project. If you have any additional questions or comments, please feel free to contact the project manager, Mr. Karl R. Teitt. Karl's telephone number is (410) 333-6437 or toll free 1-800-548-5026.

Very truly yours,

URIGINAL SIGNED BY

Neil J. Pedersen, Director Office of Planning and Preliminary Engineering

cc: Mr. Karl R. Teitt

bcc: Mr. Louis H. Ege, Jr.

Mr. Howard Johnson w/incoming Mr. Paul Wettlaufer w/incoming

Mr. James Wynn

Prepared by: Karl R. Teitt, Proj. Plan. Div., #774 1-25-93

VILLAGE OF MONTGOMERY RUN

Resident 8489-C Falls Run Road Ellicott City, MD 20143

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Ms. Kim Abrien 8561-K Falls Run Road Ellicott City, MD 21043

Mr. John Adas 8360-B Montgomery Run Road Ellicott City, MD 21043

Ms. Rebecca Agua 8355-C Montgomery Run Road Ellicott City, MD 21043

Mr. Brvan Akagi 8559-F Falls Run Road Ellicott City, MD 21043

Mr. Bryan Akagi 8559-F Falls Run Road Ellicott City, MD 21043

Ms. Karen Akagi 8559-F Falls Run Road Ellicott City, MD 21043

Ms. Melissa Aldane 8559-J Falls Run Road Ellicott Cityl, MD 21043

Mr. Robert Aldane 8559-J Falls Run Road Ellicott City, MD 21043

Ms. Margaret Anderson 8388-A Montgomery Run Road Ellicott City, MD 21043

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Mr. Oliver Anderson 8388-A Montgomery Run Road Ellicott City, MD 21043

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Ms. Margaret Arris 8589-C Falls Run Road Ellicott City, MD 21043

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Ms. Rhonda Atkins 8489-I Falls Run Road Ellicott City, MD 21043 in the Communication of the Co

Mr. Katie Atkinson 8605-H Falls Run Road Ellicott City, MD 21043

Mr. Robert Banks 8493-C Falls Run Road Ellicott City, MD 21043

Ms. Sandra Banks 8493-C Falls Run Road Ellicott City, MD 21043

Mr. Jeffrey Barnette 8360-I Montgomery Run Road Ellicott City, MD 21043

Ms. Lora Barnette 8358-K Montgomery Run Road Ellicott City, MD 21043

Ms. Martha Barnette 8360-I Montgomery Run Road Ellicott City, MD 21043

Mrs. Lance Batchelder 8571-B Falls Run Road Ellicott City, MD 21043

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Mr. S. Baths 8571-C Falls Run Road Ellicott City, MD 21043

Mr. James Batter 8358-H Montgomery Run Road Ellicott City, MD 21043

Ms. Rebecca Becker 8591-L Falls Run Road Ellicott City, MD 21043

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Ms. Heidi Behling 8571-C Falls Run Road Ellicott City, MD 21043

Ms. Pamela Bell 8337-A Montgomery Run Road Ellicott City, MD 21043

Ms. Dorothy Benner 8613-F Falls Run Road Ellicott City, MD 21043

Mr. Richard Bentlev 8399-H Montgomery Run Road Ellicott City, MD 21043

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Mr. Scott Berger 8358-D Montgomery Run Road Ellicott City, MD 21043

Mr. Thomas Bethards 8392-F Montgomery Run Road Ellicott City, MD 21043

Mr. Thomas Betharps 8392-F Montgomery Run Road Ellicott City, MD 21043

Ms. Jay Betinis 8349-I Montgomery Run Road Ellicott City, MD 21043

Ms. Darleen Blaney 8561-J Falls Run Road Ellicott City, MD 21043

Mr. Phillip Blanev 8561-J Falls Run Road Ellicott City, MD 21043

Ms. Gay Boettiger 8611-K Falls Run Road Ellicott City, MD 21043 ·

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Ms. Martha Bowen 8591-F Falls Run Road Ellicott City, MD 21043 Ms. Martha Bowen 8591-F Falls Run Road Ellicott City, MD 21043

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Ms. Gloria Boyd 8495-E Falls Run Road Ellicott City, MD 21043

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Mr. Ben Brandt 8347-I Montgomery Run Road Ellicott City, MD 21043

Ms. Nadine Brandt 8347-I Montgomery Run Road Ellicott City, MD 21043

Mr/Mrs Brian Flemion 8337-J Montgomery Run Road Ellicott City, MD 21043

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Ms. Anne Broolu 8507-J Falls Run Road Ellicott City, MD 21043

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Mr. Lee Brown 8561-C Falls Run Road Ellicott City, MD 21043

Mr. Victor Brown 8605-D Falls Run Road Ellicott City, MD 21043

Ms. Irene Bulhaloy 8335-B Montgomery Run Road Ellicott City, MD 21043

Mr. Martin Burns 8583-D Falls Run Road Ellicott City, MD 21043

Ms. Arthea Buyan 8349-H Montgomery Run Road Ellicott City, MD 21043

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Mr. Louis Cartes 8489-B Falls Run Road Ellicott City, MD 21043

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Ms. Betty Christopher 8591-C Falls Run Road Ellicott City, MD 21043

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Ms. Bruce Clark 8337-H Montgomery Run Road Ellicott City, MD 21043

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Mr. Richard Clark 8495-I Falls Run Road Ellicott City, MD 21043

Ms. Kay Clary 8381-L Montgomery Run Road Ellicott City, MD 21043

Ms. Jennifer Clement 8358-L Montgomery Run Road Ellicott City, MD 21043

Ms. Tara Cliff 8511-D Falls Run Road Ellicott City, MD 21043

Mr. Sam Coats 8507-K Falls Run Road Ellicott City, MD 21043

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Ms. Jodine Cognato 8353-C Montgomery Run Road Ellicott City, MD 21043

Ms. Marilyn Cole 8332-J Montgomery Run Road Ellicott City, MD 21043

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Ms. Ann Czajhouski 8378-G Montgomery Run Road Ellicott City, MD 21043

Mr. Stanley Czajhouski 8378-G Montgomery Run Road Ellicott City, MD 21043

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Mr. Allan Dale 8555-G Falls Run Road Ellicott City, MD 21043 Ms. Christa Dale 8555-G Falls Run Road Ellicott City, MD 21043

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Mr. William Davis 8507-A Falls Run Road Ellicott City, MD 21043

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Ms. Lucille Dean 8375-E Montgomery Run Road Ellicott City, MD 21043 Ms. Lucille Dean 8375-E Montgomery Run Road Ellicott City, MD 21043

Ms. Brenda Deibel 8573-C Falls Run Road Ellicott City, MD 21043

Ms. Christie Deibel 8573-C Falls Run Road Ellicott City, MD 21043

Ms. Kristina Demme 8343-F Montgomery Run Road Ellicott City, MD 21043

Mr. Ronald Dempster 8377-F Montgomery Run Road Ellicott City, MD 21043

Ms. Carrie Denningsen 8347-C Montgomery Run Road Ellicott City, MD 21043

Mr. Terry Desper 8507-C Falls Run Road Ellicott City, MD 21043

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Ms. Vivian Dexer 8369-D Montgomery Run Road Ellicott City, MD 21043

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Mr. Christopher Doughert 8341-L Montgomery Run Road Ellicott City, MD 21043

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Ms. Denise Dowdell 8493-D Falls Run Road Ellicott City, MD 21043

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Ms. Elenor Dowdell 8493-D Falls Run Road Ellcott City, MD 21043

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Mr. William Dowdell 8493-D Falls Run Road Ellicott City, MD 21043

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Mr. Ronald Dumpster 8377-F Montgomery Run Road Ellicott City, MD 21043

Ms. Gladys Dyson 8607-F Falls Run Road Ellicott City, MD 21043

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Mr. Mark Elrod 8330-E Montgomery Run Road Ellicott City, MD 21043

Ms. Laura Eshleman 8607-I Falls Run Road Ellicott City, MD 21043

Village of Montgomery Run Page 10

Ms. Laura Eshleman 8607-T Falls Run Road Ellicott City, MD 21043

Ms. Gina Falcome 8393-L Montgomery Run Road Ellicott City, MD 21043

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Ms. Tracy Feltz 8358-C Montgomery Run Road Ellicott City, MD 21043

Ms. Elizabeth Fernandez 8489-G Falls Run Road Ellicott City, MD 21043

Mrs. George Fisher 8375-D Montgomery Run Road Ellicott City, MD 21043

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Ms. Sara Flanick 8335-G Montgomery Run Road Ellicott City, MD 21043

Ms. Margaret Frederick 8601-K Falls Run Road Ellicott City, MD 21043

Ms. Jennifer Fribug 8371-C Montgomery Run Road Ellicott City, MD 21043

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Mr. Scott Fribug 8371-C Montgomery Run Road Ellicott City, MD 21043

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Mr. Seth Friedman 8384-A Montgomery Run Road Ellicott City, MD 21043

Mr. John Fritz 8559-B Falls Run Road Ellicott City, MD 21043

Mr. Brent Gadberry 8349-C Montgomery Run Road Ellicott City, MD 21043

Ms. Patricia Gadberry 8349-C Montgomery Run Road Ellicott City, MD 21043

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Ms. Terry Gaylord 8343-C Montgomery Run Road Ellicott City, MD 21043

Mr. Wayne Gaylord 8343-C Montgomery Run Road Ellicott City, MD 21043

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Mr. Gary Gettier 8332-L Montgomery Run Road Ellicott City, MD 21043

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Mr. A. Gill 8360 Montgomery Run Road Ellicott City, MD 21043

Mr. C. Gill 8358-B Montgomery Run Road Ellicott City, MD 21043

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Ms. Karen Godek 8337-D Montgomery Run Road Ellicott City, MD 21043

Ms. Dona Goeller 8337-I Montgomery Run Road Ellicott City, MD 21043 Village of Montgomery Run Page 12

Ms. Jana Goodney 8337-K Montgomery Run Road Ellicott City, MD 21043

Mr. R. Goodney 8337-K Montgomery Run Road Ellicott City, MD 21043

Ms. Kimberly Gorsuch 8601-A Falls Run Road Ellicott City, MD 21043

Mr. John Guyer 8611-H Falls Run Road Ellicott City, MD 21043

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Mr. Scott Harrison 8355-I Montgomery Run Road Ellicott City, MD 21043

Mr. Roger Hash 8381-G Montgomery Run Road Ellicott City, MD 21043

Ms. Jennifer Hawes 8381 Montgomery Run Road Ellicott City, MD 21043

Ms. Teralena Haymond 8369-H Montgomery Run Road Ellicott City, MD 21043

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Mr. Jon Hornstein 8605-C Falls Run Road Ellicott City, MD 21043

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Ms. Beatrice Montague 8381-E Montgomery Run Road Ellicott City, MD 21043

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Ms. Carla Morris 8489-A Falls Run Road Ellicott City, MD 21043

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Mr. William Noy 8343-I Montgomery Run Road Ellicott City, MD 21043

Mr. C. O'Banion 8611-F Falls Run Road Ellicott City, MD 21043

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Ms. Patricia Palmisano 8354-E Montgomery Run Road Ellicott City, MD 21043

Mr. Mark Panos 8559 Falls Run Road Ellicott City, MD 21043

Ms. Leslis Paone 8561-B Falls Run Road Ellicott City, MD 21043

Mr. Michael Paone 8561-B Falls Run Road Ellicott City, MD 21043

Ms. Deborah Parke 8591-E Falls Run Road Ellicott City, MD 21043

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Mrs. Maria Peppe 8561-G Falls Run Road Ellicott City, MD 21043

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Mr. A. Phillips 8335-F Montgomery Run Road Ellicott City, MD 21043

Ms. Barbara Phillips 8335-F Montgomery Run Road Ellicott City, MD 21043

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Mr. James Podowski 8347-F Montgomery Run Road Ellicott City, MD 21043

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Ms. Victoria Popp 8358-E Montgomery Run Road Ellicott City, MD 21043

Mr. Luis Portela 8788-C Montgomery Run Road Ellicott City, MD 21043

Mr. Louis Porteli 8388-C Montgomery Run Road Ellicott City, MD 21043

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Ms. Cindy Powell 8613-G Falls Run Road Ellicott City, MD 21043

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Ms. Stephanie Radecic 8353-I Montgomery Run Road Ellicott City, MD 21043

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Ms. Linda Reeves 8507-L Falls Run Road Ellicott City, MD 21043

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Ms. Kari Reitz 8607-F Falls Run Road Ellicott City, MD 21043

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Mr. Arthur Robson 8332-B Montgomery Run Road Ellicott City, ME 21043

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Mr. Peter Troll 8583-C Falls Run Road Ellicott City, MD 21043

Ms. Michele Tylutki 8381-J Montgomery Run Road Ellicott City, MD 21043

Ms. Helen Uhlhorn 8337-G Montgomery Run Road Ellicott City, MD 21043

Mr. Joseph Uhlhorn 8337-G Montgomery Run Road Ellicott City, MD 21043

Mr. Steven Vaughn 8613-A Falls Run Road Ellicott City, MD 21043

Ms. Pamela Vay 8381-L Montgomery Run Road Ellicott City, MD 21043

Mr. John Voith 8355-C Montgomery Run Road Ellicott City, MD 21043

Ms. Lisa Voss 8507 Falls Run Road Unit E Ellicott City, MD 21043

Ms. Lisa Voss 8507 Fall Run Road Unit E Ellicott City, MD 21043

Ms. Lisa Voss 8507 Falls Run Road Unit E Ellicott City, MD 21043 Ms. Wanda Wachsmuth 8332-H Montgomery Run Road Ellicott City, MD 21043

Ms. Wanda Wachsmuth 8332-H Montgomery Run Road Ellicott City, MD 21043

Ms. Holly Waddel 8354-I Montgomery Run Road Ellicott City, MD 21043

Mr. Scott Waddel 8354-I Montgomery Run Road Ellicott City, MD 21043

Mr. David Waleyak 8348-J Montgomery Run Road Ellicott City, MD 21043

Ms. Margaret Wallace 8601-F Falls Run Road Ellicott City, MD 21043

Mr. David Warfield 8349-B Montgomery Run Road Ellicott City, MD 21043

Mr. Mark Waterhouse 8583-L Falls Run Road Ellicott City, MD 21043

Ms. Susan Watson 8332 Montgomery Run Road Unit I Ellicott City, MD 21043

Ms. Susan Watson 8332-I Montgomery Run Road Ellicott City, MD 21043

Ms. Susan Watson 8332 Montgomery Run Road Unit I Ellicott City, MD 21043

Ms. Judith Weeter 8381-C Montgomery Run Road Ellicott City, MD 21043

Ms. Mary Wegner 8337-A Montgomery Run Road Ellicott City, MD 21043

Ms. Joanne Wellen 8511-C Falls Run Road Ellicott City, MD 21043 Ms. Amy Wells 8583-F Falls Run Road Ellicott City, MD 21043

Mr. John Wells 8583-F Falls Run Road Ellicott City, MD 21043

Ms. Nicole Wetcher 8601-E Falls Run Road Ellicott City, MD 21043

Mr. Gary Whipple 8375-H Montgomery Run Road Ellicott City, MD 21043

Mr. Gary Whipple 8375-H Montgomery Run Road Ellicott City, MD 21043

Ms. Kristina Whipple 8375-H Montgomery Run Road Ellicott City, MD 21043

Ms. Kristina Whipple 8375-H Montgomery Run Road Ellicott City, MD 21043

Ms. A. Whitt 8561-E Falls Run Road Ellicott City, MD 21043

Ms. Joyce Williams 8611-L Falls Run Road Ellicott City, MD 21043

Ms. Margaret Williams 8555-K Falls Run Road Ellicott City, MD 21043

Ms. Myra Williams 8337-F Montgomery Run Road Ellicott City, MD 21043

Mr. David Wilson 8583-B Falls Run Road Ellicott City, MD 21043

Mr. Henry Wilson 8589-J Falls Run Road Ellicott City, MD 21043

Mr. Henry Wilson 8589-J Falls Run Road Ellicott City, MD 21043 Mr. Henry Wilson 8589-J Falls Run Road Ellicott City, MD 21043

Mr. Henry Wilson 8589-J Falls Run Road Ellicott City, MD 21043

Ms. Linda Wilson 8583-B Falls Run Road Ellicott City, MD 21043

Ms. Jennifer Wineberg 8358-A Montgomery Run Road Ellicott City, MD 21043

Ms. Diane Winfrey 8381-F Montgomery Run Road Ellicott City, MD 21043

Mr. Mark Winfrey 8381-F Montgomery Run Road Ellicott City, MD 21043

Ms. Karen Witcher 8561-D Falls Run Road Ellicott City, MD 21043

Mr. Gregory Wolf 8495-A Falls Run Road Ellicott City, MD 21043

Mr. Gregory Wolf 8495-A Falls Run Road Ellicott City, MD 21043

Mr. Vincent Wolodkin 8495-H Falls Run Road Ellicott City, MD 21043

Mr. Conrad Wong 8589-L Falls Run Road Ellicott City, MD 21043

Mr. Conrad Wong 8589-L Falls Run Road Ellicott City, MD 21043

Mr. Conrad Wong 8589-L Falls Run Road Ellicott City, MD 21043

Mr. Conrad Wong 8589-L Falls Run Road Ellicott City, MD 21043 Ms. Mosiaa Wong 8585-F Falls Run Road Ellicott City,MD 21043

Ms. Susan Wong 8589-L Falls Run Road Ellicott City, MD 21043

Ms. Susan Wong 8589-L Falls Run Road Ellicott City, MD 21043

Ms. Susan Wong 8589-L Falls Run Road Ellicott City, MD 21043

Ms. Susan Wong 8589-L Falls Run Road Ellicott City, MD 21043

Mr. Charles Worrell 8375-C Montgomery Run Road Ellicott City, MS 21043

Mrs. Charles Worrell 8375-C Montgomery Run Road Ellicott City, MD 21043

Mr. Charles Worrell 8375-C Montgomery Run Road Ellicott City, MD 21043

Ms. Marjorie Worrell 8375-C Montgomery Run Road Ellicott City, MD 21043

Ms. Patricia Wright 8352-E Montgomery Run Road Ellicott City, MD 21043

Ms. Patricia Wright 8352-E Montgomery Run Road Ellicott City, MD 21043

Ms. Diane Young 8601-I Falls Run Road Ellicott City, MD 21043

Ms. Karen Young 8353-A Montgomery Run Road Ellicott City, MD 21043

Mr. Robert Young 8353-A Montgomery Run Road Ellicott City, MD 21043

Mr. Frederick Zenter 8378-F Montgomery Run Road Ellicott City, MD 21043

Ms. Laurie Zenter 8378-F Montgomery Run Road Ellicott City, MD 21043

Mr. James Zerr 8390-I Montgomery Run Road Ellicott City, MD 21043

Ms. Linda Zerr 8390-I Montgomery Run Road Ellicott City, MD 21043

Ms. Lisa Zerr 8389-I Montgomery Run Road Ellicott City, MD 21043

January 5, 1973

Larry Keller 5367 Waterloo Rd. Ellicott City: MD 21843

Dear Bir

At the December hearing for Route 100 held at Hemard High School 1 talked with a Highway Administration representative about concerns I share with my neighbor over the affects of proposed construction on our access to Route 164.

My residence is apposite the Timber Run area and Frants on Rtc. 184. A common driveway is chared with my oeighbur, Ray Havermill, and opens directly onto Rte. 184. Even with the current layout, we often have a difficult time getting out of the driveway outu Rtc. 184.

The Highway Administration representative) talked with stated that a traffic light will be installed on Rte. 104 ocer our driveway. We are very concerned that this will further agoravate our already dangerous access

We would like to know what the possibility is or constructing another access read off the rear of our property onto Mitzi Lane. We would then enter Mte. 164 via lika Drive ander much less dangerous circumstances. Your representative at the meeting said this is a possibility but that we would first have to bring it to your attention and request a feasibility study.

We would very much appreciate your evaluation of the situation and the feasibility of an elternate property entrance.

to neerely.

· -rry Keller

D-13-1



laryland Department of Transportation State Highway Administration

O. James Lighthizer Secretary Hal Kassoff Administrator

February 22, 1993

Mr. Larry Keller 5307 Waterloo Road Ellicott City MD 21043

Dear Mr. Keller:

Thank you for your recent letter concerning the proposed MD 100 project.

As you stated in your letter, a traffic signal is being proposed at the intersection of MD 104 and the termini of the westbound MD 100 ramps.

With regards to the access issue, once final design activities begin again, several items will need to be investigated in order to determine if there is a safety issue. Once the MD 100 alignment has been selected, grades will be established for the roadways and factors such as sight distance and traffic queuing will be investigated. We also need to determine the ownership of the lot or lots to be crossed in order to access Mitzi Lane and whether any damages would in fact result from the final design of MD 100.

These factors will be considered, but not until after the MD 100 alignment is selected and final design activities have restarted.

Thank you again for your interest in the MD 100 project. If you; have any additional questions or comments, please feel free to contact Mr. Mark Crampton the project engineer at (410) 333-1684 or Mr. Karl Teitt the project manager at (410) 333-6437 or toll free at 1-800-548-5026.

Very truly yours,

Louis H. Ege, Jr. Deputy Director Office of Planning and Preliminary Engineering

bcc: Mr. Howard Johnson (w/incoming)

Mr. Paul Wettlaufer Mr. James Wynn

LHE: KRT: ds

Karl R. Teitt Project Manager

Project Planning Division

410-333-6437 My telephone number is

Teletypewriter for Impaired Hearing or Speech 383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5062 Statewide Toll Free 707 North Calvert St., Baitimore, Maryland 21203-0717



EXHIBIT D-1401-

10901 Little Patuxent Parkway Columbia, Maryland 21044 410-992-4800 TDD: 410-992-4822

January 11, 1993

Mr. Hal Kassoff, Administrator Maryland Department of Transportation State Highway Administration Office of Planning and Preliminary Engineering Box 717 Baltimore, Maryland 21203

Dear Hal:

I just wanted to drop you a note and indicate how strongly I support the expeditious completion of Route 100 in Howard County. This road is long overdue and needs to be completed as soon as possible. The completion of the roadway will significantly decrease travel time to and from the airport and will significantly increase the safety of those of us who have to make that trip regularly. Anything you can do to expedite the process of completing Route 100 will be greatly appreciated.

Thank you.

Sincerely,

Dwight A. Burrill

President

DAB:clr

D-14-1



RESPONSE TO EXHIBIT D-14 Maryland Department of Transportation State Highway Administration

O. James Lighthizer Secretary Hal Kassoff

Administrator

January 28, 1993

Mr. Dwight A. Burrill President Howard Community College 10901 Little Patuxent Parkway Columbia MD 21044

Dear Mr. Burrill: Daig Lt

Thank you for your recent letter in support of the MD 100 project.

We are doing our best to develop an alternative in a timely manner that will be acceptable to everyone. We hope to have a decision this spring on a selected alternative, so we can continue the design and programmed construction of this vital project.

I appreciate your continued interest and support for the MD 100 project. If you have any additional questions or concerns, please feel free to contact Neil Pedersen, Director of our Office of Planning and Preliminary Engineering. Neil can be reached at (410) 333-1110.

Sincerely

Hal Kassoff Administrator

cc: Mr. Neil J. Pedersen

P.S. The is to ye one.

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EXHIBIT

PROJECT DEVELOPING

STATE HIGHWAY ADMINISTRATION QUESTIONS AND/OR COMMENTS

Contract No. HO 661-201-770 9 21 111 193 Supplemental Location/Design Public Hearing

HD 100 MD 104 to I-95

Tuesday, December 1, 1992 @ 7:00 p.m. Howard Senior High School PDMS No. 132062

	NAME	LAT	WIL	LHOF	-	DATE	1.15.93
PLEASE PRINT	ADDRESS	8580	1-B F	AUS	RUN	ROHD	
	CtTY/TOW	N EILTO	n CITY	.STATE_	M	ZIP COI	DE 21043
I/We wis	ah to comm	ent or Inq	uire about	the follo	owing asp	ecta of thi	project:
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D-15-1

on the project Mailing List.



RESPONSE TO EXHIBIT D-15 Maryland Department of Transportation State Highway Administration

O. James Lighthizer Secretary

Hal Kassoff Administrator

February 22, 1993

Mr. Jay Millhof 8589-B Falls Run Road Ellicott City MD 21043

Dear Mr. Millhof:

Thank you for your recent letter concerning the proposed MD 100 project.

The earth mound and trees do afford some protection from noise. In order for the developer make use of VA and FHA loans, they had to prove that the noise levels would be acceptable once MD 100 was constructed. The only way this could be accomplished was to build the berm and plant the trees.

The State Highway Administration (SHA) is currently developing additional modifications to Options C and D. SHA will do everything in its power to develop an acceptable alignment as close as possible to the original Alternative 3 alignment in the vicinity of The Village of Montgomery Run. Once these modifications are completed, the SHA will identify a preferred alternative and prepare the final document to be submitted to the Federal Highway Administration for review and approval.

No decisions on noise mitigation will be made until these modifications are completed and the project goes to design.

Thank you again for your interest in the MD 100 project. Should you have any additional questions or concerns, please feel free to contact the project manager, Mr. Karl Teitt. Karl can be reached at (410) 333-6437 or toll free at 1-800-548-5026.

Very truly yours,

Louis H. Ege, Jr. Deputy Director Office of Planning and Preliminary Engineering

Karl R. Teitt Project/Manager

Project Planning Division

LHE: KRT: ds

bcc: Hew Howard Johnson (w/incoming)

Mr. Paul Wettlaufer " 410-333-6437 Mr. James Wyrm My telephone number is ...

Teletypewriter for Impaired Hearing or Speech 383-7555 Beltimore Metro - 565-0451 D.C. Metro - 1-800-492-5062 Statewide Toll Free 707 North Calvert St., Baltimore, Maryland 21203-0717

January 25, 1993

Governor William Donald Schaefer State House Annapolis, MD 21404

Dear Governor Schaefer:

We are writing today because of a possible change in the alignment of Route 100 which would harm thousands of your constitueots living at the Village of Montgomery Run. From our previous discussions and correspondence, we know that you are concerned about this issue. We believe your involvement at this time is critical to ensure that the right questions are being asked, so that the technical recommendations of the SHA and the permitting agencies will adequately address potential harm to Montgomery Ruo and the associated costs; those being outright damages, as well as a delay of road construction. Unfortunately, it appears that the SHA studies do not reflect prior written commitments and public notices which were relied on by Montgomery Run and will therefore result in a political firestorm and years of costly litigation should Route 100 be moved closer to the Montgomery Run community. If the impacts of the proposed realignment on residents of communities adjoining the right-of-way and environmental affects in addition to wetlands impact are addressed properly, we believe that this political and economic fall-out can be avoided.

It is our understanding that the SHA has been forced to reevaluate the Route 100 alignment to reduce the impact on the environment. We are not clear as to what that means. Specifically, our question is - does "lessen environmental impact" mean eliminate all disturbance to the stream, wetlands, steep slopes and existing forest or reduce impact? If we are seeking to reduce impact, to what level? Additionally, are all environmental issues given the same weight or is wetlands or something else the principal concern? The answers to these questions will help all of us to better understand what is trying to be accomplished.

The four alternative alignments presented at a public hearing on December 1, 1992 (referred to as Alternates A, B, C and D) all achieve a reduction in wetlands impact over the previously agreed route, known as Alternative 3. And the difference in wetland impact among all alternatives is minimal. Two of the alternatives, however, dramatically change the location of Route 100 - shifting it to the south in the so-called "Lazy-S" curve. It is this southern shift in Alternatives B and D that unfairly and unnecessarily affects the Village of Montgomery Run and adjoining properties.

Macks Homes is a trade name for Macks & Macks, Inc.

4750 Owings Mills Boulevard / Owings Mills, MD 21117 / (410) 356-9900

D-16-1

RESPONSE TO EXHIBIT D-16

STATE OF MARYLAND OFFICE OF THE GOVERNOR

IN REPLY REFER TO PG-MDOT

WILLIAM DONALD SCHAFFFR

ANNAPOLIS OFFICE

700 (301) 333 (306)

March 1, 1993

Mr. Lawrence M. Macks President Macks Homes 4750 Owings Mills Boulevard Owings Mills MD 21117

Dear Mr. Macks:

Thank you for your recent letter regarding MD 100.

The federal environmental agencies, as well as the State Highway Administration's (SHA) own environmental consultant, have recommended against the original alignment due to its impacts on Deep Run. Following the recent public hearing, SHA is under way with refinement studies of the remaining alignments in the vicinity of Montgomery Run and Hunt Country Estates. They hope to complete these studies this spring. SHA will continue to work closely with county officials and the community during the study process. The decision process will involve achieving a reasonable degree of consensus between the State and the county, a consensus which can be expected to be approved by the federal environmental

As your letter reflects, the specific issues involved here are very complex and require very detailed studies and evaluations. I suggest that you meet with state and county staff to go over each of your points, as well as the present status of work. I have asked Secretary Lighthizer to ensure that appropriate people are available to meet with you. In addition, you may wish to contact Mr. Neil Pedersen, Director of SHA's Office of Planning and Preliminary Engineering, at (410) 333-1110.

Sincerely.

Secretary O. James Lighthizer Mr. Neil J. Pedersen &



We are concerned that a solitary focus on wetland impact obscures important issues. It is wrong, to make a decision based solely on the lowest number of affected acres:

- because hundreds of families made critical decisions about their lives in reliance on prior decisions of government officials, recorded in written agreements, reflected in public documents and notices and acted upon by the SHA;
- because the existing alignment was selected after extensive public hearings in 1985, 1987, and 1988 to maximize land availability for badly needed affordable housing and to minimize the number of households affected by Route 100;
- because impact on forest and agricultural land, air quality, fuel conservation and safety engineering all favor the existing alignment or a northern shift;
- because noise mitigation is unavailable for affected multi-family developments and readily available for detached single-family homes; and the number of multi-family homes affected outnumbers the single-family detached homes by approximately 70 to 8; and
- because property values and tax collections will fall precipitously from a southern shift of Route 100 without any beneficial effect elsewhere.

We believe that your involvement is crucial to encourage the SHA to address the following questions:

- 1. What is the standard on which the decision as to realignment will be made?
- 2. Who makes the decision?
- What weight is being given to reliance by Montgomery Run on prior agreements as to alignments including the following:
 - a. SHA Memorandum of Understanding ("MOU") in 1985;
 - b. SHA restriction of building permits for area near Alternate 3 and SHA's ultimate approval of this area to be recorded and this built upon;
 - First Addendum to MOU in 1989 which clearly encourages all of Montgomery Run to be built out; and
 - d. Public Notices of Department of Transportation approvals for Alternate 3 in August 1989 (of the "final environmental impact statement") and March 1990 (as to "location")

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D-16-2



approval").

- 4. How are environmental issues other than wetlands impacts being considered?
- 5. What damages, costs and expenses are assigned to breach of the SHA contract and detrimental reliance by Montgomery Run including delay of road construction caused by litigation of all open issues?
- 6. What are the latest construction cost estimates for the various alternatives, including lost tax revenue and damages, costs and expenses to property owners at Hunt Country Estates and Montgomery Run? How were they arrived at?

We are not asking for special treatment for ourselves or any individuals or community. We are simply asking for acknowledgement of the justifiable reliance of hundreds of households on prior agreements, recorded documents and SHA action specifying Alternate 3 as the alignment for Route 100. Any decision about realignment should not be made in a vacuum; environmental impact should not be the sole (or even primary) determinant at this late date in the history of Route 100. The homeowners of the Village of Montgomery Run are justified in expecting no more impact to their community than that which Alternate 3 would have imposed.

We would be pleased to discuss these issues with you at your convenience. Thank you in advance for your concern and we look forward to your response and working with you to achieve a satisfactory resolution of all issues.

ny truly yours,

Lawrence M. Macks

President

LMM:lls

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4750 Owings Mills Boulcvard / Owings Mills, MD 21117 / (410) 356-9900

D-16-3

STATE HIGHWAY ADMINISTRATION QUESTIONS AND/OR COMMENTS

Contract No. HO 661-201-770 Supplemental Location/Design Public Hearing MD 100

MD 104 to I-95

Tuesday, December 1, 1992 @ 7:00 p.m. Howard Senior High School PDMS No. 132062

NAME GARMONDG HOVERMILL DATE 1/26/93
PRINT ADDRESS 5311 WATER RD
CITY/TOWN Gallicatt C.T. STATE Md ZIP CODE 21643
i/We wish to comment or inquire about the following aspects of this project:
Mark - sampton!
I have Right Next To gargered Strice Range
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Will be placed. My MAIN CONCERN & My NEIGHBORS
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On the project Melling that a copy of this prochure through the mail are already

on the project Mailing List.



Secretary Hal Kassoff Administrator

O. James Lighthizer

February 22, 1993

Mr. Raymond G. Hovermill 5311 Waterloo Road Ellicott City MD 21043

Dear Mr. Hovermill:

Thank you for your recent letter concerning the proposed MD 100 project.

As you stated in your letter, a traffic signal is being proposed at the intersection of MD 104 and the termini of the westbound MD 100 ramps.

With regards to the access issue, once final design activities begin again, several items will need to be investigated in order to determine if there is a safety issue. Once the MD 100 alignment has been selected, grades will be established for the roadways and factors such as sight distance and traffic queuing will be investigated. We also need to determine the ownership of the lot or lots to be crossed in order to access Mitzi Lane and whether any damages would in fact result from the final design of MD 100.

These factors will be considered, but not until after the MD 100 alignment is selected and final design activities have restarted.

Thank you again for your interest in the MD 100 project. If you have any additional questions or comments, please feel free to contact Mr. Mark Crampton the project engineer at (410) 333-1684 or Mr. Karl Teitt the project manager at (410) 333-6437 or toll free at 1-800-548-5026.

Very truly yours,

Louis H. Ege, Jr. Deputy Director Office of Planning and Preliminary Engineering

Karl R. Teitt Project Manager

Project Planning Division

LHE: KRT:ds

bcc: Mr. Howard Johnson (w/incoming)

Mr. Paul Wettlaufer "
My telephone number is

410-333-6437

Teletypewriter for Impaired Hearing or Speech 363-7555 Beltimore Metro - 565-0451 O.C. Metro - 1-800-492-5062 Stetewide Toll Free 707 North Celvert St., Beltimore, Meryland 21203-0717

EXHIBIT D-18

PROJECT BOOK COURT Ellicott City, Md. 21043

February 1, 1993

To: Mr. Carl Teitt

Re: Jan. 8, 1993 meeting

Dear Carl,

I understand that a meeting with some public officials took place last month and I would like to receive SHA's minutes of this meeting. In reviewing personal notes taken at the meeting, I have found several questions I wish to raise at this time:

- 1. Who are the principals/partners of the Bridgewater Consultant Firm?
- 2. What role do they play in this matter?
- 3. Did the other consultant firm (Greiner) fail to do
- a professional/accurate job for SHA?
- 4. Mr. Shelsley identified areas A, B, and C. Which wetlands is he talking about?
- 5. Under option "D" there is reference to a tributary but no comments in "C" of a tributary. What does this mean?
- 6. How many units in Montgomery Run would be adversely affected by noise?
- 7. Could you please identify the unit addresses for me?

Thank you for responding to these questions. In addition, I would like to know if SHA has dealt with any of the issues raised in Mr. Jeffrey Wellen's testimony from December 1, 1992. If you need to contact me, please feel free to call at 796-8066 or you many contact me at the above address.

Sincerely,

Thomas O'Brien

Inomas o bile

D-18-1



O. James Lighthizer Secretary Hal Kassoff Administrator

February 24, 1993

Mr. Thomas O'Brien 8066 Fetlock Court Ellicott City MD 21043

Dear Mr. O'Brien:

Thank you for your recent letter concerning the proposed MD 100 project.

The principles of Brightwater, Inc. are Jim Gracie and Robert Sheesley. Their role was to review Alternative 3, Alternative 3-Option C and Alternative 3-Option D and determine if any or all were permittable and to identify any additional minimization alternatives to reduce social and environmental impacts.

The firm of Greiner Engineering has done a commendable job and is still the primary consultant for the MD 100 planning study. Brightwater, Inc. was used as an independent consultant with a fresh look at the MD 100 study.

Areas A, B and C as identified by Mr. Sheesley are associated with Deep Run (wetlands 8, 9 and 10). Option D does not cross the main stem of Deep Run until it gets to Old Montgomery Road, it only crosses the tributaries of Deep Run. Option C on the other hand crosses the main stem of Deep Run between The Village of Montgomery Run and Hunt Country Estates and no major tributaries.

There are a total of 144 units in 13 buildings within The Village of Montgomery Run that meet or exceed the 67 decibel criteria. They are the buildings closest to the MD 100 alignment. This total may change as a result of the additional modifications being made to Option C and D.

My telephone number is _____

Teletypewriter for Impaired Hearing or Speech 383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5062 Statewide Toll Free 707 North Calvert St., Ballimore, Maryland 21203-0717

2/1/25

Mr. Thomas O'Brien February 24, 1993 Page 2

Thank you again for your interest in the MD 100 project. If you have any additional questions or comments, please feel free to contact the project manager, Mr. Karl Teitt. Karl can be reached at (410) 333-6437 or toll free at 1-800-548-5026.

Very truly yours,

Louis H. Ege, Jr.
Deputy Director
Office of Planning and
Preliminary Engineering

by: <u>A carl D</u> Karl Textt

Project Manager

Project Planning Division

LHE: KRT: ds

cc: Mr. Howard Johnson (W/incoming)

Mr. Paul Wettlaufer "

Mr. James Wynn "

Hal Kassoff Report

\$4531

FE3 8 1993

February 5, 1993

SECRETARY OF TRANSPORTATION

Dear Sir/Madam:

As a resident/voter in the state of Maryland, as well as a concerned homeowner in the Village of Montgomery Run, I wish to express my vehement opposition to the Southern alignment of the proposed Route 100.

The following factors should be considered in regard to this proposal:

- 1. Increased noise levels.
- 2. Heavy traffic patterns in an already congested area.
- Environmental concerns due to increased automobile emissions.
- Economic considerations such as tax losses as well as plummeting property values for all local residents.
- Health and safety concerns to the families in this community.

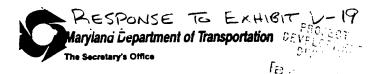
It is with grave concern that cur community appeals to you as our representative, "For the people and by the people", to vote yes for the Northern Route Alternative 3 Option A or C.

Respectfully Yours,

margarit E. Wallace

M. E. Wallace 8601 F Falls Run Rd. Ellicott City, MD 21043

D-19-1



William Donald Schools Governor O. James Lighthizer Secretary Stephen G. Zentz

Deputy Secretary

C٠

February 25, 1993

Ms. Margaret E. Wallace 8601-F Falls Run Road Ellicott City MD 21043

Dear Ms. Wallace:

Thank you for your recent letter regarding your concerns about the MD 100 alignment studies being conducted by the State Highway Administration (SHA). I have been advised that SHA has also received your letter.

Federal and State environmental agencies have expressed concern about the potential impacts of Alternative 3 on the floodplains, wetlands and water quality associated with Deep Run, and have indicated that they are not willing to approve a wetland permit for construction. As a result, SHA investigated alternatives that avoided or minimized these impacts.

No matter which alternative is selected, SHA will do everything it can to minimize social and environmental impacts. The selection of an alternate will require us to balance social, economic and environmental impacts within the context of federal law and regulations regarding the filling of wetlands.

Based on the additional studies being conducted, a new noise analysis will be performed. When completed, the results of these additional minimization studies will be made available for review.

No air quality violations will occur, based on our preliminary air quality assessment on all of the alternatives and options developed. The difference in the lengths of the alternatives is not expected to significantly affect air quality. The number of vehicles using the facility, the amount of stop conditions and the congestion of the facility are factors that will likely be most important in affecting air pollution.

With the alignment modifications being studied on Option "C" and Option "D", there is the potential of increasing the distance between the Villages of Montgomery Run and MD 100 Option "D".

My telephone number is (410)- ______
TTY For the Deaf: (410) 684-6919
Posi Office Box 8755, Baltimore/Washington International Airport, Maryland 21240-0755

Ms. Margaret E. Wallace February 25, 1993 Page Two

Thank you again for your interest in the MD 100 project, and I hope this information is helpful. If you have any additional questions or comments, please feel free to contact Mr. Karl Teitt, SHA's project manager. Mr. Teitt can be reached at (410) 333-6437 or toll free at 1-800-548-5026.

Sincerely,

O. James Lighthizer Secretary

cc: Mr. Karl R. Teitt

D-19-Z

955

Bob Adams 8387 I Montgomery Run Road Ellicott City, Md. 21043

February 25, 1993

Dear Sir or Madam,

As a fairly new resident of Howard County, having lived here since February 1, 1992, I am shocked to learn the history of the ET100 project and how we've come to the present alternatives.

Since this project was being considered for at least 8 years, why were the Villages of Montgomery Run allowed to be built if it conflicted with RT 100 plans. Didn't the county council and SHA anticipate that over 1000 residents would be upset with a 6 lane highway being built in their back yard. I find it hard to believe that people smart enough to make it to the Howard County Council and the executive level of SHA overlooked the obvious!

I believe both of these organizations knew the impact this troject would have on the villages of Montgomery run, but because we are "moderate income" housing, did not care. I suspect that there is much more to this story than the public knows and therefore request an investigation he made by the states attorney gen. i.

I have heard some cutrageous statements by both public officials and business leaders as to the need for this highway in the first place. For example, at the latest SHA public meeting the Fresident of local charder of commerce stated that we are currently suffering from "gridlock" in Howard County. How absurd!! I wisk in Washington D.C. and lived in Los Angeles for 5 years. We do not have gridlock in this county. The problems with traffic on RT 29 will not be solved by RT 100.

Why should we building a highway that we don't need, that acversely affects wetlands, increases pollution to intolerable levels, decrease property values for low income families, raises noise evels to unacceptable levels and spends state funds that re cent afford anyway. DEVE

Do the right thing! Do not build RT 100!!

D-20-1



William Donald Schooler Covernor O. James Lighthizes Secretary Stephen G. Zentz Deputy Secretary

March 16, 1993

Mr. Bob Adams 8387 I Montgomery Run Road Ellicott City MD 21043

Dear Mr. Adams:

Thank you for your recent letter to me and State Highway Administrator Hal Kassoff regarding your concerns about the MD 100 alignment studies being conducted by the State Highway Administration (SHA).

During the development of the MD 100 project in the mid-1980's, there was a coordinated effort between the county and SHA to develop a transportation corridor through the eastern portion of Howard County to serve the extensive development planned for that area. The project is needed to provide additional capacity between US 29 and I-95 and the numerous subdivisions and business developments in between. The development of the Villages of Montgomery Run did not conflict with the MD 100 Alternative 3 alignment approved in 1989. In fact, the original alignment was moved at Howard County's request to permit the Villages of Montgomery Run to be constructed.

Federal and State environmental agencies have expressed concern about the potential impacts of Alternative 3 on the floodplains, wetlands and water quality associated with Deep Run, and have indicated that they are not willing to approve a wetland permit for construction. As a result, SHA investigated alignment modifications that avoid or minimize these impacts. The alignment modifications being developed to address the environmental agencies' concerns will, however, have impacts to surrounding communities.

No matter which alternative is selected, SHA will do everything possible to minimize social and environmental impacts. The selection of an alternative will require us to balance social, economic and environmental impacts within the context of federal law and regulations regarding the filling of wetlands.

With the alignment modifications being studied on Option C and Option D, there is the potential of increasing the distance between the Villages of Montgomery Run and MD 100 Option D.

My telephone number is (410)-TTY For the Dea! (410) 684-6919

Post Office Box 8755, Baltimore/Washington International Airport, Maryland 21240-07SS

Mr. Bob Adams March 16, 1993 Page Two

Thank you again for letting us know of your concerns regarding the MD 100 project. I hope this information is helpful. If you have any additional questions or comments, please feel free to contact Mr. Karl Teitt, SHA's project manager, at (410) 333-6437 or toll free at 1-800-548-5026.

Sincerely,

O. James Lighthizer Secretary

cc: Mr. Hal Kassoff Mr. Karl Teitt

D-20-1A



£573-H Falls Run Road Ellicatt City, Maryland 21043 March 2, 1993

Neil J. Pedersen, Director Office of Planning and Preliminary Engineering Maryland Department of Transportation State Highway Administration 707 North Calvert Street Ealtimore, Maryland 21203-0717

Dear Mr. Pedersen.

I am writing to express my concern about the proposed Route 100 route changes. I live at \$573 - H Falls Run Foad in the Villages of Montgomery Eun in a third floor three bedraam condaminium. I bought my home in good faith as well as informed knowledge about the proposed "Alternative 3" option which would be close to my home but would not make it unliveable. I have followed the discussions of the troposed changes with grave concern.

The newest letter that was sent to Kim Abramson, the Route 100 Task Force Coordinator, does not alleviate any of my concerns. And, a letter from the SHA to me indicating that both Option C and Option D are reing modified also does not address my concerns as the modifications will not benefit my building or \$571 at all. Our homes would be subject to traffic noise levels well in excess of a safe and liveable threshold. Other homes in Montgomery Fun would also benefit very little from the modifications.

As there are 18 families in Eurldines 8573 and 8571, and many more (116 families) in the other threatened condominiums. I ask you to move the road to the north.

Please keep me informed about your proposed actions. I am aware that there is much to consider and that it is not an easy task with a simple solution. I can be reached at my office at Catonsville Community College where I am an associate professor and counselor at 410-455-4721, or at my home, 410-465-8434.

Thank you for your very careful consideration.

cc: Mr. Karl R. Teitt

D-21-1

SHA RELIGIA E TO EXHIBIT D- 21

Ms. Judith M. Maisev 8573-H Falls Run Road Ellicott City MD 21043

Dear Ms. Maisey:

Thank you for your recent letter regarding your concerns about the MD 100 alignment studies currently being conducted.

Federal and State environmental agencies have expressed concern about the potential impacts of Alternative 3 on the floodplains, wetlands and water quality associated with Deep Run. and have indicated that they are not willing to approve a wetland permit for construction. As a result, we have investigated additional alternatives that avoid or minimize these impacts.

No matter which alternative is selected, we will do everything reasonable to minimize social and environmental impacts. The selection of an alternative will require us to balance social, economic and environmental impacts within the context of federal law and regulations regarding the filling of wetlands.

With the alignment modifications being studied on Option 'C' and Option 'D', there is the potential of increasing the distance between the Villages of Montgomery Run and MD 100 Option 'D'.

Thank you again for your interest in the MD 100 project. I hope this information is helpful. If you have any additional questions or comments, please feel free to contact Mr. Karl Teitt. the project manager, at (410) 333-6437 or toll free at 1-800-548-5026.

Very truly yours,

HAMIGINAL SIGH WE HILL TETERSEN

Neil J. Pedersen, Director Office of Planning and Preliminary Engineering

Mr. Karl R. Teitt

bcc: Mr. Louis H. Ege, Jr.

Mr. Howard Johnson (w/incoming)

Mr. Hal Kassoff

Mr. Douglas Rose

Mr. Paul Wettlaufer (w/incoming)

Mr. James Wynn

THIS SHEET INTENTIONALLY
LEFT BLANK

EXHIBIT D.23

Howard County Preservation Association, Inc.

P.O. Box 276
Woodstock, Maryland 21163

March 8, 1993

Mr. Karl Tiett Maryland State Highway Administration 707 North Calvert Street Baltimore, Maryland 21203

Dear Mr. Tiett:

A ..

This letter is in response to your letter dated Fabruary 22, 1993 to me as President of the Howard County Preservation Association (HCPA).

Contrary to the auggestion in your letter that paragraph 3 of the December 1, 1992 comments of the association on the draft SEIS for the MD 100 project is intended to be a broad based FOIA request, that paragraph is intended to identify for SHA end to have incorporated by reference into the MD 100 racord those files, records and recordings of proceedings which are directly relevant to that Rt 100 project now under consideration. In particular, the record for at least one of the zoning cases cited and the materials related to the passage of Howerd County's 1990 General Plan contain documents which show the following:

- that SHA has been working hend in hend with Howard County officiele and developers aince at least as early as 1987 to model the transportation effects of various lend use changes in the Rt 100 corridor;
- 2) that SHA is fully sware of the impacts of certain General Plan and rezoning acenarios on the planned transportation system in the corridor;
- 3) that SHA has refused to acknowledge the impacts of these General Plan changes and rezonings end indeed has repestedly mislesd the public regarding these impacts; and
- 4) that SHA worked with Howard County officials and certain developers and through either overt action or inaction has allowed the miarepresentation of material facts to menipulate zoning and General Plan decisions in such a way as to effect the Rt 100 project.

Each of the above goes to one or more of the ten comments lieted on page 2 of $\mbox{HCPA'e}$ December 1, 1992 comments.

Additionally, the other Planning Board, Zoning Board and Board of Appeala cases cited provide more exemplee of the same pattern of "lack of candid" representation.

Finally, the metarials submitted to the General Council's office of the FHWA provide information relevant to sech of the ten commente listed on page 2 of HCPA's December 1, 1992 comments. In particular, you may find these materials helpful in figuring out the land use for which your agency le planning to build Rt 100. Early less November members of HCPA asked SHA for the land use assumptions underlying each of the major traffic studies done on the project to date. At that time SHA was unable to provide this information. I believe your agency should be abla to determine the lend use scenarios underlying its various studies from the information provided to the FHWA. I



Maryland Department of Transportation State Highway Administration

O. James Lighthizer Secretary Hal Kassoff

Administrator

April 6, 1993

Ms. Susan B. Gray Howard County Preservation Association, Inc. P.O. Box 276 Woodstock MD 21163

Dear Ms. Gray:

Thank you for your March 8th letter to Karl Teitt concerning the proposed MD 100 project.

The State Highway Administration (SHA) will keep your letter in the MD 100 project record. We will continue to develop travel demand forecasts for Howard County in accordance with generally accepted travel demand forecasting procedures using regionally adopted land use assumptions.

Thank your again for your interest in the MD 100 project. If you have any additional questions or comments, please feel free to contact the project manager, Mr. Karl Teitt. Karl can be reached at (410) 333-1881 or toll free at 1-800-548-5026.

Very truly yours,

neil of Peleson

Neil J. Pedersen, Director Office of Planning and Preliminary Engineering

cc: Mr. Karl Teitt

My telephone number ia (410) 333-1110

Teletypewriter for Impeired Hearing or Speech
383-7555 Beltimore Metro - 565-0451 D.C. Matro - 1-800-492-5062 Statawide Toll Frea
707 North Calvert St., Beltimore, Maryland 21203-0717

Mar. 8 192 17:00

3000 Monarch Pealty

TEL 001-501-7200

P. 3

suggest you get a copy of these materials. PHNA's General Council's number ie: $202\ 366-0740$.

I hope the above sufficiently addresses the issues raised in your February 22, 1992 letter.

Very truly yours,

Susan B &10

Susen B. Gray
President, Howard County Preservation
Association

D-23-2

301

EXHIBIT

The Howard County Family Daycare Association Guin 6527 Autumn Gold Court Columbia, Maryland 21045 March 10, 1993

To: Mr. Hal Kassoff, Administrator The Maryland Department of Transportation State Highway Administration 707 North Calvert St. Baltimore, Maryland 21203-0717

Re: Route 100

Dear Sir,

Over the past sixteen months, the State Highway Administration has been studying alternatives for a portion of Route 100 between Rte. 104 and I-95 in Howard County. It has come to my attention that SHA has yet to acknowledge a childcare business (located at 8070 Fetlock Court) that will be impacted by alignment Alternative 3, Option C. This is of crucial concern to those persons who are self-employed in this line of business.

Childcare providers stimulate the economy through careers established in the home. There are currently 800 providers in Howard County doing this line of work. This widely recognized profession needs to be acknowledged throughout this planning process in order to correctly reveal all impacts associated with the alignments under study. It is hoped that this oversight will be readily acknowledged by the state in forthcoming impact studies.

Similarily, The Howard County Family Daycare Association hereby expresses its support for Alternative 3, Option D, also known as the Lazy S. This alignment is the only compromise that is fair to all communities in the area.

Sincerely,

Tonia R. Lewis, President Howard County Family Daycare Association

RESPONSE TO EXPLICATION D-24 Maryland Department of Transportation State Highway Administration

O. James Lighthizer Secretary Hal Kassoff Administrator

April 19, 1993

Ms. Tonia R. Lewis President The Howard County Family **Daycare Association** 6527 Autumn Gold Court Columbia MD 21045

Dear Ms. Lewis:

Thank you for your recent letter concerning the proposed MD 100 project. For purposes of impact assessment the State Highway Administration (SHA) will recognize the day care center at 8070 Fetlock Court as a business.

SHA is currently studying additional alignment modifications for both Alternative 3 -Option C and Option D. These modifications are not yet completed, so we do not have an accurate assessment of the ultimate impacts concerning this property. Once these studies are completed, we will be in a better position to determine potential impacts.

No matter which alternative is selected, we will do everything reasonable to minimize social and environmental impacts. The selection of an alternative will require us to balance social, economic and environmental impacts within the context of federal law and regulations regarding the filling of wetlands.

Thank you again for your interest in the MD 100 project. If you have any additional questions or comments, please feel free to contact Karl Teitt, our project manager. Karl can be reached at (410) 333-1881 or toll free at 1-800-548-5026.

Sincerely.

Elisteth L. Honer, Degroy/for Hal Kassoff

Administrator

Mr. Karl Teitt

My telephone number is ...

Telelypewriter for impaired Hearing or Speech 383-7555 Bellimore Metro - 565-0451 D.C. Metro - 1-800-492-5062 Statewide Toll Free 707 North Calvert St., Baltimore, Maryland 21203-0717

EXHIGIT D-25

STATE HIGHWAY ADMINISTRATION OUESTIONS AND/OR COMMENTS
Contract No. HO 661-201-770
Supplemental Location/Design
MD 100

PROJECT DEVELOPINE CHI

High 25 13 25 kil 193

MD 104 to I-95 PDMS No. 132062

PLEASE PRINT NAME WILLIAM E. ELLIUTT JR DATE 3/18/93
ADDRESS 7823 MARINAK DRIVE

CITY/TOWN ELKRIVGE STATE MO ZIP CODE 2/227

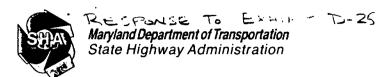
I/We wish to comment or inquire about the following aspects of this project:

At has already been eloquently and adequately) expressed as to what (the) a detriment oction c'will be to people and the land. I do not think I can add anythe further to change the minds of the gready a self-perving who know whom they are who will benefit financially a politically from implementation of this option C'plan. The wise, inmommentally sound plan is "Option D" which will help proserve the land we are rapidly distroying a denstating to erect more building a shopping centers he don't need, add more noise, trash, pollution a crime— and give, nothing back to the land or its people!"

Mail to: Maryland Department of Transportation State Highway Administration Office of Planning and Preliminary Engineering Box 717

Baltimore, MD 21203

D-25-1



O. James Lighthizer Secretary Hal Kassoff Administrator

April 7, 1993

Mr. William E. Elliott, Jr. 7823 Marioak Drive Elkridge MD 21227

Dear Mr. Elliott:

Thank you for your recent letter expressing your support for Alternative 3, Option "D".

Your comments will be taken into consideration in the determination of a preferred alternative. The State Highway Administration (SHA) will identify a preferred alternative within the next several months. Following that decision, SHA will prepare a Final Supplemental Environmental Impact Statement and submit the document to the Federal Highway Administration for review and approval.

Thank you again for your interest in the MD 100 project. If you have any additional questions or comments, please feel free to contact the project manager, Mr. Karl Teitt. Karl can be reached at (410) 333-1881 or toll free at 1-800-548-5026.

Very truly yours,

Louis H. Ege, Jr. Deputy Director Office of Planning and Preliminary Engineering

by:

Karl R. Teitt Project Manager

Project Planning Division

LHE: KRT: ds

cc: Mr. Robert Houst

Mr. Howard Johnson (w/incoming)

Mr. Paul Wettlaufer "

Mr. James Wynn

My telephone number ia

410-333-1881

Teletypewriter for Impaired Hearing or Speech 383-7555 Baltimore Metro - 565-0451 O.C. Metro - 1-800-492-5062 Statewide Toll Free 707 North Calvert St., Baltimore, Maryland 21203-0717

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STATE HIGHWAY ADMINISTRATION **OUESTIONS AND/OR COMMENTS** Contract No. HO 661-201-770 Supplemental Location/Design MD 100 MD 104 to I-95

PDMS No. 132062

PLEASE PRINT I/We wish to comment or inquire about the following aspects of this project:

> Mail to: Maryland Department of Transportation State Highway Administration Office of Planning and Preliminary Engineering Box 717 Baltimore, MD 21203

> > D-26-1



O. James Lighthizer Secretary Hal Kassoff Administrator

March 30, 1993

Ms. Betty Jernigan 8080 Hillrise Court Elkridge MD 21227

Dear Ms. Jernigan:

Thank you for your recent letter expressing your support for Alternative 3, Option "D".

Your comments will be taken into consideration in the determination of a preferred alternative. The State Highway Administration (SHA) will identify a preferred alternative within the next several months. Following that decision, SHA will prepare a Final Supplemental Environmental Impact Statement and submit the document to the Federal Highway Administration for review and approval.

Thank you again for your interest in the MD 100 project. If you have any additional questions or comments, please feel free to contact the project manager, Mr. Karl Teitt. Karl can be reached at (410) 333-1881 or toll free at 1-800-548-5026.

Very truly yours,

Louis H. Ege, Jr. Deputy Director Office of Planning and Preliminary Engineering

Project Manager

Project Planning Division

LHE: KRT: ds

cc: Mr. Robert Houst

Mr. Howard Johnson (W/incoming)

Mr. Paul Wettlaufer "

Mr. James Wynn

My telephone number is

410-333-1881

Teletypewriter for Impaired Hearing or Speech 383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5062 Statewide Toll Free 707 North Calvert St., Baltimore, Maryland 21203-0717



O. James Lighthizer Secretary Hal Kassoff

Administrator

March 22, 1993

Mr. Lawrence M. Macks, President Macks Homes 4750 Owings Mills Boulevard Owings Mills MD 21117

Dear Mr. Macks:

Attached is a copy of the written testimony provided to the Senate Finance Committee on March 3, 1993.

Very truly yours,

Louis H. Ege, Jr.
Deputy Director
Office of Planning and
Preliminary Engineering

by

Cynthia D. Simpson
Deputy Division Chief
Project Planning Division

LHE:CDS:eh Attachment

cc: Mr. Bruce Grey Mr. Karl Teitt

My telephone number ia ____(410)_333-1177

Teletypewriter for impaired Hearing or Speech 383-7555 Baltimore Metro - 565-0451 D.C. Matro - 1-800-492-5062 Statewide Tolf Free 707 North Caivert St., Baltimore, Maryland 21203-0717 Maryland Department of Fransoonation
Office of the Secretary

Dale: 3/3/93 Bill No.SB 652

FIN

Subject:State Highway Administration Residential Property Purchase

Program

DOT Position:

Committee:

OPPOSE

Explanation:

Senate Bill 652 would require the State Highway Administration (SHA) to develop a program to purchase properties adversely impacted by highway noise.

COMMENT: The Department recognizes that highway noise can have an adverse impact upon residents living adjacent to high-volume, high-speed highways. It was for this reason that Maryland initiated a retrofit noise abatement program in the early 1980's. The intent was to provide relief to those impacted communities that predated the original construction of Maryland's interstate highways, where residents had no choice. To date, SHA has constructed approximately \$40 million in retrofit noise barriers. The demand remains high. Future requests can be expected to surpass \$100 million.

The focus of the policy on existing highways was for those homes which predated the highway. However, as time has passed, it turns out that the majority of the people living in those homes are newer residents who bought them knowing that the highway existed, along with the possible problem of noise. There is a clear equity question about whether public funds should be used to subsidize people who purchase homes after the highway improvement is built.

MDOT feels strongly that the noise abatement program should be for those <u>residents</u> (the people, not the houses) who predate the highway. We are looking at new policy options for refocusing the noise program to provide relief to these individuals and families.

If this legislation is implemented, it would require MDOT to divert funds from other projects, and if noise barriers are built for people who move in after highway improvements, there will be no end to the problem.

For information:

Robin Nocar (974-2940) Hal Kassoff (333-1111)

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EXHIBIT D-28 Macks & Macks, Inc.

4750 Owings Mills Boulovard
Owings Mills, Maryland 21117

Tolophone 410-356-3900

March 26, 1993

Louis H. Ege, Jr. Deputy Director Office of Planning and Preliminary Engineering State Highway Administration 707 N. Calvert Street Baltimore, Maryland 21203-0717

Dear Mr. Ege:

I received your correspondence on March 25th which purported to attach a copy of the written testimony of the State Highway Administration concerning SB 652 at hearings held March 3, 1993. I was at the hearing and received a copy of the SHA testimony, which I enclose herewith. I also heard the SHA representative's presentation. The testimony at the hearing and the testimony recently sent to me are completely different. The later document makes no reference to the Roule 100 issue or the steps that the SHA has agreed to take if it has to move Roule 100 to the detriment of homeowners who relied on the previously agreed alignment.

Please confirm that the SHA has not changed it's position after the hearing. Assuming that is the case, what is the purpose or effect of the subsequent submission?

I look forward to hearing from you promptly.

Very Iruly yours.

President

LMM:lmz

enclosure

Bruce Gray Karl Teitt

Land Developers

Investment Properties

D-28-1



RESPONSE TO EXHIBIT 12-28 Maryland Department of Transportation State Highway Administration

O. James Lighthizer Secretary Hal Kassoff Administrator

April 6, 1993

Mr. Lawrence Macks 4750 Owings Mills Boulevard Owings Mills MD 21117

Dear Mr. Macks:

Thank you for your letter of March 26th concerning the State Highway Administration's position regarding noise impacts resulting from the MD 100 project. The State Highway Administration has not changed its position regarding the MD 100 project. The written testimony of March 25th was in error. I regret any confusion it may have caused.

Mr. Charles Adams, Director of SHA's Office of Environmental Design, is assessing the feasibility of the proposed property purchase program.

Very truly yours,

Louis H. Ege, Jr.

Deputy Director

Office of Planning and Preliminary Engineering

LHE:CDS:eh

Mr. Charles Adams

Mr. Bruce Grey

Ms. Cynthia Simpson

Mr. Karl Teitt

My telephone number is ____(410) 333-1130_

Telelypewriter for Impaired Hearing or Speech 383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5062 Statewide Toll Free 707 North Calvert St., Baltimore, Maryland 21203-0717

9

Committee:

DOT Position:

Maryland Department of Transportation
Office of the Secretary

FIN

Oppose

Subject: .

Date:

State Ilighway Administration -

SB 652

Residential Property Purchase

Program

3/3/93

Explanation: SB 652 would require the State Highway Administration (SHA) to develop a program to purchase properties adversely impacted by highway noise.

COMMENT: The Maryland Department of Transportation recommends an unfavorable report for SB 652. The bill is unnecessary. It is our understanding that this bill was proposed as a result of the MD 100 project in Howard County. We acknowledge that noise impacts will result from that project, and it is our responsibility to address those impacts.

The Howard County MD 100 problem is unique in that an alignment for the road which had been previously approved by the County, the State and the Federal Highway Administration was later rejected by federal environmental regulatory agencies on the basis of wetland impacts.

Adjacent residential communities were recently built with the expectation that the highway would be in its previously approved location. Prospective homeowners relied on this. Through no fault of their own, they now face the prospect of having the new road alignment moved next to their property.

Because of this situation, to be fair to all parties, SHA has agreed in principle to work with Howard County on a program to either:

- 1. construct a sound barrier or
- provide an assured mechanism for the sale of the home at a price which is not reduced by the pruximity of the new highway or
- 3. purchase a noise casement for the property owner.

SHA will also examine the potential for these options elsewhere in the State.
For information:

Hal Kassoff (333-1111) or Robin Nocar (974-2940)

D-28-1A

2966

The following correspondence relates to the 600+ letters submitted by Ms. Valerie McGuire on behalf of Hunt Country Estates, Mayfield Avenue, and other community associations. Also attached is a list of names of those individuals submitting the same letter.

8070 Fetlock Ct. Ellicott City, Md.21043 March 31, 1993

To: Mr. Hal Kassoff, Administrator Md. State Highway Administration 707 North Calvert Street, Room 400 Baltimore, Md. 21202

Re: FSEIS, Md. Rte. 100

Dear Mr. Kassoff:

This communication is designed to be a receipt to verify acceptance of 594 letters representing individuals as well as various community organizations who support Alternate 3, Option "D" -- otherwise known as the "Lazy S".

These letters represent well over 1,000 (one thousand) persons throughout the councilmanic/legislature/congressional districts and are indicative of public sentiment as a cross section of Howard County.

It is requested that these letters be included in the Final Supplemental Environmental Impact Statement of this project (Contract No. HO 661-201-070, also referred to as Contract No. HO 661-101-070) which deals with the Rte. 100 segment between Rte. 104 and I-95. We thank you for the opportunity to comment.

Valerie Mc Kuire

Valerie McGuire Board of Directors H.C.E.C.A.

CORRESPONDENCE RECEIPT

Sent to: Hal Kassoff

Address: 707 North Calvert Street, Room 400, Balto., Md. 21202

Sent from: V. McGuire

Address: 8070 Fetlock Ct., Ellicott City, Md. 21043

Option "D"/ Lazy S)

Date of delivery:

Signature verifying receipt: Chalita L. Honey Wignety (594 letters supporting Alt.3, (Addressee or Agent)

D-29-1



5

RESPONSE TO EXHIBIT D-29 James Lighthizer Maryland Department of Transportation State Highway Administration

Hal Kassoff Administrator

Ms. Valerie McGuire **Board of Directors** H.C.E.C.A. 8070 Fetlock Court Ellicott City MD 21043

Dear Ms. McGuire:

Attached is your correspondence receipt acknowledging acceptance of the 594 letters from individuals who reside at Hunt Country Estates, or who are members of other community organizations supporting the MD 100 Alternative 3-Option D.

As we have informed Mr. Gardner, we will summarize the communities' letters in the Supplemental Final Environmental Impact Statement (SFEIS) with our response. However, we will not include all 594 letters in the document itself, but make them part of the project history files.

Thank you for your continued interest in the MD 100 planning process. If you have any additional questions or concerns, please feel free to call me or Mr. Karl Teitt, our project manager. Karl can be reached at (410) 333-1881 or toll free at 1-800-548-5026.

Very truly yours.

neil I ledown.

Neil J. Pedersen, Director Office of Planning and Preliminary Engineering

Attachment

My I	telephone number is	
------	---------------------	--

8070 Fetlock Court Ellicott City, Md. 21043

April 19, 1993

To: The Honorable William Donald Schaefer Governor State House

Annapolis, Maryland 21404

Re: Md. Rte. 100 (Between 104 & 95)

Dear Governor Schaefer,

This communication is designed to be a receipt to verify acceptance of 641 letters representing individuals as well as various community organizations who support Alternate 3, Option "D"--otherwise known as the "Lazy S". These letters represent well over 1,000 (one thousand) persons throughout the councilmanic districts and are indicative of public sentiment as a cross section of Howard County. Letters from other organizations will be forwarded to you as they are received.

We offer these letters for your perusal with the hope that you will support the alignment that takes no homes between Rte. 104 and Old Montgomery Road. It is most important to understand and acknowledge that many homes to the north and east of Deep Run Creek were built prior to Rte. 100's reappearance on the General Plan. These homeowners should not have to bear the burden of loss to their property values nor the loss of their quality of life regarding noise and parkland with a northern shift which will demolish several homes. Lastly, it is felt that farms earmarked for future development should not be a factor in determining the alignment. Your support to communities which existed prior to highway planning is one of social conscience, since the remaining two alternatives effectively raduce wetland impact. Governor Schaefer, we ask that you support the only compromise that is worthy of your consideration for all involved -- the Lazy S.

Most Sincerely.

Valerie McGuire Board of Directors STATE OF MARYLAND OFFICE OF THE GOVERNOR

IN REPLY REFER TO OP-MOOT

May 24, 1993

C-32

WILLIAM DONALD SCHAEFER

ANNAPOLIS OFFICE STATE HOUSE ANNAPOLIS MAPYLAND 21401 1301-914 2901

BALTIMORE DEFICE BALTIMORE SEED!
11: MOOR PROBLEM
30: WEST PRESTON STREE
BALTIMORE MARYLAND 2020

TOD 321 131 1396

8070 Fetlock Court Ellicott City MD 21043

Dear Ms. McGuire:

Ms. Valerie McGuire

Thank you for your community's recent letters in support of Alternative 3 - Option D for the MD 100 project. I understand the State Highway Administration (SHA) also received copies of these letters and will summarize them in the Final Supplemental Environmental Impact Statement.

I am pleased to see so many people take an active part in the planning process of a proposed highway project. The issues raised in these letters will be considered in making a decision regarding the alignment of MD 100.

Thank you again for your continued interest in the MD 100 planning process. if you have any additional questions or concerns, please feel free to call Mr. Neil Pedersen. Director of SHA's Office of Planning and Preliminary Engineering, or SHA's project manager, Mr. Karl Teitt. Mr. Pedersen's telephone number is (410) 333-1110, and Mr. Teitt's telephone number is (410) 333-1881, or toll free at 1-800-548-5026.

Sincerely.

Governor

Mr. Neil J. Pedersen Mr. Karl R. Teitt

D-29-1B

D-29-1A

HDCT

Valerie McGuire 8070 Fetlock Ct. Ellicott City, Md. 21043

May 29, 1993

Mr. Hal Kassoff, Administrator Maryland State Highway Admin. 707 North Calvert Street Baltimore, Maryland 21211

Dear Mr. Kassoff,

As per my last correspondence to you, I am enclosing approximately fifty letters in support of Alternate 3, Option "D" for a new total of 642 letters. One letter of endorsement represents nearly 350 households from the Wheatfield Homeowners Association. Again, other letters will be forwarded as they are received.

I spoke with Carl Teitt on Tuesday (May 18) concerning the time frame for a decision on Route 100. At this point in time, the liklihood of a decision will be mid-June. I can only strongly reiterate what I stated in a previous communication (December 4, 1991) which is the Lazy S "may better satisfy the surrounding communities while observing E.P.A.'s request of lessening the impact to the wetlands." The reason why the Lazy S is the best alternative is because it addresses wetland impact reduction and because it takes no homes. What bothers me about the northern shift through Hunt Country Estates is the fact that all the homes to the north of Deep Run Creek will be needlessly impacted.

I say "needlessly" impacted because the road can be built without destroying peoples lives. It can be built without condemning people's dream houses. It can be built without severely impacting Deep Run Creek. It can be built and still preserve parkland. It can be built so that the county funded road known as Snowden River Pkwy. will cost taxpayers less money. It can be built across two farms while still achieving a combined land mass suitable for future development. And as much as the current county administration may want this land mass intact for "MXD"--high density development -- at this time, it is considered as an overlay district only. In other words, this district is not a "given" and the 1990 General Plan with this overlay district has not been implemented at this time. Any concern the county may have about "MXD" is moot at this time. Even if we were to assume that it is not, there is no way on God's green earth that future development should take precedence over existing developments.

The bottom line is that Option "D" can be built as a compromise that everyone is willing to live with: it fulfills environmental concerns and socio-economic impacts. And because it is a corrective measure, I believe noise mitigation should be provided but not factored into the cost of the alignment. These are unusual circumstances.

Finally, I'd like to thank you for the opportunity to participate in this process to the extent I have. I believe Governor Schaefer was responsible for asking government to be more attuned/open to the people's concerns. I would say that as Administrator of SHA you did provide this opportunity for civilians to become involved, and I appreciate that.

Sincerely,

Vilence Mc Guere

Valerie McGuire

Wheatfield Homeowners Association - Office of the President

April 7, 1993

Dr. Charles Ecker County Executive - Howard County 3430 Court House Drive Ellicott City, Maryland 21043

Subject: Route 100 Alternative Routing

CC: Chairwoman Pendergras Senator McCabe Representative Kittleman Representative Flanagan Councilman Drown

Dear Dr. Ecker,

As President of the Wheatfield Homeowners Association (WHA), representing nearly 350 households, I would like to inform you that our association endorses Option D, or the "Lazy S", as the only sensible alternative for the State Highway Administration construction of Route 100 between Route 104 and Interstate 95.

We feel that this option provides the best use of land for the construction of the much needed highway infrastructure for Howard County. This alternative provides for reducing the impact on the wetlands, adhering to County Bill 66, and follows accordance with the federal requirements for the Deep Run area. It would also bring to a close a long-standing problem, that being the construction of Route 100.

The support of the US. Fish and Wildlife Service, as well as the State Highway

Administration for Option D clearly shows that this option would be the least destructive
to the environment.

We feel that any other alternative other than Option D, would cause too much impact on the existing residential communities. This impact would effect some communities in existence prior to Route 100 being placed back onto the General Plan of 1985. The

Mark J. Guerinot Sr. . 4529 Yorkshire Drive . Ellicott City Maryland 21043 . (410) 465-4610

D-29-4

impact is most notable in Hunt Country Estates and Montgomery Run. Other communities nearby the Route 100 corridor also face potential impact if this plan does not go through.

We in the Wheatfield Community urge your consideration for what would be the best choice for the County Government, the State, and the residents of Howard County.

Remember, these changes affect the people of Howard County forever! Please encourage the best use of land, encourage the "Lazy S" configuration for the Route 100 alignment.

Sincerely yours,

Mark J. Guerinot President, WHA

Mark J. Guerinot Sr. . 4529 Yorkshire Drive . Ellicou City Maryland 21043 . (410) 465-4610

8070 Fetlock Court Ellicott City, Md. 21043

April 19, 1993

To: Mr. Robert Gatz
Federal Highway Administration
Regional Office
City Cresent Bldg., Suite 4000
10 South Howard St.
Baltimore, Md. 21201

Re: Md. Rte. 100 (Between 104 & 95)

Dear Mr. Gatz,

This communication is designed to be a receipt to verify acceptance of 641 letters representing individuals as well as various community organizations who support Alternate 3, Option "D"--otherwise known as the "Lazy S". These letters represent well over 1,000 (one thousand) persons throughout the councilmanic districts and are indicative of public sentiment as a cross section of Howard County. Letters from other organizations will be forwarded to you as they are received.

We offer these letters for your perusal with the hope that your agency will support the alignment that takes no homes between Rte. 104 and Old Montgomery Road. It is most important to understand and acknowledge that many homes to the north and east of Deep Run Creek were built prior to Rte. 100's reappearance on the General Plan. These homeowners should not have to bear the burden of loss to their property values nor the loss of their quality of life regarding noise and parkland with a northern shift which will demolish several homes. Lastly, it is felt that farms earmarked for future development should not be a factor in determining the alignment. Your support to communities which existed prior to highway planning is one of social conscience, since the remaining two alternatives effectively reduce wetland impact. Mr. Gatz, we ask that you support the only compromise that is worthy of your consideration for all involved -- the Lazy S.

> Most Sincerely, Valerie Mc Yuire

Valerie McGuire Board of Directors H.C.E.C.A., Inc.

D-29-6



U. S. Department of Transportation Federal Highway Administration Region 3 Delaware, District of Columbia, Maryland Fernitylvania, Virginia, West Virgina City Crescent Building 10 South Howard Street Suite 4000 Baltimore, Maryland 21201

IS REFLY REFER TO:

May 6, 1993

HPP-03.3

Ms. Valerie McGuire H.C.E.C.A., Inc. 8070 Fetlock Court Ellicott City, Maryland 21043

Dear Ms. McGuire:

Thank you for your April 19, 1993 letter which accompanied 641 additional letters from your surrounding community supporting Alternative 3, Option D for Maryland Route 100 in Howard County. You requested that we also support this alternative.

Perhaps a brief explanation of the Federal-State relationship would help to clarify our role in the development of Federal-aid transportation projects. The Federal Highway Administration makes highway funds available to the States each year to assist in their highway construction and improvement programs. The States, in cooperation with appropriate local officials, identify projects for this funding by their own priority process. The States are also responsible for project planning, environmental studies (including alternative selection), design, and construction. We review their work to ensure that Federal-aid projects have been developed in compliance with Federal requirements. We also provide technical advice and grant approvals at key stages of each project's development.

The Maryland State Highway Administration (MDSHA) is in the process of considering the agency and public comments they received on the draft supplemental environmental impact statement for Maryland Route 100. At this time, they have not made a decision on which alternative to select. We will forward your letters to the MDSHA through our Division Office in Baltimore to ensure they are aware of your concerns while they are in this important phase of the project's development. In the future, you may wish to contact Mr. Porter Barrows, the Division Administrator, directly. His address is: Federal Highway Administration, The Rotunda - Suite 220, 711 West 40th Street, Baltimore, Maryland, 21211-2187. Again, thank you for your interest in this project. The level of effort involved with compiling this many letters is an impressive accomplishment.

Sincerely yours,

Robert E. Gatz Director, Office of Planning and Program Development

DGamble:tsgm 05/06/93 (DGamble.HPP\100ext.lts) cc: Porter Barrows, w/ all letters received

D-29-7

52

29 March 1993

To: Howard County
County Executive;
Planning;
Zoning;
County Council (each member)

Subject: Routing of Route 100 and use of MXD.

It is requested that route option "D" he implemented for Route 100 in order to minimize the impact upon existing neighborhoods and wetlands.

It is also requested that upzoning be minimized and that existing R-20 he retained. Where upzoning is forthcoming, it is requested that the overall maximum density of 2.2 be retained in all areas adjacent to existing R-20. Although the use of MXD is opposed in any area not previously designated for commercial use, any areas heing upzoned to MXD should require at least a one-half mile buffer and then a brush in of transistion housing. Any transistions from dwellings to husiness or commercial of any type should be huffered by at least 200 feet plus natural dividers such as berms, streams, valleys and trees.

Where MXD is implemented adjacent to R-20 housing, it is recommended that a maximum of 4 dwellings per acre he allowed and that a maximum of 20 % of the total acreage he allowed this high density.

R-20, using 14,000 sq. ft. lots and 6,000 sq. ft. contributions to common use (common use guidelines being one-third open space/recreation, one-third municipality space, and one-third buffer/nature/greenspace) should be maximized. Existing wetlands, steep slopes, and water covered ground are not to be considered developable land; therefore, it is not to be included in computing gross acreage.

It is also requested that the "ROB" alignment he reconsidered since it was prematurely deleted from consideration.

Oliver Ray Trehern 10725 Gorman Rd.

Laurel, Md. 20723
Pres. Hammond Village Community Association

D-29-8

The Howard County Family Daycare Association Tonia R. Lewis, President 6527 Autumn Gold Court Columbia, Maryland 21045 March 10, 1993

To: Mr. Hal Kassoff, Administrator
The Maryland Department
of Transportation
State Highway Administration
707 North Calvert St.
Baltimore, Maryland 21203-0717

Re: Route 100

Dear Sir,

Over the past sixteen months, the State Highway Administration has been studying alternatives for a portion of Route 100 between Rte. 104 and I-95 in Howard County. It has come to my attention that SHA has yet to acknowledge a childcare business (located at 8070 Fetlock Court) that will be impacted by alignment Alternative 3, Option C. This is of crucial concern to those persons who are self-employed in this line of business.

Childcare providers stimulate the economy through careers established in the home. There are currently 800 providers in Howard County doing this line of work. This widely recognized profession needs to be acknowledged throughout this planning process in order to correctly reveal all impacts associated with the alignments under study. It is hoped that this oversight will be readily acknowledged by the state in forthcoming impact studies.

Similarily, The Howard County Family Daycare Association hereby expresses its support for Alternative 3, Option D, also known as the Lazy S. This alignment is the only compromise that is fair to all communities in the area.

Sincerely,

Tonia R. Lewis, President Howard County Family Daycare Association

D-29-9

Rockburn Township Homeowners Association c/o The Berkshire Corporation Suite 204, The Gateway One North Park Drive Hunt Valley, MD 21030

February 19, 1993

Ms. Shane Pendergrass Howard County Council George Howard Building 3430 Court House Drive Ellicott City, HD 21043-4392

Subject: Alternate Routing - Route 100

Dear Councilperson Pendergrass:

Please be advised that the Ellicott City Community of Rockburn Township is FOR the southern routing of Route 100, Alternate 3 - Option D (a.k.a.) Lazy S.

We have extensively researched the issue, and although there is no clear cut way to satisfy everyone, we feel that the cost savings to tax payers and the least environmental impact of the Lazy S is the most sensible option.

Wayne R. Shugars
Secretary Treasurer
Rockburn Township

Homeowners Association Chairman Road Committee

(410) 796-4326

Sincerely

Michael Swetz, Jr. Vice President Rockburn Township Homeowners Association

(410) 379-0340

cc: Chris Coolidge, President

D-29-10

Mayfield Avenue Community Association 8148 Morning Breeze Drive, Elkridge MD 21227

March 22, 1993

Mrs. Shane Pendergrass, Councilperson Mr. Vernon Gray, Councilperson Howard County Council 3430 Court House Drive Ellicott City, MD 21043

Dear Mrs. Pendergrass and Mr. Gray:

As president of the Mayfield Avenue Community Association (MACA), representing nearly 500 households, I wish to inform you of our support for option D, the "lazy S," in reference to the route 100 alignment from route 104 to 1-95.

It is clear that option D provides the best compromise for the existing communities of Montgomery Run, Hunt Country Estates, Brightfield and Montgomery Meadows, all neighbors of ours, and the need to complete route 100. The environmental issues posed by the wetlands of Deep Run are best met by option D. With the state's high interest in preserving wetlands, and the federal legal requirement to do so, how can this option fail to gain approval?

The U.S. Fish and Wildlife Service supports option D yet it is my understanding from news accounts that pressure is being brought to bear on them to ease their strong objection to wetlands destruction at the proposed site for the route 100 segment in question. It is my understanding that State senator Yeager has introduced legislation in the General Assembly that would effectively eliminate option D from consideration out of concern for noise problems at Montgomery Run and like developments in similar circumstances. Senator Yeager has sought to "push federal officials to 'relent' and reconsider their objections" to the route that would detrimentally effect Deep Run (as quoted in *Howard County Times 214193*). I hope that you will value the preservation of wetlands that will help the Chesapeake Bay recover and afford a habitat for wildlife in our area.

Sincerely

Richard A. Blondo, President

Mayfield Avenue Community Association

Richard G. Blombo

D-29-11

February 1993

To: All Public Officials

Re: Route 100 Alternative 3, Option "D"

Dear Sir/Madam:

The undersigned person hereby endorses option "D" as presented at the Public Hearing which discussed Route 100 from MD. 104 to I-95 on December 1, 1992 for the following reasons:

- 1. It is clear that Option "D" provides the best compromise for all the existing communities in the immediate area (Montgomery Run, Hunt Country Estates, Brightfield and Montgomery Meadows) because no houses are taken and noise abatement can be provided.
- 2. It effectively deals with the environmental issues of Deep Run Creek by impacting the wetlands the least.
- 3. It also minimizes the acreage being considered for the proposed upzoning in this residential area (the Curtis Farm and the Md. Animal Husbandry Farm), which we oppose. The county proposes MXD: moderate-to-high residential & employment. Mr. Curtis proposes R-A-15/B-1/2: apartments, retail & commercial sales, business and professional offices. Both upzonings are basically the same: both create increased density of major proportions over the currently designated R-20: 2 units per acre.

For all of the reasons noted above, I feel that Option "D" is the alignment to choose. Not only is it fair and logical, its merits are many. In addition, it is requested that further studies be completed on the "ROB" alignment since it was dropped prematurely. And finally it should be understood that I DO NOT SUPPORT THE "NORTHERN" SHIFT—it is unacceptable for consideration.

PLEASE PRINT:

Sincerely,

Name: George C. Funk

Address: 7972 Northughan Way

Ellicott City, ND 21043

Councilperson: Darry DRaun

D-29-12

HUNT COUNTRY ESTATES AND

MAYFIELD AVENUE COMMUNITY ASSOCIATION

Mr. Douglas Ableiter 7234 Procopio Circle Columbia, MD 21046

Mr. John Abrahams 8610 Bali Rd. Ellicott City, MD 21043

Mr. Jihn Adolphsen 8517 Edenton St. Fulton, MD 20759

Ms. Kathleen Albach 3518 Garratt Ct. Ellicott City, MD 21043

Mr. Richrad Alexander 8622 Spruce Run Ct. Ellicott City, MD 21043

Ms. Therese Alexander 3101 Evergreen Way Ellicott City, MD 21042

Mr. John Alfano 3518 Garrett Ct. Ellicott City, MD 21043

Mr. Henry Alinger 7375 Kindler Rd. Columbia, MD 21046

Mr. Randy Allen 8520 Moon Glass Ct. Columbia, MD 21045

Mr. Matthew Amiga 7950 Old Montgomery Rd. Ellicott City, MD 21043

Mr. Ruussell Anderson 8054 Fetlock Ct. Ellicott City, MD 21043

Ms. Sharon Anderson 8054 Fetlock Ct. Ellicott City, MD 21043

Ms. Shelby Anderson 5395 Briar Oak Ct, Ellicott City, MD 21043 Ms. Susan Anderson 6327 Roan Stallion Ln. Columbia, MD 21045

Mr. Richard Antkowiak 5562 Hunting Horn Dr. Ellicott City, MD 21043

Mr. Michael Appleby 6841 Caravan Court Columbia, MD 21044

Ms. Bessie Armiger 5578 Hunting Horn Dr. Ellicott City, MD 21043

Mr. James Armiger 5578 Hunting Horn Dr. Ellicott City, MD 21043

Ms. Linda Artman 8522 Window Latch Way Columbia, MD 21045

Mr. Ronald Artman 8522 Window Latch Way Columbia, MD 21045

Mr. Tom Backer 9537 Haddaway Pl. Laurel, MD 20723

Mr. Charles Bailey 9598 Basket Ring Rd. Columbia, MD 21043

Mr. Barton Baislev 8004 Brightfield Rd. Ellicott City, MD 21043

Ms. Sharon Baranson 8545 Dark Hawk Columbia, MD 21045

Mr. Edward Barger 7734 Wasington Blvd. Elkridge, MD 21227

Mr. Tim Barnes 8020 Brightfield Rd. Ellicott City, MD 21043 Hunt Country Estates and Mayfield Avenue Communtiy Association Page 2

Ms. Deborah Barringer 8245 Wellington Pl. Jessup, MD 20794

Mr. K. Barry 5551 Hunting Horn Dr. Ellicott City, MD 21043

Mr. Polly Barry 5551 Hunting Horn Dr. Ellicott City, MD 21043

Mr. John Barshinger 6620 Hunter Road Elkridge, MD 21227

Mr. James Bates 9567 Michaels Way Ellicott City, MD 21042

Mr. David Baysinger 9361 Indian Camp Rd. Columbia, MD 21045

Ms. Kathryn Beazley 80200 Old Montgomery Rd. Ellicott City, MD 21043

Ms. Bonnie Beck 8619 Golden Grain Ct. Ellicott City, MD 21043

Ms. Audette Beers 10359 Windstream Dr. Columbia, MD 21044

Mr. Michael Bender 3042 Ramblewood Rd. Ellicott City, MD 21043

Ms. Bonnie Besseck 14306 Old Frederick Rd. Sykesville, MD 21784

Ms. Laurie Bitterli 10218 Macgiu Ave. Columbia, MD 21044

Mr. Steve Black 7906 Brightmeadow Ct. Ellicott City, MD 21043

Ms. Mary Blanchard 5154-A Ilchester Rd. Ellicott City, MD 21043 Ms. Beverly Blanchfield 6384 Beech Field Ave. Elkridge, MD 21227.

Ms. Martina Blincoe 7720 Sandstone Ct. Ellicott City, MD 21043

Mr. Mike Blincoe 7720 Sandstone Ellicott City, MD 21043

Mr. Richard Blondo 8148 Morning Breeze Drive Elkridge, MD 21227

Mr. William Bock 8619 Golden Grain Ct. Ellicott City, MD 21043

Ms. Kathleen Bogaski 5255 Rivendell Ln. Apt. 6 Columbia, MD 21044

Ms. Linda Booth 9227 Gross Ave. Laurel, MD 20723

Ms. Margaret Bost 10221 Donleigh Dr. Columbia, MD 21046

Mr. Richard Bost 10221 Donleigh Dr. Columbia, MD 21046

Ms. Nancy Bottone 6126 Triangle Dr. Columbia, MD 21044

Ms. Barbara Bowers 5537 Fox Tail Ln. Ellicott City, MD 21043

Ms. Frances Bowers 8050 Old Montgomery Rd. Ellicott City, MD 21043

Mr. John Bowers 8050 Old Montgomery Rd. Ellicott City, MD 21043

Ms. Pat Bowling 5130 Avoca Ave. Ellicott City, MD 21043 Hunt Country Estates and Mayfield Avenue Communtiy Association Page 3 Mr. Thomas Bowling Ms. Rina Brown 5130 Avoca Ave. 7945 Mayfield Ave. Ellicott City, MD 21043 Elkridge, MD 21227 Mr. Robert Bowman Mr. Michael Buckley 9220 N. Bridle Path Ln. 5382 Briar Oak Ct. Laurel, MD 20723 Ellicott City, MD 21043 Ms. Hedv Brandt Ms. Carole Bumham 4033 Fragile Sail Way 8306 Painted Rock Rd. Ellicott City, MD 21043 Columbia, MD 21045 Ms. Margaret Bratton Ms. Katrina Burger 937 West Hill Pkwv. 7950 Old Montgomery Rd. Baltimore, MD 21229 Ellicott City, MD 21043 Ms. Kathy Brennan Ms. Alice Burghardt 8721 Haycarriage Ct. 5370 Briar Oak Ct. Ellicott City, MD 21043 Ellicott City, MD 21043 Mr. Peter Brennen Ms. Alice Burghardt 8721 Haycarriage Ct. 5370 Briar Oak Ct. Ellicott City, MD 21043 Ellicott City, MD 21043 Ms. Jill Brinckerhoff Mr. Philip Burnham 7974 Brightmeadow Ct. 8306 Painted Rock Rd. Ellicott City, MD 21043 Columbia, MD 21045 Mr. Michael Brouillette Ms. Catherine Bykowsky 7636 Stoney Creek Lane 6230 Slender Sky Ellicott City, MD 21043 Columbia, MD 21044 Mr. Andre Brown Ms. Mary Callahan 7116 Ducketts Ln. Apt. 203 12115 Fulton Est. Ct. Elkridge, MD 21043 Fulton, MD 20759 Ms. Barbara Brown Ms. Maureen Callahan 7116 Ducketts Ln. Apt. 203 12115 Fulton Est. Ct. Elkridge, MD 21227 Fulton, MD 20759 Ms. Cheryl Brown Ms. Carolyn Campbell 5585 Harpers Farm Rd. 8014 Brightwood Ct. Ellicott City, MD 21043 Ms. Darlene Brown Mr. Charles Canada 8509 Moon Glass Ct. 7502 Laird's Way Columbia, MD 21045 Clarksville, MD 21029 Ms. Julie Brown Ms. Valerie Canada 8048 Brightwood Ct. 7502 Laird's Way

Hunt Country Estates and Mayfield Avenue Communtiy Association Page 4 Ms. Sharon Capell Mr. James Clark 6605 Allen Ln. 8028 Brightfield Rd. Ellicott City, MD 21045 Ellicott City, MD 21043 Ms. Nancy Capps Ms. Mary Clark 8509 Window Latch Way 6111-09 Turnabout Ln. Columbia, MD 21045 Columbia, MD 21044 Mr. Glenn Case Ms. Dearne Clements 7934 Brightmeadow Ct. 5412 Thunder Hill Rd. Ellicott City, MD 21043 Columbia, MD 21045 Ms. Emilie Cassard Mr. George Clements 9010 Crestleigh Rd. 5412 Thunder Hill Rd. Ellicott City, MD 21042 Columbia, MD 21045 Ms. Lavonne Cassell Mr. Jeffery Cleveland 9520 Kilimanjanjaro Rd. 8713 Haycarriage Ct. Columbia, MD 21045 Ellicott City, MD 21043 Ms. Gwen Cates Ms. Theresa Cleveland 8060 Old Montgomery Rd. 8713 Haycarriage Ct. Ellicott City, MD 21043 Ellicott City, MD 21043 Mr. Terry Cates Ms. Jamara Closs 8060 Old Montgomery Rd. 7490 Sea Change Ellicott City, MD 21043 Columbia, MD 21045 Ms. Ruth Cearfoss Mr. James Closs 8010 Brightfield Rd. 7490 Sea Change Ellicott City, MD 21043 Columbia, MD 21045 Mr. Kedong Chao Ms. Mary Coard 5447 Highton Hill 9834 Guynn Pk. Dr. Columbia, MD 21045 Ellicott City, MD 21042 Mr. Christopher Chekouras Mr. E. Conover 8059 Brightwood Ct. 7806 Grassy Garth Ellicott City, MD 21043 Elkridge, MD 21227 Ms. Shou Chen Ms. Laurie Corle 8000 Brightfield Rd. 6132 Golden Bell Way Ellicott City, MD 21043 Columbia, MD 21045 Mr. Lourdes Cho Ms. Anne Costello 7970 Brightmeadow Ct. 4217 Southfield Rd. Ellicott City, MD 21043 Ellicott City, MD 21042 Ms. Arlette Ciceio Ms. K. Coursey 6022 Rowanbury Dr. 7944 Brightmeadow Ct. Elkridge, MD 21227 Ellicott City, MD 21043

Clarksville, MD 21029

Ellicott City, MD 21045

Mr. James Capell

6605 Allen Ln.

Ellicott City, MD 21043

Mr. Kumoni Brown

10105 Darlington Rd.

Columbia, MD 21044

Ms. Patricia Covell

8010 Old Montgomery Rd.

Ellicott City, MD 21043

Mr. John Cicere

6022 Rowanberry Dr.

Elkridge, MD 21227

Hunt Country Estates and Mayfield Avenue Communtiy Assoc	ciation Page 5	Hunt Country Estates and Mayfield Avenue Communtiy Ass	ociation Page 6
Ms. Glenda Crump	Mr. Wesley Desroches	Ms. Susan Dubick	Mr. David Everhart
7 Ruth Ave.	5541 Hunting Horn Dr.	8100 Brightridge Ct.	7821 Flagstone Ct.
Laurel, MD 20723	Ellicott City, MD 21043	Ellicott City, MD 21043	Ellicott City, MD 21043
Mr. A. Cserhati	Ms. Katie Devitt	Ms. Julie Dufford	Ms. Laurie Everhart
10977 Millbank Row	3606 Font Hill Dr.	9502 Kilimanjaro	7821 Flagstone Ct.
Columbia, MD 21044	Ellicott City, MD 21042	Columbia, MD 21044	Ellicott City, MD 21043
Ms. Cheryl Cummings	Mr. Lawrence Devitt	Mr. Gary Eikenberg	Mr. Chuck Fales
8684 Wheatfield Way	3606 Font Hill Dr.	5941 Hunt Club Rd.	5965 Hunt Club
Ellicott City, MD 21043	Ellicott City, MD 21042	Elkridge, MD 21227	Elkridge, MD 21227
Ms. Kathy Curtis	Mr. Peter Dexhemer	Ms. Pat Eikenberg	Mr. A. Fathimulla
5483 Harris Farm Ln.	9530 Caboose Ct.	5941 Hunt Club Road	2408 Hannon Ct.
Clarksville, MD 21029	Columbia, MD 21044	Elkridge, MD 21227	Ellicott City, MD 21043
Ms. Chris Czumak	Ms. Karen DiFulgo	Ms. Alla Elkis	Ms. Karen Federline
5513 Fox Tail Lane	8027 Brightwood Ct.	7920 Brightmeadow Ct.	8120 Brightridge Ct.
Ellicott City, MD 21043	Ellicott City, MD 21043	Ellicott City, MD 21043	Ellicott City, MD 21043
Mr. Gregory Czumak	Mr. Ronald Dill	Mr. Jay Ellis	Mr. HAnk Ferrero
5513 Foxtail Lane	5533 Hunting Horn Dr.	8001 Brightwood Ct.	13910 Rover Mill Road
Ellicott City, MD 21043	Ellicott City, Md 21043	Ellicott City, MD 21043	West Friendship, MD 21794
Ms. Myrlande Daguindean	Ms. Shirley Dill	Ms. Lisa Ellis	Mr. Michael Fields
5541 Hunting Horn Dr.	5533 Hunting Horn Dr.	8001 Brightwood Ct.	10095 Cape Ann Dr.
Ellicott City, MD 21043	Ellicott City, MD 21043	Ellicott City, MD 21043	Columbia, MD
Ms. Kathleen Davis	Ms. Donna DiNoto	Ms. Sue Ellison	Mr. Ray Fields
5016 Lake Circle W.	8070 Old Montgomery Rd.	8920 Frederick Rd.	8062 Fetlock Ct.
Columbia, MD 21044	Ellicott City, MD 21043	Ellicott City, MD 21042	Ellicott City, MD 21043
Ms. Letha Davis	Mr. Frank DiNoto	Ms. Linda Ellwood	Ms. Svetlana Filer
9125 Tumbleweed Run Apt. B	8070 Old Montgomery Rd.	8069 Brightwood Ct.	6125 Kyle Leaf Ct.
Laurel, MD 20723	Ellicott City, MD 21043	Ellicott City, MD 21043	Elkridge, MD 21227
Mr. Dan DeBenedictis	Ms. Beth Divsalar	Mr. Shawn Ellwood	Ms. Clare Fischer
5025-303 Columbia Rd.	7761 Chatfield Ln.	8069 Brightwood Ct.	6160 Rockburn Hill
Columbia, MD 21044	Ellicott City, MD 21043	Ellicott City, MD 21043	Elkridge, MD 21227
Ms. Katherine Degerberg	Mr. Craig Donahue	Mr. David Epperson	Ms. Theresa Fiscus
8038 Brightfield Rd.	5404 Montgomery Rd.	8664 Misson Rd.	8848 Stonebrook Ln.
Ellicott City, MD 21043	Ellicott City, MD 21043	Jessup, MD 20794	Columbia, MD 21046
Mr. Girish Desai	Ms. Phyllis Donahue	Mr. Doni Ernst	Mr. Ken Forrest
4521 Yorkshire Dr.	5404 Montgomery Rd.	11735 Stonegate Lane	8004 Brightwood Ct.
Ellicott City, MD 21043	Ellicott City, MD 21043	Columbia, MD 21044	Ellicott City, MD 21043
Ms. Harsha Desai	Ms. Betty Doss	Ms. Laurie Estrogano	Ms. Barbara Forrester
4521 Yorkshire Dr.	9546 Westwood Ct.	4509 Yorkshire Dr.	8510 Spring Harvest Ct.
Ellicott City, MD 21043	Ellicott City, MD 21042	Ellicott City, MD 21043	Ellicott City, MD 21043
Ms. Andrea DeSanti	Ms. Jeannette Drummond	Mr. Shmaya Estrogano	Mr. William Forrester
8109 Brightridge Ct.	7887 Nordau Ct.	4509 Yorkshire Dr.	8510 Spring Harvest Ct.
Ellicott City, MD 21043	Jessup, MD 20794	Ellicott City, MD 21043	Ellicott City, MD 21043
			· ·

Hunt Country Estates and Mayfield Avenue Communtiy Association Page 7

Ms. Merryl Forster 5356 Red Lake Columbia, MD 21045

Ms. Lori Frazier 6482 Woodland Forest Dr. Elkridge, MD 21227

Mr. Janmes Freeland 7050 Ducketts Ln #303 Elkridge, MD 21043

Ms. Linda Freeland 7050 Ducketts Ln #303 Elkridge, MD 21227

Mr. Chuck Friedel 8942 Skyrock Ct. Columbia, MD 21046

Ms. Ellen Frishberg 8605 Littlefield Ct. Ellicott City, MD 21043

Ms. Marilyn Fullbood 2929 Woodwick Ct. Ellicott City, MD 21043

Mr. George Funk 7942 Nottingham Way Ellicott City, MD 21043

Ms. Alyson Gainer 7984 Brightmeadow Ct. Ellicott City, MD 21043

Mr. Brett Gainer 7984 Brightmeadow Ct. Ellicott City, MD 21043

Ms. Veeda Gaines 8013 Red Jacket Way Jessup, MD 20794

Ms. Dorothy Gale 4637 Roundhill Rd. Ellicott City, MD 21043

Mr. Kathleen Gardner 5558 Hunting Horn Dr. Ellicott City, MD 21043

Mr. Robert Gardner 5558 Hunting Horn Dr. Ellicott City, MD 21043 Mr. C. Garvey 3011 Woodberry Ln.

Ms. Catherine Giardina 3376-G N. Chatham Rd. Ellicott City, MD 21042

Mr. Salvatore Giardina 3376-G N. Chatham Rd. Ellicott City, MD 21042

Ms. Theresa Giardina 3376-G N. Chatham Rd. Ellicott City, MD 21042

Mr. Jack Gibson 7734 Washington Blvd. Baltimore, MD 21227

Ms. Kathy Gibson 7734 Washington Blvd. Baltimore, MD 21227

Mr. Robert Gladding 8605 Littlefield Ct. Ellicott City, MD 21043

Mr. George Goetz 4023 Huckleberry Row Ellicott City, MD 21042

Ms. Kandie Gordon 5509 Fox Tail Lane Ellicott City, MD 21043

Ms. Sandra Gore 8007 Old Montgomery Rd. Ellicott City, MD 21043

Mr. Gregory Goucher 6054 Adcock Lane Elkrigde, MD 21227

Ms. Lynn Goucher 6054 Adcock Lane Elkridge, MD 21227

Ms. Frances Grace 8046 Old Montgomery Rd. Ellicott City, MD 21043

Mr. John Grace 8046 Old Montgomery Rd. Ellicott City, MD 21043 Hunt Country Estates and Mayfield Avenue Communtiy Association Page 8

Ms. Janet Greisman 6781 Norris Ln. Elkridge, MD 21227

Ms. Linda Grimes 8026 Brightfield Rd. Ellicott City, MD 21043

Mr. Michael Gross 8480 Greystone Ln. #1B Columbia, MD 21045

Mr. Mark Guerinot 4529 Yorkshire Drive Ellicott City, MD 21043

Mr. Mark Guerinst 4529 Yorkshire Dr. Ellicott City, MD 21043

Ms. Alice Guest 4518 Haywagon Way Ellicott City, MD 21043

Ms. Florena Haff 8002 Brightfield Rd. Ellicott City, MD 21043

Ms. Constance Hall 4021 Jay Em Circle Ellicott City, MD 21043

Mr. Jeffrey Hall 8053 Brightwood Ct. Ellicott City, MD 21043

Mr. Kristie Hall 4021 Jay E. M. Circle Ellicott City, MD 21042

Mr. Randy Halland 8668 Wheatfield Way Ellicott City, MD 21043

Mr. Keith Haller 5374 Briar Oak Ct. Ellicott City, MD 21043

Ms. Melita Haller 5374 Briar Oak Ellicott City, MD 21043

Ms. Judy Hamilton 7624 Oldfield Ln. Ellicott City, MD 21043 Ms. Ellen Hampton 10024 Emily Fox Ct. Ellicott City, MD

Ms. Mary Harkness 6506 River Clyde Dr. Highland, MD 20777

Ms. Patricia Hart 3214 Brookmede Rd. Ellicott City, MD 21042

Ms. Julie Hartman 6358 Tamar Dr. Columbia, MD 21045

Mr. Matt Harvill 8016 Brightwood Ct. Ellicott City, MD 21043

Ms. Lynne Hauff 4036 Huckleberry Row Ellicott City, MD 21043

Ms. Robin Helschien 11722 Lightfall Ct. Columbia, MD 21044

Mr. Gary Hendrzak 8075 Brightwood Ct. Ellicott City, MD 21043

Ms. Sara Hendrzak 8075 Brightwood Ct. Ellicott City, MD 21043

Mr. Ed Herbert 8016 Brightfield Rd. Ellicott City, MD 21043

Mr. Harris Herschman 7712 Twin Oaks Way Laurel, MD 20723

Ms. Patricia Hetzler 4677 S. Leisure Ct. Ellicott City, MD 21043

Mr. Fred Heyman 8047 Brightwood Ct. Ellicott City, MD 21043

Ms. Kathy Heyman 8047 Brightwood Ct. Ellicott City, MD 21043

Hunt Country Estates and Mayfield Avenue Communtiy Association Page 9		Hunt Country Estates and Mayfield Avenue Communtiy Association Page 10	
Ms. Cathi Higgins	Ms. Leslie Iannucci	Mr. Richard Karasiewski	Mr. Aristotle Koutris
8725 Haycarriage Ct.	6700 Bushrangor Path	8039 Brightwood Ct.	5542 Hunting Horn Dr.
Ellicott City, MD 21043	Columbia, MD 21046	Ellicott City, MD 21043	Ellicott City, MD 21043
Mr. William Higgins	Mr. D. Isacoff	Ms. Brenda Katulski	Ms. Ina Koutris
8725 Haycarriage Ct.	8513 Moon Glass Court	7946 Brightmeadow Ct.	5542 Hunting Horn Dr.
Ellicott City, MD 21043	Columbia, MD 21045	Ellicott City, MD 21043	Ellicott City, MD 21043
Mr. Michael Hildey	Mrs. D. Isacoff	Mr. Conrad Katulski	Ms. Virginia Krantz
8005 Brightwood Ct.	8513 MOon Glass Court	7946 Brightmeadow Ct.	3605 MacAlpine Rd.
ELlicott City, MD 21043	Columbia, MD 21045	Ellicott City, MD 21043	Ellicott City, MD 21042
Ms. Linda Hill	Mr. Chris Jackson	Ms. Lois Kendall	Mr. Kevin Krieger
9720 Robert Jay Way	5395 Briar Oak Court	5122 Montgomery Rd.	8060 Old Montgomery Rd.
Ellicott City, MD 21042	Ellicott City, MD 21043	Ellicott City, MD 21043	Ellicott City, MD 21043
Ms. Michele Hines	Ms. Pam Jarrett	Mr. Thomas Kern	Ms. Mary Kuttler
6771 Old Waterloo Rd. # 538	6078 Rock Glen Dr.	8070 Brightwood Ct.	8019 Brightwood Ct.
Baltimore, MD 21227	Elkridge, MD 21227	Ellicott City, MD 21043	Ellicott City, MD 21042
Ms. Debra Holland	Mr. David Jenkins	Ms. Jennifer Kim	Ms. Cynthia Lackey
8668 Wheatfield Way	5478 Wild Lilac	7964 Brightmeadow Ct.	C 41 Clark Rd.
Ellicott City, MD 21043	Columbia, MD 21045	Ellicott City, MD 21043	Jessup, MD 20904
Mr. James Holtschultz	Ms. Sharon Jenkins	Mr. M. Kim	Ms. Karen Lamude
7124 Banjo Ct.	5478 Wild Lilac	8122 Brightridge Ct.	8515 Autumn Harvest
Columbia, MD 21045	Columbia, MD 21045	Ellicott City, MD 21043	Ellicott City, MD 21043
Ms. Barbara Hope	Mr. James Jensma	Ms. Pil Kim	Mr. Neil Lang
5211 New Prospect Ct.	4500 Yorkshire Dr.	8122 Brightridge Ct.	8570 Hayshed Lang
Ellicott City, MD 21043	Ellicott City, MD 21043	Ellicott City, MD 21043	Columbia, MD 21045
Ms. Marietta Howes Ellicott City, 21043	Ms. Karen Jensma 4500 Yorkshire Dr. Ellicott City, MD 21043	Ms. Amy King 5550 Hunting Horn Dr. Ellicott City, MD 21043	Mr. Philip Lang 11236-B Crystal Run Columbia, MD 21045
Ms. Cathleen Hutchins	Ms. Karen Johnson	Mr. Michael King	Mr. Rodney Lang
4839-4 Dorsey Hall Dr.	8045 Brightwood Ct.	5550 Hunting Horn Dr.	5412 Thunder Hill Rd.
Ellicott City, MD 21042	Ellicott City, MD 21043 .	Ellicott City, MD 21043	Columbia, MD 21045
Ms. Donna Hyman	Ms. Debra Jones	Mr. Michael King	Ms. Vicki Lang
8614 Beechnut Ct.	8112 Brightlink Ct.	5550 Hunting Horn Dr.	11236-B Crystal Run
Ellicott City, MD 21043	Ellicott City, MD 21043	Ellicott City, MD 21043	Columbia, MD 21044
Mr. Eugene Iampieri	Ms. Donna Josbena	Mr. Stephen Klose	Ms. Kathy Lanzalotta
3721 Valley Rd.	9371 Kings Post Ct.	6445 Rockledge Ct.	9762 Polished Stone
Ellicott City, MD 21042	Laurel, MD 20723	Elkridge, MD 21227	Columbia, MD 21046
Ms. Karen Iampieri	Ms. Joyce Joyce	Mr. Daniel Knaul	Ms. June Lawson
9339 Baltimore Nat'l Pike	7122 Lasting Lt.	8002 Brightwood Ct.	8108 Sea Light Lane
Ellicott City, MD 21042	Columbia, MD 21045	Ellicott City, MD 21043	Columbia, MD 21045
Mr. William Iampieri	Ms. Jules Junker	Mr. Kyong Ko	Mr. Valdis Lazdins
905 Sunset Valley	8046 Brightwood Ct.	7980 Brightmeadow Ct.	10991 Hickory Ridge
Sykesville, MD 21784	Ellicott City, MD 21043	Ellicott City, MD 21043	Columbia, MD 21044

Hunt Country Estates and Mayfield Avenue Communtiy Association Page 11

Mr. Howard Lazoff 7966 Brightmeadow Ct. Ellicott City, MD 21043

Mr. Charles Lease 5554 Hunting Hora Dr. Ellicott City, MD 21043

Ms. Lori Lease 5554 Hunting Horn Dr. Ellicott City, MD 21043

Mr. Alan Leckner 8051 Fetlock Ct. Ellicott City, MD 21043

Ms. Deborah Leckner 8051 Fetlock Ct. Ellicott City, MD 21043

Mr. Howard Leckner 8051 Fetlock Ct. Ellicott City, MD 21043

Ms. Brenda Lee 6334 Tamar Dr. Columbia, MD 21045

Ms. Darlene Lee 8893 Flowerstone Row Columbia, MD 21045

Ms. Shouho Lee 8000 Brightfield Rd. Ellicott City, MD 21043

Mr. William Lee Jr. 6334 Tamar Dr. Columbia, MD 21045

Mr. William Lee Sr. 6334 Tamar Dr. Columbia, MD 21045

Mr. James Leonard 8313 Stair Top Ct. Columbia, MD 21045

Mr. Matt Lerner 8254 Wellington Pl. Jessup, MD 20794

Mr. Brad Lewis 13974 Triadelphia Mill Rd. Dayton, MD 21036 Ms. Tonia Lewis 6427 Autumn Gold Ct. Columbia, MD 21045

Ms. Victoria Lewis 7234 Procopio Circle Columbia, MD 21046

Ms. Sherry Liefer 958 St. Agnes Catonsville, MD 21207

Mr. John Lin 10361 Breconshire Rd. Ellicott City, MD 21042

Mr. Anthony Linardi 5532 Hunting Horn Dr. Ellicott City, MD 21043

Ms. Christine Linardi 5532 Hunting Horn Dr. Ellicott City, MD 21043

Mr. James Linsley 9406 Joey Dr. Ellicott City, MD 21042

Ms. Mary Linsley 9406 Joey Dr. Ellicott City, MD 21042

Mr. Christopher Lizzo 7938 Brightmeadow Ct. Ellicott City, MD 21043

Ms. Leslie Longley 5201 Lynngats Rd. Columbia, MD 21044

Mr. Thomas Loughran 7026 Dee Page Dr. Columbia, MD 21045

Ms. Amy Love 2869 Jessup Rd. Jessup, MD 20794

Mr. Jun Lu 5481 Hunting Horn Dr. Ellicott City, MD 21043

Ms. Marie Ludeke 9107 Bronze Bell Circle Columbia, MD 21045 Hunt Country Estates and Mayfield Avenue Communtiy Association Page 12

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Ms. Pam Luthra 8514 Window Latch Way Columbia, MD 21045

Ms. Kelly MacDonald 5938 Trofter Rd. Clarksville, MD 21029

Mr. Marc Macks 8021 Brightwood Ct. Ellicott City, MD 21043

Ms. Mary Majoue 8359 Tamar Dr. #411 Columbia, MD 21045

Ms. Mumina Malik 8018 Brightwood Ct. Ellicott City, MD 21043

Mr. Gerald Maltagliati 2398 McKenzie Rd. Ellicott City, MD 21042

Ms. Sharon Maltagliati 2398 McKenzie Rd. Ellicott City, MD 21042

Mr. Gary Mante 3431 Church Rd. Columbia, MD 21044

Ms. Kathie Marathon 8030 Brightwood Ct. Ellicott City, MD 21043

Ms. Anita Marino 3907 White Rose Way Ellicott City, MD 21042

Ms. Stephani Marquette 10198 Maxine St. Ellicott City, MD 21042

Mr. Bernard Marquis 7110 Long View Rd. Columbia, MD 21044

Mr. Steven Martorana 9427 Indian Camp Rd. Apt. A Columbia, MD 21045

Mr. Eugene Marx 2175 Mt. View Rd. Marriottsville, MD 21104 Ms. Mary Marx 2175 Mt. View Rd. Marriottsville, MD 21104

Ms. Laurie Mathis 12480 Rt. 144 West Friendship, MD 21794

Mr. John Matthews 4850-4 Dorsey Hall Dr. Ellicott City, MD 21042

Ms. Tamara Matthews 4850-4 Dorsey Hall Dr. Ellicott City, MD 21042

Mr. John Mauser 5522 Fox Tail Ln. Ellicott City, MD 21043

Mr. Austin Maxson 5840 Morningbird Ln. Columbia, MD 21045

Ms. Claire Mazalewski 5021 Hesperus Dr. Columbia, MD 21044

Ms. Maureen McCarthy 4926-2 Columbia Rd. Columbia, MD 21044

Ms. Nancy McCaskill 11872 Blue Feb. Way Columbia, MD 21044

Ms. Bonnie McClanahan 5594 Hunting Horn Dr. Ellicott City, MD 21043

Mr. Ronald McClanahan 5594 Hunting Horn Dr. Ellicott City, MD 21043

Mr. Douglas McElroy 7237 Talisman Lane Columbia, MD 21045

Mr. Linda McElroy 7237 Talisman Lane Columbia, MD 21045

Mr. Patrick McGuire 8070 Fetlock Ct. Ellicott City, MD 21043 Ms. Valerie McGuire 8070 Fetlock Ct. Ellicott City, MD 21043

Ms. Valerie McGuire 8070 Fetlock Ct. Ellicott City, MD 21043

Ms. Suzanne McKibbin 8841 Manahan Dr. Ellicott City, MD 21043

Mr. Michael McKuistry 8587 Wheatfield Way Ellicott City, MD 21043

Mr. Kenneth McWatt 9707 Softwater Way Columbia, MD 21046

Mr. Robert Meibr 5517 Fox Tail Ln. Ellicott City, MD 21043

Ms. Lynn Melan 5517 Fox Tail Ln. Ellicott City, MD 21043

Ms. Lynn Melan 5517 Fox Tail Ln. Ellicott City, MD 21043

Ms. Dawn Melton 3016 Autumn Branch Lane

Ms. Vera Melvin 3010 Chestnut Hill Dr. Ellicott City, MD 21043

Ms. Sharon Merrill 5276 Golden Sky Ct. Columbia, MD 21044

Ms. Jennifer Merriss 7380 Eoen Brook Dr. Columbia, MD 21046

Ms. Dorothy Merritt 4714 Parkvale Rd. Ellicott City, MD 21043

Ms. Denise Merson 10840 Little Patuxent Pkwy Columbia, MD 21044 Ms. Deborah Metzler 6105 Ducketts Ln. Elkridge, MD 21227

Mr. Harold Mezile 8517 Moon Glass Ct. Columbia, MD 21045

Ms. Marie Middaugh 7907 Bright Meadow Ct. Ellicott City, MD 21043

Mr. Robert Middaugh 7907 Bright Meadow Ct. Ellicott City, MD 21043

Ms. Mary Miedzienowski 4857 Avoca Ave. Ellicott City, MD 21043

Mr. Stanley Miedzienowski 4857 Avoca Ave. Ellicott City, MD 21043

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Ms. Dianne Millares 8144 Morning Breeze Baltimore, MD 21227

Mr. Bruce Miller 7982 Brightmeadow Ct. Ellicott City, MD 21043

Ms. Carole Miller 7982 Brightmeadow Ct. Ellicott City, MD 21043

Mr. Edward Miller 4945 Montgomery Rd. Ellicott City, MD 21043

Ms. Janice Miller 5009 Columbia Rd. Apt.301 Columbia, MD 21044 Hunt Country Estates and Mayfield Avenue Communtly Association Page 14

Ms. Jill Miller 7958 Brightmeadow Ct. Ellicott City, MD 21043

Mr. Kenneth Miller 14034 Burntwood Rd. Glenelg, MD 21737

Mr. Kevin Miller 7982 Brightmeadow Ct. Ellicott City, MD 21043

Mr. Lee Miller 14034 Bruntwood Ct. Glenelg, MD 21737

Ms. Margaret Miller 14034 Burntwood Rd. Glenelg, MD 21737

Ms. Marlene Miller 10291 Wayover Way Columbia. MD 21046

Mr. Mike Miller 7958 Brightmeadow Ct. Ellicott City, MD 21043

Mr. Paul Miller 14034 Burntwood Rd. Glenelg, MD 21737

Mr. Thomas Miller 8000 Brightwood Ct. Ellicott City, MD 21043

Mr. John Milligan 8615 Spruce Run Ct. Ellicott City, MD 21043

Ms. Mary Mills 11294 Old Hopkins Clarksville, MD 21029

Ms. Brenda Milot 4525 Yorkshire Dr. Ellicott City, MD 21043

Mr. Pete Milot 4525 Yorkshire Dr. Ellicott City, MD 21043

Mr. Al Morawski 7918 Brightmeadow Ct. Ellicott City, MD 21043 Ms. Maria Morawski 7918 Brightmeadow Ct. Ellicott City, MD 21043

Mr. Herbert Morgan 9514 Half Dollar G Columbia, MD 21046

Mr. Tim Morgen 9248 Redbrigde Ct. Laurel, MD 20723

Ms. Diana Morraye 5562 Hunting Horn Dr. Ellicott City, MD 21043

Ms. Kim Morris 8071 Brightwood Ct. Ellicott City, MD 21043

Ms. Susan Morris 11600-102 Little Patuxent Pkwy Columbia. MD 21044

Ms. Cathi Morrison 8512 Moon Glass Ct. Columbia, MD 21045

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Ms. Glenda Morton 5513 Hunting Horn Dr. Ellicott City, MD 21043

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Mr. Mark Muedeking 8704 Haycarriage Ct. Ellicott City, MD 21043

Mr. Hubert Mulkey 8039 Old Montgomery Rd. Ellicott City, MD 21043

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Hunt Country Estates and Mayfield Avenue Communtiy Association Page 15

Ms. Wanda Mulkey 8039 Old Montgomery Rd. Ellicott City, MD 21043

Mr. Patrick Mullaly 5687-F Harper's Farm Rd. Columbia, MD 21044

Mr. Denny Murphy 5509 Foxtail Lane Ellicott City, MD

Ms. Kathy Murphy 5509 Foxtail Ln. Ellicott City, MD 21043

Mr. William Neidhardt 6051 Claire Drive Elkridge, MD 21227

Ms. Jennifer Ney 8059 Brightwood Ct. Ellicott City, MD 21043

Mr. Donald Nichols 2613 Liter Ct. Ellicott City, MD 21042

Ms. Karen Nickles 5023 Lake Circle Ct. Columbia, MD 21044

Ms. Linda Nieberding 8058 Old Montgomery Rd. Ellicott City, MD 21043

Mr. Michael Nieberding 8058 Old Montgomery Road Ellicott City, MD 21043

Mr. Bill Norton 8526 Window Latch Way Columbia, MD 21045

Mr. Greg Nottingham 8516 Harvest View Ct. Ellicott City, MD 21043

Ms. Margaret Nottingham 8516 Harvest View Ct. Ellicott City, MD 21043

Ms. Janet O'Brein 8066 Fetlock Ct. Ellicott City, MD 21043 Mr. Thomas O'Brien 8066 Fetlock Ct. Ellicott City, MD 21043

Mr. J. O'Connor 3832 Dahlgren Ct. Ellicott City, MD 21042

Ms. Jodi O'Connor 7986 Brightmeadow Ct. Ellicott City, MD 21043

Mr. Paul O'Connor 7986 Brightmeadow Ct. Ellicott City, MD 21043

Ms. Christine OCallaghan 5522 Fox Tail Ln. Ellicott City, MD 21043

Ms. Linda Oehl 3276 Elmmede Rd. Ellicott City, MD 21042

Ms. Denise Offutt 5512 Barrington Ct. Columbia, MD 21045

Ms. Anna Ohlhaver 5566 Hunting Horn Dr. Ellicott City, MD 21043

Mr. Dennis Ohlhaver 5566 Hunting Horn Dr. Ellicott City, MD 21043

Ms. Luis Olmedo 8009 Brightwood Ct. Ellicott City, MD 21043

Ms. Maria Olnedo 8009 Brightwood Ct. Ellicott City, MD 21043

Mr. Peter Oswald 8506 Beaufort Dr. Fulton, MD 20759

Ms. Sally Oswald 8506 Beaufort Dr. Fulton, MD 20759

Ms. Linda Papa 3621 MacAlpine Ellicott City, MD 21042 Hunt Country Estates and Mayfield Avenue Communtly Association Page 16

Ms. Karen Parker 8306 Cool Spring Ct. Ellicott City, MD 21043

Ms. Barbara Parry 6890 Norris Lane Elkridge, MD 21227

Mr. Daniel Parry 6890 Norris Lane Elkridge, MD 21227

Mr. Robert Parry 6890 Norris Lane Elkridge, MD 21227

Ms. Suzann Parry 6890 Norris Lane Elkridge, MD 21227

Mr. Atul Patel 8003 Brightwood Ct. Ellicott City, MD 21043

Ms. Swati Patel 8003 Brightwood Ct. Ellicott City, MD 21043

Ms. Alice Pauley 12755 Folly Quarter Rd. Ellicott City, MD 21042

Ms. Cheryl Paytas 5205 Lynngate Ct. Columbia, MD 21044

Ms. Kathryn Pelligrino 6740 Hunter Road Elkridge, MD 21227

Ms. Carol Penyak 5579 Hunting Horn Dr. Ellicott City, MD 21043

Mr. Michael Penyak 5579 Hunting Horn Dr. Ellicott City, MD 21043

Mr. Kenneth Pfeifer 5378 Briar Oak Ct. Ellicott City, MD 21043

Ms. Lee Pfeifer 5378 Briar Oak Ct. Ellicott City, MD 21043 Ms. Sue Phipps 8079 Brightwood Ct. Ellicott City, MD 21043

Mr. Tom Phipps 8079 Brightwood Ct. Ellicott City, MD 21043

Ms. Vergie Pifer 13535 Argo Dr. Dayton, MD 21036

Ms. Theresa Pines 13502 Allnutt Ln. Highland, MD 20777

Ms. Lauren Pohler 5944 Cedar Fern Ct. Columbia, MD

Ms. Linda Polanowski 8809 Blue Sea Dr. Columbia, MD 21046

Mr. Robert Potter 4944 Snowy Reach Columbia, MD 21044

Ms. Kathy Poulard 5798 Alderleaf Place Columbia, MD 21045

Ms. Heidi Powell 7989 Old Montgomery Rd. Ellicott City, MD 21043

Mr. Scott Powell 7989 Old Montgomery Rd. Ellicott City, MD 21043

Ms. Vickie Price 7904 Brightmeadow Ct. Ellicott City, MD 21043

Ms. Elaine Puppa 6716 Ducketts Lane Elkridge, MD 21227

Ms. Deedra Rafkin 5873 Whisper Way Elkridge, MD 21227

Mr. David Ratcliff 8055 Brightwood Ct. Ellicott City, MD 21043

Hunt Country Estates and Mayfield Avenue Communtiy Association Page 17 Ms. Pam Ratcliffe Ms. Judith Rishel 8055 Brightwood Ct. 8059 Brightwood Ct. Ellicott City, MD 21043 Ellicott City, MD 21043 Ms. Colleen Ratliffe Ms. Donna Ritter 9205 Bellfall Ct. 9506 Lady Bug Row Columbia, MD 21045 Columbia, MD 21046 Mr. Jerome Ratliffe Mr. Stanley Ritter 9205 Bellfall Ct. 9506 Lady Bug Row Columbia, MD 21045 Columbia, MD 21046 Ms. Norma Rawlings Ms. Diane Robertson 7538 Broken Staff 8508 Moon Glass Ct. Columbia, MD 21045 Columbia, MD 21045 Mr. John Redmond Mr. Rob Rogers 3914 Chatham Rd. 10198 Maxine St. Ellicott City, MD 21043

Mr. Frederick Reitz 8544 Window Latch Way Columbia, MD 21045

Mr. Michael Rev 8066 Brightwood Ct. Ellicott City, MD 21043

Ellicott City, MD 21043

Ms. Joyce Redmond

3914 Chatham Rd.

Ms. Stephani Rezaiyan 8525 Moon Glass Ct. Columbia, MD 21045

Ms. Sharlene Rhodes 9614 Coronet Ct. Laurel, MD 20723

Mr. Tony Rhodes 961A Coronet Ct. Laurel, MD 20723

Ms. Linda Richards 8720 Haycarriage Ct. Ellicott City, MD 21043

Mr. Alex Richey 8579 Autumn Harvest Ellicott City, MD 21043

Ms. Sandra Rieth 5020 Lightfoot Path Columbia, MD 21044

Ellicott City, MD 21042

Mr. Thomas Rolando 7914 Brightmeadow Ct. Ellicott City, MD 21043

Ms. Eula Rolle 5037 Hesperus Dr. Columbia, MD 21044

Ms. Joan Rosenberger 7905 Brightmeadow Ct. Ellicott City, MD 21043

Ms. Anna Rossi 8010 Old Montgoemry Rd. Ellicott City, MD 21043

Ms. Anna Rossi 8010 Old Montgomery Run Road Ellicott City, MD 21043

Mr. Larry Rossi 8010 Old Montgomery Rd. Ellicott City, MD 21043

Mr. Larry Rossi 8010 Old Montgomery Rd. Ellicott City, MD 21043

Ms. Georgia Royalty 5595 Hunting Horn Dr. Ellicott City, MD 21043

Mr. Dan Rubenstein 8614 Beechnut Ct. Ellicott City, MD 21043 Hunt Country Estates and Mayfield Avenue Communtiy Association Page 18

Mr. Robert Ruhf 9521 Lumberiack Row Columbia, MD 21046

Ms. Susan Ruhf 9521 Lumberjack Row Columbia, MD 21046

Mr. Bob Rund 8048 Brightwood Ct. Ellicott City, MD 21047

Mr. David Rush 8709 Havcarriage Ct. Ellicott City, MD 21043

Ms. Laurie Rush 8709 Haycarriage Ct. Ellicott City, MD 21043

Ms. Karen Rutten 10208 Shaker Drive Columbia, MD 21046

Ms. Rebecca Ryan 6166 Montgomery Rd. Elkridge, MD 21227

Ms. Claire Rynolds 6259 Safe Shade Wav Columbia, MD 21045

Mr. Nongluck Saengpet 8001 Old Montgomery Rd. Ellicott City, MD 21043

Mr. Patichan Saengpet 8001 Old Montgomery Rd. Ellicott City, MD 21043

Ms. Jamila Saleh 8043 Brightwood Ct. Ellicott City, MD 21043

Mr. Walid Saleh 8043 Brightwood Ct. Ellicott City, MD 21043

Ms. Hillary Sandberg 8044 Brightwood Ct. Ellicott City, MD 21043

Ms. Joanna Sangianis 7940 Brightmeadow Ct. Ellicott City, MD 21043 Ms. Gertrude Savage 8243 Wellington Pl. Jessup, MD 20794 -

Mr. Don Sawver 6363 Tinted Hill Columbia, MD 21045

Ms. Soclana Sav 9205 Caters Lane Columbia, MD 21046

Mr. John Scaldara 4528 Yorkshire Dr. Ellicott City, MD 21043

Ms. Melody Scaldara 4528 Yorkshire Dr. Ellicott City, MD 21043

Ms. Lisa Scepura 8102 Brightridge Ct. Ellicott City, MD 21043

Ms. Sharon Schikner 5352-4 Smooth Meadow Columbia, MD 21044

Mr. Richard Schneider 4205 Southfield Rd. Ellicott City, MD 21042

Ms. Carolyn Schoenian 6142 Committment Ct. Columbia, MD 21043

Ms. Laura Schoenian 8038 Old Montgomery Rd. Ellicott City, MD 21043

Ms. Nancy Schwartzberg 5347 W. Running Brook Rd. Columbia, MD 21044

Ms. Vickie Scrivener 9093 Goldamber Garth Columbia, MD 21045

Mr. John Seehan 8040 Old Montgomery Rd. Ellicott City, MD 21043

Mr. Herny Seiler 6051 Fourland Garth Apt. 417 Columbia, MD 21045

Hunt Country Estates and Mayfield Avenue Communtiy Association Page 19				
Mayrield Avenue Community Associate	.10// ruge 19			
Mr. O. Sekoni 7995 Old Montgomery Rd. Ellicott City, MD 21043	Ms. Cristalia Smith 8501 Moon Glass Ct. Colunbia, MD 21045			
Ellicott City, MD 21043	Columbia, MD 21045			
Mr. Ropo Sekoni 7995 Old Montgomery Rd. Ellicott City, MD 21043	Mr. Daniel Smith 5142 Crystal Springs Dr. Ellicott City, MD 21043			
Mr. William Sharp	Mr. Hermon Smith			
8524 Moon Glass Court	8113 Brightridge Ct.			
Columbia, MD 21045	Ellicott City, MD 21043			
Ms. Barbara Shaw	Mr. James Smith			
7234 Montgomery Rd.	8020 Old Montgomery Rd.			
Elkridge, MD 21227	Ellicott City, MD 21043			
Ms. Anna Sheehan	Ms. Katherine Smith			
8038 Old Montgomery Rd.	5142 Crystal Springs Dr.			
Ellicott City, MD 21043	Ms. Katherine Smith 5142 Crystal Springs Dr. Ellicott City, MD 21043			
Mr. David Sheehan	Mr. Kevin Smith			
8038 Old Montgomery Rd.	5518 Fox Tail Lane			
8038 Old Montgomery Rd. Ellicott City, MD 21043	Ellicott City, MD 21043			
Mr. William Sheehan	Ms. Patricia Smith			
8038 Old Montgomery Rd.	8020 Old Montgomery Rd.			
Ellicott City, MD 21043	Ellicott City, MD 21043			
Mr. Drew Shifflet	Ms. Stacy Smith			
8027 Brightwood Ct.	5518 Fox Tail Lane			
Ellicott City, MD 21043	Ellicott City, MD 21043			
Ms. Lesley Shifflet	Ms. Deborah Snovell			
8027 Brightwood Ct.	4611 New Cut Rd.			
Ellicott City, MD 21043	Ellicott City, MD 21043			
Mr. Jon Shoemaker	Ms. Kelly Snovell 4611 New Cut Rd.			
8308 Painted Rock Rd.	4611 New Cut Rd.			
Columbia, MD 21045	Ellicott City, MD 21043			
Ms. Kathleen Shoemaker	Ms. Anne Snyder			
8308 Painted Rock Rd.	4634 Live Oak Ct.			
Columbia, MD 21045	Ellicott City, MD 21043			
Mr. Richard Simmonds	Mr. Bruce Snyder			
8505 Beaufort Dr.	4634 Live Oak Ct.			
Fulton, MD 20759	Ellicott City, MD 21043			
Mr. Daniel Slattery	Ms. Carol Snyder			
8023 Brightwood Ct.	10118 Darlington Rd.			
Ellicott City, MD 21043	Columbia, MD 21044			
Mr. Craig Smith	Mr. David Souder			
7942 Brightmeadow Ct.	7992 Brightmeadow Ct.			
Ellicott City, MD 21043	Ellicott City, MD 21043			

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Hunt Country Estates and Mayfield Avenue Communtiy Associa	tion Page 20
Ms. Johanna Souder 7992 Brightmeadow Ct. Ellicott City, MD 21043	Ms. Barbara Strab 8007 Brightwood Ct. Ellicott City, MD 21043
Ms. Debora Spano 8732 Haycarriage Ct. Ellicott City, MD 21043	Mr. Bill Strab 8007 Brightwood Ct. Ellicott City, MD 21043
Mr. William Spano	Ms. Wafa Sturdivant 9108 Goldamber Garth Columbia, MD 21045
	Ms. Jeannette Suflita 5382 Briar Oak Ct. Ellicott City, MD 21043
	Ms. Joan Summers 5679-E Harpers Farm Rd. Columbia, MD 21044
Mr. Rodney Sparr 8206 Chandler Ct. Ellicott City, MD 21042	Ms. Leonard Switalski 9508 Gray Mouse Way Columbia, MD 21046
8067 Brightwood Ct.	Ms. Norma Swope 8030 Old Montgomery Rd. Ellicott City, MD 21043
Ms. Lisa Spears 8067 Brightwood Ct. Ellicott City, MD 21043	Ms. Laura Szweda 12222 Benson Branch Rd. Ellicott City, MD 21042
	Ms. Jami Taggart 10509 Tolling Clock Way Columbia, MD 21044
Mr. Philip Spitler 3745 Chatham Rd. Ellicott City, MD 21042	Ms. Linda Talley 4938 Grace Ct. Ellicott City, MD 21043
Mr. James Spivack 5595 Hunting Horn Dr. Ellicott City, MD 21043	Ms. Patricia Talley 1665 Daisy Road Moodbine, MD 21797
Ms. Kari Staddon 8254 Wellington Pl. Jessup, MD 20794	Ms. Karen Tamalauicz 5191 Talbot's Landing Ellicott City, MD 21043
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Mr. Todd Taylor

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Ellicott City, MD 21043

Ms. Deborrah Tipton

8505 Autumn Harvest

Ellicott City, MD 21043

Mr. Keith Tipton 8505 Autumn Harvest Ellicott City, MD 21043

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Ms. Elizabeth Trainer 2568 Ashbrook Dr. Ellicott City, MD 21042

Mr. John Travisano 5390 Briar Oak Ct. Ellicott City, MD 21043

Ms. Lois Ultsch 9889 Old Annapolis Rd. Ellicott City, MD 21042

Ms. Sharon Upchurch 4655 Linthicum Rd. Dayton, MD 21036

Ms. Colleen Vogan 8006 Brightfield Rd. Ellicott City, MD 21043

Mr. Kurt Vogan 8006 Brightfield Rd. Ellicott City, MD 21043

Mr. Andrew Waller 7591-D Weatherworn Way Columbia, MD 21046

Ms. Mary Walter 6431 Brass Knob Columbia, MD 21044

7915 Brightmeadow Ct. Ellicott City, MD 21043 Mr. Michael Teague 7203 Single Wheel Path

Mr. Robert Terry 8521 Moon Glass Ct. Columbia, MD 21045

Columbia, MD 21046

Mr. Robert Taymans

Ms. Jane Thomas 5512 Aspen Dale Ct. Ellicott City, MD 21043

Mr. Lamont Thomas 5512 Aspen Dale Ct. Ellicott City, MD 21043

Ms. Renee Thomas 7573 Weatherworn Way Columbia, MD 21046

Ms. Ann Thompson 12231-C Little Patuxent Pky. Columbia, MD 21044

Ms. Diane Thompson 8514 Harvest View Ct. Ellicott City, MD 21043

Mr. Eugene Thompson 8506 Window Latch Way Columbia, MD 21045

Mr. James Thompson 12231-C Little Patuxent Pky. Columbia, MD 21044

Ms. Michelle Thompson 8514 Harvest View Ct. Ellicott City, MD 21043 Hunt Country Estates and Mayfield Avenue Communtiy Association Page 22

Mr. Charles Walters 8064 Brightwood Ct. Ellicott City, MD 21043

Ms. Cathy Ward 3038 Pebble Beach Dr. Ellicott City, MD 21042

Mr. David Ward 8077 Brightwood Ct. Ellicott City, MD 21043

Ms. Gillian Ward 8077 Brightwood Ct. Ellicott City, MD 21043

Mr. Archibald Warnock 6652 Hawkeye Run Columbia, MD 21044

Ms. Amy Weaver 5529 Fox Tail Lane Ellicott City, MD 21043

Ms. Carolyn Webber 6876 Mink Hollow Rd. Highland, MD 20777

Mr. Mark Wendland 9295 Lapwig Ct. Columbia, MD 21046

Mr. Andrew Wenzel 7976 Brightmeadow Ct. Ellicott City, MD 21043

Ms. Lisa Wenzel 7976 Brightmeadow Ct. Ellicott City, MD 21043

Mr. Rion Wheeler 10367 Boca Raton Dr. Ellicott City, MD 21043

Mr. Keith Whitcherto 8150 Brightridge Ct. Ellicott City, MD 21043

Mr. Andrew White 7972 Brightmeadow Ct. Ellicott City, MD 21043

Ms. Michelle White 7972 Brightmeadow Ct. Ellicott City, MD 21043 Ms. Fulma Whitefnel 8552 Harvest Ct. Ellicott City, MD 21043

Ms. Barbara Whitney 3676 Meadowvale Rd.

Ms. Suzanne Wice 5012 Montgomery Rd. Ellicott City, MD 21043

Mr. Benton Wigney 8700 Wheatfield Way Ellicott City, MD 21043

Ms. Ming Wigney 8700 Wheatfield Way Ellicott City, MD 21043

Ms. Patricia Wildey 8005 Brightwood Ct. Ellicott City, MD 21043

Ms. Karen Wilkins 4706 Wigglesworth Ct. Ellicott City, MD 21043

Mr. Robert Wilkins 4706 Wigglesworth Ct. Ellicott City, MD 21043

Mr. Joan Williams 9625-2 Basket Ring Rd. Columbia, MD 21045

Ms. Monique Williams 9625-2 Basket Ring Columbia, MD 21045

Ms. Claire Williamson 8502 Hedgerow Ct Ellicott City, MD 21043

Mr. Bertram Wilson 5114 Thunder Hill Rd. Columbia, MD 21045

Ms. Suzanne Wilson 5114 Thunder Hill Rd. Columbia, MD 21045

Ms. Barbara Wimbish 9980 Guilford Rd. Jessup, MD 20794 Hunt Country Estates and Mayfield Avenue Communtiy Association Page 23

Ms. Anne Wismiewski 8715 Cedar Post Ellicott City, MD 21043 Ms. Judith Zura 12430 Tridelphia Rd. Ellicott City, MD 21042

Mr. John Wisniewski 8715 Cedar Post Ellicott City, MD 21043

Ms. Michelle Wissler 5386 Briar Oak Ct. Ellicott City, MD 21043

Mr. Steven Wissler 5386 Briar Oak Ct. Ellicott City, MD 21043

Mr. David Wockenfuss 8729 Hayshed Ln. #31 Columbia, MD 21045

Mrs. Michels Wockenfuss 8729 Hayshed Ln. #31 Columbia, MD 21045

Ms. Barbara Wolniak 8583 Autumn Harvest Ellicott City, MD 21043

Mr. Stephen Wolniak 8583 Autumn Harvest Ellicott City, MD 21043

Mr. Bruce Yang 8122 Brightridge Ct. Ellicott City, MD 21043

Ms. Anna Yates 3376-F Chatham Rd. Ellicott City, MD 21042

Mr. Robert Yates 3376-F N. Chatham Rd. Ellicott City, MD 21042

Ms. Charlotte Yaw 4973 Ilchester Rd. Ellicott City, MD 21043

Ms. Alexander Young 8068 Brightwood Ct. Ellicott City, MD 21043

Mr. Edwin Zura 12430 Triadelphia Rd. Ellicott City, MD 21042 EXHIGIT D-30 DEVELOPE -

> 8561-K Falls Run Road Ellicou City, MD 21043 April 9, 1993

Mr. Hal Kassoff, Administrator State Highway Administration 707 North Calvert Street, Room 400 Baltimore, MD 21203

Dear Mr. Kassoff:

I am writing on behalf of The Villages of Montgomery Run Condominium Association, Sections One and Two, and the 588 households which comprise the Associations, regarding the proposed southern realignment of Route 100 in Ellicott City. As you are aware, we adamantly oppose any southern shift of the highway.

I am in receipt of a March 30, 1993, letter sent to you by Stacie F. Dubnow, an attorney with the firm of Freishtat & Sandler, on behalf of the Developers of The Villages of Montgomery Run. In her letter, Ms. Dubnow stated that her firm has "reason to believe that a homeowners' class action suit would likely follow [a lawsuit to be filed by the Developers, in the event that the State adopts a southern shift in the alignment of Route 100]." I would like to confirm that Ms. Dubnow's belief is correct; both Condominium Associations, as well as our community's nearly 1200 residents, are fully prepared to take whatever legal action is necessary to protect the value, safety and security of our properties.

If the State violates the oral and written representations made to the Developer of our community by implementing a southerly shift, it is violating its responsibility to the homeowners of The Villages of Montgomery Run, and in so, placing individuals at personal and financial risk.

In line with the Developers, the homeowners and representatives of The Villages of Montgomery Run do not wish to engage in a confrontation with the SHA; however, we are prepared to do so if necessary.

1 am sincerely looking forward to working with the SHA to reach a mutually acceptable alignment for Route 100. As always, if you have any questions, do not hesitate to contact me at 410-750-0238 (office) or 410-750-2614 (home).

Sincerely,

Kin D abunca

Kim D. Abramson Route 100 Task Force Coordinator The Villages of Montgomery Run

KDA:ms

cf: Mr. James Lighthizer, Secretary
Mr. Charles Ecker, Howard County Executive
Ms. Stacie F. Dubnow of Freishtat & Sandler

D-30-1



RESPONSE TO EXHIBIT D Maryland Department of Transportation State Highway Administration

O James Lighthizer Secretary Hal Kassoff

Administrator

April 30, 1993

Ms. Kim Abramson Route 100 Task Force Coordinator The Villages of Montgomery Run 8561-K Falls Run Road Ellicott City MD 21043

Dear Ms. Abramson:

Thank you for your recent letter expressing your opposition to any southern shift for the proposed MD 100 project.

The State Highway Administration (SHA) is aware of the possible lawsuit to be filed on behalf of the developer by the firm of Freishtat and Sandler. We are also aware of your intent to follow that suit with a class action suit on behalf of the two condominium associations within the Villages of Montgomery Run.

With the alignment modifications we are currently studying on Options C and D, Option D is actually farther away from a major portion of your community than the 1989 approved alignment. This option only runs south of the 1989 approved alignment in the vicinity where the tributary enters the main channel of Deep Run. The maximum southern shift in this area is only 30 feet.

Thank you again for your interest in the MD 100 project. If you have any additional questions or comments, please feel free to contact Karl Teitt, our project manager. Karl can be reached at (410) 333-1881 or toll free 1-800-548-5026.

Sincerely

Hal Kassoff Administrator

CC:

Mr. Karl R. Teitt

My telephone number is

Teletypewriter for impaired Hearing or Speech 383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5062 Statewide Toil Free 707 North Calvert St., Baltimore, Maryland 21203-0717



EXHIBIT D.31

April 1993

DEVELOR!

To: Mr. Hal Kassoff, Administrator The Maryland Department of Transportation State Highway Administration 707 North Calvert St. Baltimore, Maryland 21203-0717

Re: Road Impacts on Businesses

Dear Sir,

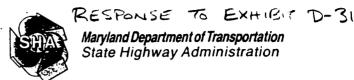
It has been brought to my attention that the realignment for Route 100 between Route 104 and I-95 in Howard County has yet to reflect true impacts to businesses. The case in point is the location of a daycare provider's home at 8070 Fetlock Court in Ellicott City.

As a daycare provider myself, I hope that future studies reflect this occupation as a business; and thus, show it to be directly impacted. By not acknowledging this business, the state undermines the worth of self-employed individuals as well as their profession.

Sincerely

Member of M.C.F.D.

D-31-1



O. James Lighthizer Secretary Hal Kassoff Administrator

April 28, 1993

Mrs. Pam Jarrett 6078 Rock Glen Drive Elkridge MD 21227

Dear Mrs. Jarrett:

Thank you for your recent letter concerning the proposed MD 100 project. For purposes of impact assessment, the State Highway Administration (SHA) will recognize the daycare center at 8070 Fetlock Court as a business.

SHA is currently studying additional alignment modifications for both Alternative 3 - Option C and Option D. These modifications are not yet completed, so we do not have an accurate assessment of the ultimate impacts concerning this property. Once these studies are completed, we will be in a better position to determine potential impacts.

No matter which alternative is selected, we will do everything possible to minimize social and environmental impacts. The selection of an alternative will require us to balance social, economic and environmental impacts within the context of federal law and regulations regarding the filling of wetlands.

Thank you again for your interest in the MD 100 project. If you have any additional questions or comments, please feel free to contact Karl Teitt, our project manager. Karl can be reached at (410) 333-1881 or toll free at 1-800-548-5026.

Sincerely,

Hal Kassoff Administrator

cc: Mr. Karl Teitt

My telephone number is ______

Teletypewriter for Impaired Heering or Speech 383-7555 Beltimore Metro - 555-0451 D.C. Metro - 1-800-492-5062 Stetewide Toll Free 707 North Calvert St. Baltimore. Maryland 21203-0717

INFORMATION THAT SHOULD CONCERN YOU:

This information sheet is being presented to you in order to better inform you of a situation in Howard County that could possibly affect your business in the future: Route 100's location. How does this affect you personally? For starters, a strong contender for the Route 100 alignment is the "northern shift" through seven back yards in Hunt Country Estates as well as the demolition of two homes. This affects you because a childcare business is in jeopardy. This shift will be 50' from the home while taking land from the backyard. What does this mean to the business? Everything, since no berm, no wall or business relocation/compensation will be provided. What will be provided to the daycare home is The Baltimore Outer Beltway providing noise pollution above safe decibel levels and the visual view of 6-8 lanes of traffic with lots of trucks using Rte. 100 as a cut thru from I-95 to I-70 or Rte. 29 to Owings Mill, and the State Highway Administration has yet to acknowledge an impact on this business with the northern shift! Why? BECAUSE THE STATE HAS YET TO RECOGNIZE THIS DAYCARE HOME AS A BUSINESS: Don't let this happen to one of our members--it affects us all. Take the time to sign and mail the enclosed letter in behalf of your childcare business that is based in the home and should be recognized like any other business.

Similarly, support our member, Valerie McGuire, in her efforts to provide a compromise solution to the "P.I." & Northern Shift. Support Alternative 3, Option "D" commonly known as the Lazy S, and demand from your councilperson (Drown, Feaga, Farragut, Gray & Pendergrass at 313-2001) that this alignment be chosen. Take a look at this breakdown of the two alignments under study:

Alt. 3 Option C-Northern Shift

1. Will demolish 2, possibly

2. To date, does not provide

homes north of creek.

4. Reasonably cost effective

5. Moderate impact to stream

3. Crosses Deep Run Creek.

at 37 million.

any noise mitigation for

more wetland impact than

"D" but less than "P.I."*

4 Homes.

Alt. 3 Option D-Lazy S

- 1. Saves All Homes on both sides of creek.
- Provides noise barriers in addition to ex. berms south of creek.
- 3. To date, this option has less wetland impact than "C" or "P.I."*
- 4. Reasonably cost effective at 31 million.
- 5. Minimizes impact to stream valley parkland
- 6. Saves all Howard County
- parkland to the north. Snowden River Pkwy. is
- valley parkland. 6. Maximum impact to Ho. County parkland north of creek. 7. Snowden River Pkwy. more shorter, less costly for Co. costly for county to build. PLEASE MAIL THE ENCLOSED LETTER TO SHA AND CALL YOUR COUNCIL PERSON TODAY. IT'S TIME TO BE RECOGNIZED AS A LEGITIMATE BUSINESS AND IT'S TIME FOR GOVERNMENT TO SERVE "We, the people" FAIRLY AND NOT THE SPECIAL INTEREST GROUPS HIDDEN AGENDA.

*The "P.I." is too environmentally damaging & won't be permitted.

D-31-2

FREISHTAT & SANDLER

March 30, 1993 Page 2

On November 18, 1985, the SHA entered into a Memorandum of Understanding with the Developers in which the SHA agreed to a specific northern alignment of Route 100 in consideration for the Developers' agreement to dedicate a right-of-way to the SHA and to show this right-of-way on all of their plans during the subdivision process at Montgomery Run. A copy of this Memorandum of Understanding is attached as Exhibit A, together with a plat showing the Route 100 alignment to which the SHA contractually agreed. The Developers designed their community based upon this contractually established alignment of Route 100.

In 1987, purportedly as a result of concerns raised by the residents of luxury homes in Hunt Country Estates, another development impacted by the proposed construction of the Route 100 corridor, the SHA negotiated a modification of its Memorandum of Understanding with the Developers. In the spirit of cooperation, and in an effort to be reasonable and flexible, the Developers agreed to modify their contract with the SHA and to accept a significantly more intrusive shift in the alignment of Route 100, necessitating a major redesign of the subdivision at a cost of nearly One Million Dollars (\$1,000,000.00) to the Developers. This agreement was memorialized in the First Addendum to Memorandum of Understanding (the "Addendum"), dated September 13, 1989, a copy of which is attached as Exhibit B. The modified alignment is shown on plats which were reviewed and approved upon execution of the Addendum and which were made a part thereof. The Developers understood this to be the final alignment of the Route 100 corridor. In confirmation of this understanding, upon its execution of the Addendum, the SHA advised the Developers that they could now complete construction of their condominium units on those parcels on which the SHA had previously restricted construction.

In express reliance upon their written contract with the State, as well as upon the approvals of this alignment by both state and federal agencies, the Developers completed construction of all units of Montgomery Run and represented to their prospective purchasers that Route 100 would be located as agreed in the Addendum. As a direct and foreseeable consequence of the SHA's contractual agreement with the Developers and subsequent representations, hundreds of families relied upon the State's promised alignment of this highway when they purchased homes in the Villages of Montgomery Run.

FREISHTAT & SANDLER

March 30, 1993 Page 3

In late 1992, without any prior notice to the Developers, the SHA advised the public it was altering the previously agreed upon location of Route 100 due to unanticipated problems in satisfying the standards for obtaining the necessary wetland permits for this alignment. That the alignment to which the State contractually agreed in the Addendum, executed almost four (4) years ago, is now deemed to violate wetland permit standards is due to no fault of the Developers or the Montgomery Run residents. Only now, at the 23rd hour, after virtually all of the Montgomery Run homes have been sold, has the State advised the Developers and the Montgomery Run residents for the first time that it is contemplating moving this highway through their community. Two (2) of the proposed alignments of Route 100 (Alternates B and D) drastically alter the agreed upon alignment of Route 100 by shifting this highway to the south, within 100 feet of the Villages of Montgomery Run.

To shift the highway southerly to either of these proposed locations would constitute a breach of the State's two prior written agreements with the Developers. In addition, a southern shift in the alignment of Route 100 at this late date would impugn the Developers' reputation for honesty and truthfulness, and would constitute bad faith by the State in light of its repeated representations to the Developers and Montgomery Run residents since 1985 concerning the location of Route 100. Considerably more than "wetland impact" is at issue here. The State has made repeated commitments and written representations to its citizens, with full knowledge that its citizens were relying upon these representations, which it is now obligated to fulfill.

Any minimal difference in the impact on wetlands caused by a northern as opposed to a southern shift is greatly outweighed by the significantly increased disruption and harm to more than twenty (20) times the number of families which will result from a southern shift in the alignment of Route 100. Whereas only six (6) families will be effected by a northern shift in the alignment, at least one hundred forty-four (144) families will be directly and significantly impacted by a southern shift. In addition, the proposed alignments of Route 100 reflected in Alternates B and D will

FREISHTAT & SANDLER

March 30, 1993 Page 4

place 144 Montgomery Run homes over the 67-decible noise limit permitted by State and Federal guidelines. In sum, a southern shift in the alignment of Route 100 will seriously damage and disrupt the lives of the largest number of families — precisely those families to whom the State owes its greatest duty as a result of its past contracts and representations.

The Developers have endeavored to be patient, cooperative and flexible. The Developers re-designed their community time and again at great expense to accommodate the SHA, despite the existence of binding and legally enforceable written agreements with the State as to the alignment of Route 100.

The State has both a moral and legal obligation to honor its contractual commitments and representations to the Developers and to the hundreds of homeowners who relied upon the State's representations. As a result of the State's written contract with the Developers, its repeated representations and assurances to the Developers, as well as the disproportionate detrimental impact which a southern as the disproportionate hift in the alignment of Route 100 will have on human lives, the State's adoption of Alternates B and D would be unreasonable, arbitrary and oppressive. Unlike the other alignments, Alternates B and D present unique problems due to the SHA's prior contractual commitments. Under these circumstances, these Alternates are neither reasonable nor prudent.

Please be advised that if the State adopts a southern shift in the alignment of Route 100 (Alternates B or D), in direct contravention to every oral and written representation to and agreement with the Developers, a lawsuit will be filed promptly to enjoin the construction of Route 100 in this location. We have reason to believe that a homeowners' class action suit would likely follow. The Developers have no desire for a confrontation with the SHA, and hope that legal action will be unnecessary; however, they are fully prepared to pursue this last avenue of recourse.

FREISHTAT & SANDLER

March 30, 1993 Page 5

Finally, due to the Developers' contractual relationship with the SHA, we ask that the SHA keep the undersigned fully apprised of all developments relating to the alignment of the Route 100 corridor, and that we be consulted prior to any action by the State in breach of its contract.

Very truly yours,

Stane F Duburn

Stacie F. Dubnow

SFD/smr

cc: Mr. James Lighthizer, Secretary

Mr. Charles Ecker

EXHIBIT D-33

May 23, 1993

Mr. Hal Kassoff, Administrator Maryland State Highway Administration 707 North Calvert Street Baltimore, Maryland 21203-0717

Dear sir,

As president of Cherrytree Farm Neighborhood Organization, representing 204 households, I wish to inform you of my support for option D (the lazy S) for the alignment of the future route 100, in Howard County.

All other options except D appear to require the demolition of homes. Also option D appears to have the least impact on wetlands and the existing stream bed. As a homeowner and one that believes in conservation I don't understand why option ${\sf D}$ has not been chosen as the only alignment to use. It appears logically to be the only choice, if we are attempting to have the least impact on existing neighborhoods and the environment.

If you have finally chosen option D, I say Thank You. If not I ask you to please consider option D. If for some reason option is the one to be chosen could you please tell me why.

Sincerely.

President Cherrtree Farm Neighborhood Organization 8411 Sand Cherry Lane Laurel, MD 20723

PESPONSE TO EXHIBIT D-33 Maryland Department of Transportation State Highway Administration

O. James Lighthizer Secretary Hal Kassoff Administrator

June 16, 1993

Mr. Greg S. Brown President Cherrytree Farm Neighborhood Organization 8411 Sand Cherry Lane Laurel MD 20723

Dear Mr. Brown:

Thank you for your recent letter supporting Option D (the Lazy "S" alternative) for the MD 100 planning study in Howard County.

Your comments will be taken into consideration in the determination of a preferred alternative. The State Highway Administration (SHA) will identify a preferred alternative within the next several months. Following that decision, SHA will prepare a Final Environmental Impact Statement and submit the document to the Federal Highway Administration for review and approval.

Thank you again for your interest in the MD 100 project. If you have any additional questions or comments, please feel free to contact the project manager, Mr. Karl Teitt. Karl can be reached at (410) 333-1881 or toll free at 1-800-548-5026

Sincerely

Administrator

Mr. Karl Teitt

D-33-1

My telephone number is _ Maryland Relay Service for Impaired Hearing or Speech 1-800-735-2258 Statewide Toll Free 707 North Calvert Street, Baltimore, Maryland 21202

Friday, June 4, 1993

Mr. Neil Pedersen Director of Planning and Preliminary Engineering

Dear Mr. Pedersen,

On behalf of the community of the Villagee of Montgomery Run, I would like to express my appreciation for the rework that has been done on the southern alignment for Route 100. Many of the homes that would have been adversely affected will now experience less noise pollution. I would like to urge you, however, to continue reworking the portion of the alignment that still impacts homes in our community. At least one building with twelve units is severely affected by the proposed alignment; several other buildings will also be subjected to greater noise pollution than would have been the case with the original alignment. I myself live in a building that will have increased noise pollution with the proposed alignment.

I understand the need to balance the often conflicting requirements of cost, wetlands preservation, noise abatement, and road geometry. Yet when the residents of our community bought their homes, some as early as four years ago, they had an expectation of how great the noise pollution would be based upon the alignment accepted at that time. I believe our homeowners deserve a solution that will leave them with no more noise pollution than they would have had with the earlier alignment. I feel confident that such a solution can be reached, and I hope we can count on you to continue working toward that solution.

Once again, thank you for all of your work on the southern alignment problem. Sincerely,

Elizabeth J. Hobbs

Elizabeth T. Hobbs Vice President Board of Directors Villages of Montgomery Run

ORVELOTO TO THE

D-34-1



Maryland Department of Transportation

State Highway Administration

O. James Lighthiz Secretary Hal Kassoff Administrator

July 6, 1993

Ms. Elizabeth T. Hobbs, Vice President Board of Directors Villages of Montgomery Run 8555-E Falls Run Road Ellicott City MD 21043

Dear Ms. Hobbs:

Thank you for your recent letter concerning the alignment modifications for the proposed MD 100 project.

The State Highway Administration (SHA) is in the process of completing additional detailed engineering and environmental studies. Once these studies, including the noise analysis, are completed, we will be in a better position to determine potential impacts and mitigation strategies. The alignment of Option D Modified is farther away from your community than the Final Environmental Impact Statement (FEIS) alignment except in the area of the tributary to Deep Run. The 1989 FEIS alignment was proposed to be approximately 216 feet away from 8613 Falls Run Road, the Option D alignment presented in December 1992 was approximately 122 feet away and the Option D Modified alignment currently under consideration is approximately 190 feet away. The current alignment is only 26 feet closer to 8613 Falls Run Road than the FEIS alignment. The total number of residences in this building impacted by noise under the current alignment is equal to the FEIS. The State Highway Administration (SHA) is analyzing mitigation alternatives for any building or residence impacted by Option D that was not impacted by the FEIS; however, we are not yet in a position to make final decisions regarding exactly what that mitigation may be.

No matter which alternative is selected, we will do everything reasonable to minimize social, economic and natural environmental impacts.

My telephone number is ___(410) 333-1111

Teletypewriter for Impaired Hearing or Speech 383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5062 Statewide Toli Free 707 North Calvert St., Baltimore, Maryland 21203-0717

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E

Ms. Elizabeth T. Hobbs Page Two

Thank you again for your interest in the MD 100 project. If you have any additional questions or comments or if your association would like a meeting to discuss the results of our latest studies, please feel free to contact the project manager, Mr. Karl Teitt. Karl's telephone number is (410) 333-1881 or toll free at 1-800-548-5026.

Very truly yours,

NELL L. LLEBEEN

Neil J. Pedersen, Director Office of Planning and Preliminary Engineering

cc: Mr. Karl Teitt

bcc: Mr. Louis H. Ege, Jr.

Mr. Howard Johnson w/incoming Mr. Paul Wettlaufer w/incoming

Mr. James Wynn



ELKRIDGE COMMUNITY ASSOCIATION

5790 WASHINGTON BLVD. ELKRIDGE, MARYLAND 2133



June 4, 1993

5 5 56 NOC 11

ARH GIVIS

Mr. Hal Kassoff State Highway Administration 707 North Calvert Street Baltimore, MD 21203

Dear Mr. Kassoff,

At a recent board meeting of Elkridge Community Association, we discussed how important the completion of route 100 is to the future wellbeing of our community. We understand there is a hold up in determining the alignment of route 100, we voted to support the Lazy S plan of alignment as being the fairest and having the least environmental impact. We hope this matter gets resolved shortly.

Sincerely,

Linda Carey Corresponding Secretary Elkridge Community Association RESPONSE TO EXHIBIT D-35 Maryland Department of Transportation State Highway Administration

O James Lighthizer Secretary Hal Kassoff Administrator

June 25, 1993

Ms. Linda Carey Corresponding Secretary Elkridge Community Association 5790 Washington Boulevard Elkridge MD 21227

Dear Ms. Carey:

Thank you for your recent letter expressing your support for Alternative 3, Option "D" (the Lazy S).

Your comments will be taken into consideration in the determination of a selected alternative. We have completed refinement studies for the optional alignments and presented them to state and local elected officials and environmental agency staffs. We will continue our consultation process, with the goal of reaching a decision within the next several months. Following that decision, the State Highway Administration will prepare a Final Supplemental Environmental Impact Statement which will be submitted to the Federal Highway Administration for review and approval.

Thank you again for your interest in the MD 100 project. If you have any additional questions or comments, please feel free to contact Karl Teitt, the project manager. Karl can be reached at (410) 333-1881 or toll free at 1-800-548-5026.

Sincerely

Hal Kassoff Administrator

Mr. Karl R. Teitt

D-35-1

My telephone number is _

Maryland Relay Service for Impaired Hearing or Speech 1-800-735-2258 Statewide Toll Free 707 North Calvert Street, Baltimore, Maryland 21202





EXHIBIT D-36

Robert L. Gardner, President Hunt Country Estates Community Association, Inc. 5558 Hunting Horn Drive Ellicott City, Md. 21043 June 7, 1993

To: Mr. Hal Kassoff, Administrator Maryland State Highway Administration 707 North Calvert Street Baltimore, MD 21202

Dear Sir,

As president of the Hunt Country Estates Community Association Inc. (HCECA), I am reiterating our support for Alternate 3 Option "D", commonly referred to as the "Lazy S". Since changes are under way at this time for a "modified Lazy S", I can only give tentative endorsement due to the lack of data at my disposal; however, the "Lazy S" alignment modification of Route 100 away from the Villages of Montgomery Run to lessen noise impact seems to be a refinement for our neighbors that we are in favor of. Addressing noise mitigation for all the communities is good politics for an alignment that must change course. As you are aware, the community of Hunt Country Estates desires a compromise which minimizes community impacts and which communities on both sides of the creek can agree to. According to the May 5, 1993 flier, Highway Run, their "worst nightmare is now a pleasant dream...the southern shift...of Route 100 has been altered to protect Montgomery Run. Even if a southern shift is approved, the section of the highway that would have been moved closer to us has been pushed back to the original alignment!!* In fact, in most areas, it's even about 15 feet farther away. So, our worst case is now no more damaging to us than the original alignment would have been." In short, it is apparent that both communities may be able to agree on a modification of the Lazy S. At any rate, in order to look at the alternatives, we must first address the issue of what is not permitable by the reviewing agencies.

First, it must be acknowledged and accepted that the preferred alignment known as the "P.I." alignment, which spans 1800 feet of creek bed, is not and will not be permitable. The "P.I." alternative which was selected by SHA, a developer and the county council will not be considered as a viable alternative. (Please refer to the attached page regarding the history of the alignment). Due to our need to protect the environment there are only three basic options available: the northern shift, the southern shift and the no-build.

SPA

RESPONSE TO EXHIBIT D-36

Maryland Department of Transportation Phose Plant State Highway Administration EVELOPHICAL PROPERTY OF THE PROPERTY

Jun 25 1 48 FM 193

O. James Lighthizer Secretary Hal Kassoff Administrator

June 24, 1993

Mr. Robert L. Gardner President Hunt Country Estates Community Association, Inc. 5558 Hunting Horn Drive Ellicott City MD 21043

Dear Mr. Gardner:

Thank you for your recent letter concerning the proposed MD 100 project and your continued support for the Option D (Lazy "S") alignment.

I understand that Neil Pedersen and Karl Teitt met with you and other members of your association, and gave you an update on the results of the most recent studies of MD 100. We will continue discussions with state and county elected officials from Howard County, as well as officials from federal and state environmental agencies, with the goal of reaching a decision regarding the alignment by this fall.

Thank you again for your continued interest in the MD 100 planning process. If you have any additional questions or comments, please feel free to contact Karl Teitt, our project manager. Karl can be reached at (410) 333-1881 or toll free at 1-800-548-5026.

Sincerely

Hal Kassoff Administrator

cc: Mr. Karl Teitt

PS. I particularly appreciated
the depth and broadth
type counts. The tel

D-36-1

Maryland Relay Service for Impaired Hearing or Speech 1-800-735-2258 Statewide Toll Free 707 North Calvert Street, Baltimore, Maryland 21202

My telephone number is _

Of the three aforementioned shifts, the southern shift is the politically correct alignment even though it has been pointed out that the right-of-way uses approximately one-third of the combined land mass of two adjoining farms currently designated R-20, which is half acre single family detached home sites. The current county administration "desires" the farm land for an overlay zone referred to as "MXD" or mixed use zoning. Not only is the county's concern for the future usage of these properties one of speculation, but it is a moot point for three reasons:

- 1. The 1990 General Plan which shows the MXD designation has not been implemented at this time due to overwhelming public sentiment against the MXD concept and the need for further study.
- 2. The ethical and logical determination that future development can not take precedence over existing communities.
- 3. The bottom line is that historically the Route 100 alignment has bisected the farms to the south/westerly side of the creek.

What needs to be acknowledged about the future development of these two adjoining farms (the Md. Animal Husbandry Farm and the Curtis Farm) is that the southern shift does not prevent this MXD upzoning from occurring, but rather it only lessens the acreage to be used by approximately one-third. Indeed, contrary to county rhetoric, the Lazy S conforms within the context of the county's "desire" of rezoning while considering adeptly the concerns of existing communities as well as our environment, both of which hang precariously in the balance.

The "Lazy S" alignments are the only compromises that offer this potential of minimizing wetland impact while not sacrificing existing residences. This reasoning is strengthened by documentation from several agencies. Excerpts from the following documents reveal that from the very beginning, when the draft EIS was circulated for revision, various agencies did not concur with the Route 100 "P.I." alignment previously agreed to by Macks, SHA and the county.

- 1. The Maryland Department of Natural Resources (letter to Mr. Ege, June 28, 1988) states "the relocation of stream channel and rechannelizations must be the <u>last</u> alternative considered. Every effort must be taken in order to avoid stream relocations and/or rechannelizations." "The Department should be kept informed of the Snowden River Parkway, as impacts to wetland "s 9 and 10 may be substantial. The possibility of shifting Route 100 farther out of wetland #11 should be investigated. Construction should be from the <u>south</u>."
- 2. The U.S. Environmental Protection Agency (letter to Mr. Ege, March 14, 1988) states "The rationale given for not shifting the preferred alignment west to avoid W-7 and W-8 are impacts

to proposed residences, the Curtis Farm, and the proposed Snowden River Parkway alignment. EPA understands the inconvenience and disruption relocations cause to residents and the community, however, neither the subject residences nor the parkway physically exist. Giving precedence to proposed residences over wetlands is not consistent with Federal policy regarding wetlands, which states that wetlands shall be avoided wherever possible. Based on the DEIS, we believe that avoidance is possible in this case. In addition, the proposed 1800 feet of stream relocation in this area may be avoided by a western shift.

The impacts of the proposed Snowden River Parkway Extension are not presented in the DEIS because it will 'be built by others'. To the contrary, the extension is directly dependent upon the proposed project, regardless of the responsible party. The acreages of W-9 and W-10 that it would impact must be identified, in accordance with the section 1508.7 and Section 1508.8 of the CEQ regulations.

Page IV-23 states that a western shift may decrease impacts to W-1, but would increase impacts to wetlands 9 and 10. Disregarding the assumption that Snowden River Parkway will be constructed, it appears from Figure 5c that a slight western shift may actually preserve more of W-11 without additional impacts to W-9 and 10. It is important to consider not only impacted acreage, but also the position of the alignment relative to the entire wetland area. For example, severing a wetland may have greater impact than taking land from the border. The relative values of W-9, 10 and 11 should also play a role in the decision of whether to shift the alignment."

3. The U.S. Dept. of the Interior Baltimore District Corps of Engineers, COE, (letter to Colonel Finch, Feb. 8, 1991) states "SHA had the opportunity to condemn land from the Village of Montgomery Run development <u>before</u> any condominiums were built. Both SHA and Howard County decided that it was not necessary. They chose to relocate Deep Run instead."

"In the area if Deep Run, SHA should shift the highway right-of-way to the south. This can be accomplished by beginning the alignment shift at the western boundary line of the Villages of Montgomery Run. The alignment can then proceed inside the northern property line of this development while avoiding the condominiums. The road right-of-way should proceed to the east but not cross Deep Run. The alignment of this road should cross Deep Run where it turns to the south. This would permit a more perpendicular crossing of Deep Run by the highway right-of-way. In addition, this shift in the alignment would allow the building of the proposed Route 100/Snowden Parkway interchange south of Deep Run and avoid the destruction of seven more acres of wetlands adjacent to this stream."

As you can see, these agencies recommended a SOUTHERN or SOUTH-WESTERLY SHIFT of Route 100 away from Hunt Country Estates. These letters indicate that a "northern" shift can be avoided.

From the data available to me at the present time, the pros and cons of both shifts will also clarify the many attributes of the "Lazy S" and are as follows:

OPTION "D" -- LAZY S

- 1. Saves all homes on both sides of creek.
- Provides noise barriers in addition to ex. berms for Vill. of Montg. Run
- To date, this option has less wetland impact than "C" or "P.I."
- Reasonably cost effective at 31 million.
- Would cost 15 million less than the "P.I."
- Minimizes impact to stream valley parkland.
- Saves all Hunt Country parkland.
- Snowden River Pkwy. less costly to build.

OPTION "C" -- NORTHERN SHIFT

- Requires the razing of 2-4 homes.
- To date, does not provide any noise mitigation for Hunt Country Estates.
- Crosses Deep Run Creek, more wetland impact than "D" but less than "P.I."
- Reasonably cost effective at 37 million.
- Would cost 9 million less than "P.I."
- Moderate impact to stream valley parkland.
- Maximum impact to Hunt Country Estates parkland. Cuts off entry access.
- Snowden River Pkwy. more costly for county.

As can be seen, the "Lazy S" deals with these issues effectively, and the assumption can be made that the second study modifying these two alignments will more or less verify these conclusions by once again favoring the "Lazy S" concept.

It is hoped that as our public official you will agree to uphold the recommendations stated herein and abide by their judgment in their field of expertise. For there can be no doubt that the "Lazy S" concept is the right choice, and we are counting on your sense of fairness, logic, and ethics to determine an alignment choice which is very self-evident. If a highway is absolutely necessary, please support the Lazy S. It minimizes residential impact while providing Maryland with a cost effective highway system which still supports development in the area.

Sincerely,

KASE Grandion

Robert L. Gardner, President

Attachments (2)

LETTER CC:

- 1. Congressman Roscoe Bartlett
- 2. Senator Paul Sarbanes
- 3. Senator Barbara Mikulski
- Senator Chris McCabe
 Senator Thomas Yeager
- 5. Senator Thomas reage
- 6. Ms. Shane Pendergrass
- 7. Mr. Vernon Gray
- 8. Mr. Paul Farragut
- 9. Mr. Charles Feaga
- 10. Mr. Darryl Drown
- 11. Mr. A. Porter Barrows
- 12. Mr. Robert Gatz
- 13. Mr. Peter Stokley
- 14. Mr. Richard Pepino
- 15. Mr. Robert Zepp
- 16. Mr. Bill Shultz
- 17. Col. Capka
- 18. Mr. Paul Wettlaufer
- 19. Delegate Donald Elliott
- 20. Delegate Marty Madden
- 21. Delegate John Morgan
- 22. Delegate Virginia Thomas
- 23. Dr. Charles I. Ecker
- 24. Mr. O. James Lighthizer
- 25. Governor William Donald Schaefer
- 26. Mr. William A. Jenkins
- 27. Delegate Robert Kittleman
- 28. Delegate Robert Flanagan
- 29. Mr. Hal Kassoff
- 30. Mr. John P. Wolflin

BRIEF HISTORY -- ROUTE 100

The Route 100 Alternate 3 which was presented and approved by the public back in 1987 bisected the Md. Animal Husbandry farm, the Curtis farm and the adjoining Weidermeyer farm recently purchased by Mr. Lawerence Macks, a Baltimore based developer. This original Alternate 3 was 1500 (fifteen hundred) feet away from our existing community of Hunt Country Estates. At the end of the public hearings and without our knowledge, Mr. Macks and SHA entered into an agreement known as the MOU of 1985. The Howard County Council of that time approved by resolution a 1500 foot shift to the northern tip of Mr. Macks' undeveloped property, which also ran through our community.

Hunt Country Estates endured a 17 month battle to correct this gross error which was done without the necessary studies concerning environmental damage and which did not inform local residents or adjacent property owners. No public hearing was held on a substantially amended resolution which invalidated much of the testimony given by the state, county and local residents. The so called "checks and balances" did not protect a community that was on file at the county and SHA offices. In the end, we reluctantly compromised on the "P.I." alignment even though we did not like it. We gave up our premium lot price tags which backed up onto forested valley stream parkland with deer and yes, even our very own fox. The only consolation was the promise of a long and fairly high earth berm as a scenic noise buffer to protect our homes from the sight and sound of a six lane highway.

SHA held a meeting with 8 homeowners on Fetlock Court on September 30, 1991 to explain a further shift in Route 100's alignment. We were told that due to Feb. 1990 wetland regulations SHA needed to re-evaluate the alignment to reduce wetland impact. With map in hand, SHA proceeded to explain that it had conducted preliminary studies and a northern shift was anticipated. The question was raised regarding a southern shift and the response was that it had been looked at briefly but would require taking 3-5 buildings in the Villages of Montgomery Run condo development. Today, we know this to be untrue because the "Lazy S" alignment is a very good contender which takes no homes from either community.

SENT BY FACSIMILE TRANSMISSION

8561-K Falls Run Road Elhcott City, MD 21043 June 10, 1993

Mr. Hal Kassoff, Administrator State Highway Administration 707 North Calvert Street, Room 400 Baltimore, MD 21203

Dear Mr. Kassoff:

We at The Villages of Montgomery Run in Efficient City are pleased with 95% of the modifications to Option D for Route 100. However, impact to one building on the east side of the community (Building D per your map, or 8613 Falls Run Road) is a major concern.

I have been notified by several attendants of the June 10th SHA-public official meeting that—contrary to what I was led to believe at my meeting in April with representatives of SHA—it may be necessary to establish a voluntary buy-out program or similar measure for the homeowners in that building. Such an action is unacceptable to our community, for the same reasons that we opposed any southern shift of the highway. The lack of full protection for that building constitutes the same violations of the written legal agreements between the State and our builder that we have continually disputed.

Please advise me as to what the impact on the building in question is anticipated to be. I would appres an immediate reply. You may contact me at the above address, at my office (410-750-0238), at home (4.0-750-2614), or by fax (please call office first). Thank you for your immediate attention.

Since rely.

Kim D. Abramson Route 100 Task Force Coordinator The Villages of Montgomery Run

KDA:ms

ci: Mr. Lawrence Macks

D-37-



O. James Lighthizer Secretary Hal Kassoff Administrator

July 2, 1993

Ms. Kim D. Abramson Route 100 Task Force Coordinator The Villages of Montgomery Run 8561-K Falls Run Road Ellicott City MD 21043

Dear Ms. Abramson:

Thank you for your recent letter concerning the proposed MD 100 project.

As we explained at the June 28th public meeting, the alignment of Option D Modified is further away than the FEIS alignment from your community except in the area of the tributary to Deep Run. The 1989 FEIS alignment was proposed to be approximately 216 feet away from 8613 Falls Run Road, the Option D alignment presented in December 1992 was approximately 122 feet away and the Option D Modified alignment currently under consideration is approximately 190 feet away. The current alignment is only 26 feet closer to 8613 Falls Run Road than the FEIS alignment. The total number of residences in this building impacted by noise under the modified Option D is equal to the FEIS alignment. The State Highway Administration (SHA) is analyzing mitigation alternatives for any building or residence impacted by Option D that was not impacted by the FEIS, but we are not yet in a position to make final decisions regarding exactly what that mitigation will be.

Thank you again for your continued interest in the MD 100 project. If you have any additional questions or comments or your association would like a meeting to discuss the results of our latest studies, please feel free to contact the project manager, Karl Teitt. Karl can be reached at (410) 333-1881 or toll free at 1-800-548-5026.

Mal Kassoff Administrator

cc: Mr. Karl R. Teitt

My telephone number is __

Maryland Relay Service for Impaired Hearing or Speech 1-800-735-2258 Statewide Toll Free 707 North Calvert Street, Baltimore, Maryland 21202

EXLIRIT D-38

8561-K Falls Run Road Ellicon City, MD 21043 June 29, 1993

Mr. Hal Kassoff, Administrator State Highway Administration 707 North Calvert Street, Room 400 Baltimore, MD 21203

Dear Mr. Kassoff:

Based on information I received prior to and during the June 27 SHA public hearing. I must withdraw the acceptance of Route 100 Option D by The Villages of Montgomery Run. It is clear that the modified D does not fall in line with the agreements SHA made with our developer, Macks and Macks, to protect homeowners in Montgomery Run. Contrary to what was related to me at an April 23 meeting with representatives of your office and Congressman Roscoe Bartlett, the impact on building number 8613 will be significantly greater with the modified D than with the FEIS. Noise abatement procedures such as changes in windows or other physical aspects of the buildings, or requiring homeowners to keep their windows closed and air conditioning on (which were presented as potential remedies at the public briefing) are absolutely unacceptable.

We at Montgomery Run are willing to consider additional modifications when they become available. Pleased be advised, however, that if options are not presented, we will file suit against SHA.

As always, I look forward to a mutually acceptable solution to the Route 100 modification.

Sincerely,

non Daleman Kim D. Abramson

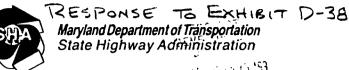
Route 100 Task Force Coordinator The Villages of Montgomery Run

KDA:ms

Mr. James Lighthizer, Secretary Mr. Charles Ecker, Howard County Executive Ms. Stacie F. Dubnow of Freishtat & Sandler Members, Howard County Council Representative Benjamin Cardin Representative Roscoe Bartlett Senator Thomas Yeager

Delegate Martin Madden Delegate John Morgan Delegate Virginia Thomas

D-3&-1



O. James Lighthizer Hal Kassoff Administrator

Jan 21 5 20 Kin 193

July 23, 1993

Ms. Kim D. Abramson Route 100 Task Force Coordinator The Villages of Montgomery Run 8561-K Falls Run Road Ellicott City MD 21043

Dear Ms. Abramson:

Thank you for your recent letter concerning the proposed MD 100 project.

I believe there may be some misunderstanding as to the location of Option D Modified and the Final Environmental Impact Statement (FEIS) alignment. The alignment of Option D Modified is further away than the FEIS alignment from your community. except in the area of the tributary to Deep Run. In that area, Option D Modified is approximately 26 feet closer to 8613 Falls Run Road than the FEIS alignment. This minor movement of the alignment will not result in any measurable increase in noise levels at the building. As indicated at our previous meeting, we are evaluating noise mitigation in areas where the noise levels of any option exceed the noise levels associated with the FEIS alignment.

If you and members of the community would like to meet to further discuss your concerns, please feel free to contact Karl Teitt, the project manager, at (410) 333-1881 or toll free at 1-800-548-5026.

Thank you again for your interest in the MD 100 project.

Sincerely,

Qualith R. Hower, Deputy for Administrator

Mr. Karl R. Teitt

My telephone number is __

Maryland Relay Service for Impaired Hearing or Speech 1-800-735-2258 Statewide Toll Free 707 North Calvert Street, Baltimore, Maryland 21202



EXHIBIT D-39

FREISHTAT & SANDLER

ATTORNEYS AT LAW

(410) 727 7740

701 50 3 75 ..

TELECOPIER — 410 727-7356

IOHN CARROLL BRODERICK LLOYD I SNOW LYNN WEINBERG STACIE F. DUBNOW T ALLEN MOTT CRECC FREISHTAT

DAVID FREISHTAT PAUL MARK SANDLER RAYMOND F. ALTMAN RAYMOND DANIEL BURKE W. MICHAEL MULLEN

July 14, 1993

Mr. Hal Kassoff, Administrator State Highway Administration 707 North Calvert Street Room 400 Baltimore, Maryland 21203

Re: Proposed Southern Shift in Alignment of Route 100

Dear Mr. Kassoff:

. . .

We are in receipt of your May 20, 1993 letter to this office regarding the most recent modifications to the proposed alignment of Route 100. In that letter, you advised that the latest modification to Option D (the proposed southern alignment) moved Route 100 farther from the Villages of Montgomery Run than the alignment contractually promised to the Developers of this community in 1985 and 1987. Such an alignment of Route 100 would satisfy the Developers and obviate the need to file suit against the SHA.

However, contrary to the representations in your May 20th letter, we have recently been advised that SHA's latest proposed modifications to Option D move Route 100 thirty (30) feet closer to a portion of the Villages of Montgomery Run than did either of the formerly promised alignments of this highway. Although the Developers appreciate the fact that this proposed alignment would benefit much of the community, the Developers cannot countenance any alignment of Route 100 which impacts any segment of this community more adversely than the alignment to which the SHA formerly contractually agreed, and which the Developers expressly represented to all prospective purchasers of these homes (as required by their contract with the SHA).

201 EAST BALTIMORE STREET, SUITE 1500, BALTIMORE, MARYLAND 21202

D-39-1



RESPONSE TO EXHIBIT D-39 Maryland Department of Transportation State Highway Administration

O James Lighthizer Secretary Hal Kassoff Administrator

August 31, 1993

Stacie F. Dubnow, Esquire Freishtat and Sandler Attorneys at Law Suite 1500 201 East Baltimore Street Baltimore MD 21202

Dear Ms. Dubnow:

Thank you for your recent letter concerning the proposed MD 100 project. Based on careful consideration of all factors, the State Highway Administration (SHA) has decided to select Option D in the vicinity of the Villages of Montgomery Run.

You are correct in that the Option D Modified is closer to 8613 Falls Run Road than the Final Environmental Impact Statement (FEIS) alignment. However, the alignment of Option D Modified is further away than the FEIS alignment from The Villages of Montgomery Run except in the area of the tributary to Deep Run. In that area, Option D Modified is approximately 26 to 30 feet closer to 8613 Falls Run Road than the FEIS alignment. We evaluated the possibility of moving the alignment further north in this area and concluded that to do so would result in substantially more damage to the main channel and wetlands of Deep Run. We anticipate that we will be able to keep the roadway within the area dedicated for MD 100, although easements for slopes may be necessary. We are prepared to provide noise mitigation for the residences in 8611 and 8613 Falls Run Road either through some combination of a noise wall or wall/berm combination or voluntary purchase from owners. The details of this approach still have to be worked out. We hope to do that at a meeting with the

Thank you again for your interest in the MD 100 project. If you have any additional questions or comments, please feel free to contact Mr. Neil Pedersen, Director of our Office of Planning and Preliminary Engineering. Neil can be reached at (410) 333-1110.

Sincerely,

Hal Kassoff Administrator

cc: Mr. Neil J. Pedersen

My telephone number is ______

Maryland Relay Service for Impaired Hearing or Speech t-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717 Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

FREISHTAT & SANDLER

Mr. Hal Kassoff, Administrator July 14, 1993 Page 2

We would appreciate the SHA's continuing to keep the undersigned apprised of all developments and look forward to a revised modification to Option D which will eliminate the encroachment to the community.

Very truly yours,

Stane F. Dubnow

Stacie F. Dubnow

SFD/smr

EXHIBIT D-40

10101 Colonial Dr. Ellicott City, MD 21042

Hal Kassoff State Highway Administrator Maryland Highway Administration 707 W. Calvert St. Ealtimore, MD 21202

Dear Sir,

I'm writing to inform you of my opinion of the Route 100 project. I'm also writing to complete a requirement for the "Citizenship In The Community" merit badge for Boy Scouts. The requirement is I have to find a community issue and write to an official. I read about the Route 100 project in the July 29th, issue of The Howard County Times.

I think The Northern Route, as drawn in The Howard County Times, would be more environmentally safe. I believe this because the "Modified Lazy S" route goes over the Deep Run river three times. The process of building the road will probably pollute the river with increased soil and building materials. Also rivers under roads generally accumulate people's trash. The Northern route is not much better because it goes through a marsh area but it only goes over the river once.

If the State Highway Administration has addressed these concerns in their reports, I would appreciate a copy. Thank you for taking the time to help me with this merit badge.

Sincerely,

RESPONSE TO EXHIBIT Maryland Department of Transportation State Highway Administration

FAC SI !! CA !!!!

O. James Lighthizer Secretary Hal Kassoff Administrator

August 25, 1993

Mr. Alfred W. Chaffee 10101 Colonial Drive Ellicott City MD 21042

Dear Mr. Chaffee:

Thank you for your recent letter concerning the proposed MD 100 project located in Howard County.

It pleases me to see young adults, like yourself, take an active part in community interest and scouting. As a matter of fact, Karl Teitt, the project manager, was a Boy Scout and he also received his "Citizenship In the Community" merit badge.

You have brought up some important and valid comments about the process of building roads and how we can and should protect the environment as best we can during and after construction. The main stem of Deep Run is very important in maintaining the integrity of the Deep Run ecosystem. The wetlands and floodplains associated with the stream control, purify the water as it infiltrates to ground water of the Chesapeake Bay. The tributaries to Deep Run act the same as the main channel but to a lesser extent. We will be very sensitive to these issues in making our decision regarding the alignment for MD 100.

Enclosed you will find a copy of the Supplemental Draft Environmental Impact Statement as presented in December 1992. We are in the process of starting the development of the Supplemental Final Environmental Impact Statement.

Thank you again for your interest in the MD 100 planning study. If you have any additional questions or comments, please feel free to contact Karl Teitt, the project manager. Karl can be reached at (410) 333-1881 or toll free at 1-800-548-5026.

Hal Kassoff Administrator

Enclosure

Mr. Karl Teitt

D-40-1

Maryland Relay Service for Impaired Hearing or Speech 1-800-735-2258 Statewide Toll Free 707 North Calvert Street, Caltimore, Maryland 21202

My telephone number is _

EXHIBAT D-41

Robert Gardner, President Hunt Country Estates Community Association, Inc. 5558 Hunting Horn Drive Ellicott City, Md. 21043

September 1, 1993

To: Mr. Hal Kassoff, Administrator Maryland State Highway Administration 707 North Calvert Street Baltimore, MD 21202

Re: Rte. 100 between Rte. 104 and I-95

Dear Sir,

It has come to my attention that a few unresolved questions need to be addressed in order to assure my community the modified "Lazy S" determination recently reached by yourself and other officials. The following questions are:

- 1) How does the SHA intend to comply with FHWA's requirement that Federal aid projects must be consistent with a local jurisdiction's General Plan or that if a selected alternative is inconsistent with a jurisdiction's land use plan, that this conflict is addressed in the EIS?
- 2) Since state agencies are mandated (Section 5-7A-02, Maryland Annotated Code) not to fund infrastructure projects unless they are consistent with a jurisdiction's General Plan, what assurances can you give this community that the selection of the modified Lazy S alignment is consistent with Howard County's General Plan and thus will not violate this code section?
- 3) .Do you plan to ask the Howard County Council to modify the General Plan to show the modified Lazy S? If so, when? If not, why not?
- 4) As part of the NEPA process [Section 1500.1 (a) & (b)], on June 10, 1993 in Hanover, Maryland, what valid reason supported SHA's decision to turn away the public from the information process?
- 5) And again, as part of the NEPA process, when the Hanover meeting failed to provide an opportunity for the citizenry to comment before elected officials, why was the public allowed to attend, but not verbally participate in the public process, prior to a concensus vote (July 22, 1993) on the two alternatives?
- 6) Why was the county allowed to present a fiscal analysis on the MXD sites, and the public not allowed to comment?



Maryland Department of Transportation State Highway Administration

O James Lighthizer Secretary Hal Kassoff Administrator

RESPONSE TO EXHIBIT D-41

October 20, 1993

Mr. Robert Gardner
President
Hunt Country Estates Community Association, Inc.
5558 Hunting Horn Drive
Ellicott City MD 21043

Dear Mr. Gardner:

Thank you for your recent letter concerning the proposed MD 100 project and the submittal of your 15 questions.

The Governor signed into law the Maryland Economic, Growth, Resource Protection and Planning Act of 1992. The basis of this act is to ensure that all federally and state funded projects be consistent with either state or local planned development areas or growth areas. To comply with this policy, we must provide documentation, via a Project Consistency Report and Project Review Checklist, to the Maryland Office of Planning supporting the consistency or inconsistency determination on each project. The Maryland Office of Planning then reviews this information before concurrence is received.

Through the development of the Project Consistency Report and Project Review Checklist, the State Highway Administration (SHA) has determined that the proposed MD 100 project is consistent with the Howard County Master Plan. This information has been submitted to the Maryland Office of Planning for their review. We anticipate receiving a response in the next few weeks. We fully expect a consistency determination from the Office of Planning.

SHA does not plan to ask Howard County to modify the General Plan. The Master Plan alignment of a proposed roadway does not lock us into an exact alignment but indicates a general location. As long as we can demonstrate that the selected alternative meets the objectives of the General Plan and is consistent with the planned growth areas of the county and state, a modification of the General Plan is not necessary.

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech 1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baitimore, MD 21203-0717 Street Address: 707 North Calvert Street • Baitimore, Maryland 21202

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- 7) Does the Howard County fiscal analysis become part of the FEIS?
- 8) Why did the state and the county provide incorrect information concerning the "landlock" status of the Curtis farm when both Howard County and the SHA have access to the record plats showing that the Curtis' have access to the so-called "landlocked" parcel from Fetlock Court?
- 9) What redress does a citizen have when incorrect factual statements are given upon which a decision will ultimately be made and no opportunities are provided for the citizenry to challenge these statements?
- 10) On June 10, 1993 at the meeting of SHA, federal agency staff and elected officials, you committed to holding a <u>public</u> meeting at which questions could be addressed to SHA and Howard County staff. When do you intend to hold this meeting? Issues, such as the Howard County planning analysis on MXD sites in this area was mentioned during the June 16, 1993 meeting with our community but no details could be provided on the financial feasibility of Rte. 100 and MXD zoning of the Curtis and Md. Horse farms.
- 11) If the Howard County Council changes the zoning on the Curtis Farm and Maryland Husbandry Horse Farm to "MXD", how will that change the estimated right-of-way costs for the various alignments?
- 12) Has SHA asked the Council not to change the zoning in the area of the proposed Lazy S right-of-way? If not, why not?
- 13) What land use numbers for jobs and houses were assumed in the traffic forecast for design year 2010/2015 for the Md. Horse Farm, the Greer-Miller Farm and the Curtis Farm?
- 14) To what degree do these land use numbers reflect full build-out of the Md. Horse Farm and the Curtis property according to the Howard County 1990 General Plan's existing zoning and approved site development plan?
- 15) To what degree do the land use numbers for the Greer-Miller property reflect full build-out under existing .zoning and approved site development plan?

As you can see, we have a lot of unanswered questions at this time with more to come I'm sure. Perhaps the best way to handle this would be to follow up the answers to these questions with a public meeting in the very near future. I just read in today's issue of The Sun newspaper that you've made your decision to use the "Lazy S" design; therefore, a meeting this month would be most appropriate. Please provide some dates along with your response to the above questions so that we may arrange a meeting within the next few weeks. Thank you for your time and consideration in this regard.

Sincerely,

tolent J Warden

D-41-2

Mr. Robert Gardner October 20, 1993 Page Two

The purpose of the meeting held on June 10 at the SHA's Office of Traffic was to share information. The meeting, which I scheduled, was to receive input from the elected officials and environmental resource agencies regarding the MD 100 project and to provide them with an update on the planning process. All information provided at that meeting has been made available to interested members of the public.

The meetings held June 28 and July 22 were scheduled and run by Howard County. We cannot answer your questions as to why the county decided not to have public participation at those meetings. I would suggest you contact the county to ask them to explain their decision.

Howard County verbally advised SHA on the content of a draft fiscal analysis of the proposed MXD zoning on the two proposed alternatives. This draft analysis was used to inform the elected officials of the potential gains or losses to the county tax base each alternative would cause. There were a number of assumptions used in this report that may or may not become a reality. This analysis was never submitted to SHA for our review or comment. I would suggest you contact the county if you have any questions about the report or wish the county submit the report for inclusion in the MD 100 project record.

Because the fiscal analysis was prepared only in draft form and not submitted to SHA for inclusion in the project record, the analysis will not become part of the Supplemental Final Environmental Impact Statement unless it is submitted by the county.

According to the tax maps and record plats available for our use, the purpose of the easements or rights-of-way off of Fetlock Court is to provide access to the open space area on the southwest corner of the development. This open space area is used for utility and storm-water management. A narrow strip on the east side of the Hunt Country Estates subdivision is for accessing the Curtis property. This right-of-way is not wide enough to support a public access according to county standards and the property would not be able to be developed, thereby effectively "landlocking" it from an impact standpoint.

We believe that the information provided concerning the development is correct. When we have made mistakes in the past, we admitted the mistake and corrected our statements. Decisions reached on a project do not hinge on a single factor but on a combination of several factors. Such is the case for the selection of the Alternative 3-Option D Modified alignment.

Mr. Robert Gardner October 20, 1993 Page Three

At the June t0 meeting at the SHA Office of Traffic and Safety, I committed to offering meetings with interested community groups in order to provide the same information and opportunity to ask questions as provided at the June 10 meeting. Through the coordination of my staff with you, a meeting was held June 16 at 7:30 p.m. at the Howard County Office Building. Representatives of both the state and the county were present and did discuss the information presented on June 10 to the elected officials.

If Howard County changes the zoning on the Curtis Farm and the University of Maryland Farm, the right-of-way cost may increase. The potential increase will not be realized until actual right-of-way acquisition begins. However, if there is an increase, the cost will be proportionate for each alternative.

SHA has not asked the County Council to keep the existing zoning of these parcels. It is not a function of SHA to ask the county to change zoning. This is strictly a county responsibility. The right-of-way costs are based on highest and best use value of the land. This does not always follow estimated values per zoning classification.

The land use forecasts for the MD t00 study were the Round III-A Socioeconomic Forecast adopted by the Regional Planning Council in February t988. This data was supplied to the Regional Planning Council by Howard County (see attached tables). The most recent forecasts from the Regional Planning Council are Round IV, adopted July t992 (see attached tables). The traffic forecasts on all the roads in the MD t00 study area were very close to the volumes from Round III-A. The zones in question are Transportation Zones 6t5 and 6t7 (see attached map).

All forecasts developed for MD 100 were based on approved land use provided to Baltimore Metropolitan Council (BMC) by Howard County. Howard County, through the development of their General Plan, identifies the percentage of population, housing and labor force to be included in each zone by certain time frames until full build-out of the particular zone is accomplished. Sometimes the build-out year of a particular zone is later than our projected design year.

D-41-3

Mr. Robert Gardner October 20, 1993 Page Four

Thank you again for your continued interest in the MD t00 project planning process. If you have any additional questions or concerns, please feel free to contact our project manager, Mr. Karl Teitt. Karl can be reached at (410) 333-t881 or toll free at 1-800-548-5026. With regard to a meeting, I would appreciate it if you would contact Neil Pedersen at (410) 333-11t0.

Sincerely

Hal Kassoff Administrator

Attachments

cc: Mr. Neil J. Pedersen

Mr. Karl Teitt



O. James Lighthizer Secretary Hal Kassoff Administrator



O James Lighthizer Secretary Hal Kassoff Administrator

September 9, 1993

Owner 8611-A Falls Run Road Ellicott City MD 21043

Dear Owner:

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Very truly yours,

Ail Q. Feduson, Neil J. Pedersen, Director

Office of Planning and Preliminary Engineering

Attachment

cc: Mr. Hal Kassoff

My telephone number is ______

Maryland Relay Service for Impaired Hearing or Speech 1-800-735-2258 Statewide Toll Free

Melling Address: P.O. Box 717 • Beltimore, MD 21203-0717 Street Addrese: 707 North Calvert Street • Beltimore, Maryland 21202 September 9, 1993

Owner 8611-B Falls Run Road Ellicott City MD 21043

Dear Owner:

The State Highway Administration (SHA) has recently reached a decision on the alignment for MD 100, between I-95 and MD 104. A copy of SHA's decision paper is attached which discusses the issues analyzed in selecting the Modified Option D alignment.

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Very truly yours,

Airl q. Pedury

Neil J. Pedersen, Director Office of Planning and Preliminary Engineering

Attachment

: Mr. Hal Kassoff

Mr. Karl Teitt

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1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717 Street Addrese: 707 North Calvert Street • Beltimore, Maryland 21202

D.-42-2

611



O James Lighthizer Secretary Hal Kassoff Administrator



O James Lighthizer Secretary Hal Kassoff Administrator

September 9, 1993

Owner 8611-C Falls Run Road Ellicott City MD 21043

Dear Owner:

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Neil J. Pedersen, Director Office of Planning and Preliminary Engineering

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Owner 8611-D Falls Run Road Ellicott City MD 21043

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Neil J. Pedersen, Director Office of Planning and Preliminary Engineering

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c: Mr. Hal Kassoff

Mr. Karl Teitt

1-800-735-2258 Stalewide Toll Free

Mailing Address: P.O. Gox 717 • Baltimore, MD 21203-0717

Straet Address: 707 North Calvert Street • Baltimora, Maryland 21202

0-42-4





O. James Lighthizer Secretary Hal Kassoff Administrator

September 9, 1993

Owner 8611-E Falls Run Road Ellicott City MD 21043

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Neil J. Pedersen, Director Office of Planning and Preliminary Engineering

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Mr. Karl Teitt .

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Mailing Address: P.O. Box 717 • Baitimore, MD 21203-0717 Street Address: 707 North Calvert Street • Baitimore, Maryland 21202

D-42-5

September 9, 1993

Owner 8611-F Falls Run Road Ellicott City MD 21043

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D-42-6





O. James Lighthizer Secretary Hat Kassoff Administrator

September 9, 1993

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Neil J. Pedersen, Director Office of Planning and Preliminary Engineering

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CC:

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D-42-7

September 9, 1993

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Ail J. Pederson

Neil J. Pedersen, Director Office of Planning and Preliminary Engineering

Attachment

cc: Mr. Hal Kassoff

Mr. Karl Teitt

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717 Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

D-47-9

DI D





O James Lighthizer Secretary Hal Kassoff Administrator

September 9, 1993

Owner 8611-I Falls Run Road Ellicott City MD 21043

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Air J. Peduson p

Neil J. Pedersen, Director Office of Planning and Preliminary Engineering

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cc: Mr.

Mr. Hal Kassoff Mr. Karl Teitt

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D-42-9

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Meiling Address: P.O. Box 717 • Baltimore, MD 21203-0717 Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

D-42-10





O. James Lighthizer Secretary Hal Kassoff Administrator

September 9, 1993

Owner 8611-K Falls Run Road Ellicott City MD 21043

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Neil J. Pedersen, Director Office of Planning and Preliminary Engineering

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Msiling Addrsss: P.O. Box 717 • Bsitimore, MD 21203-0717 Street Addrsss: 707 North Calvert Street • Bsitimore, Msryland 21202 September 9, 1993

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D-42-12





O. James Lighthizer Secretary Hal Kassoff Administrator

September 9, 1993

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D-42-13

September 9, 1993

Owner 8613-B Falls Run Road Ellicott City MD 21043

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Neil J. Pedersen, Director Office of Planning and Preliminary Engineering

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Mr. Karl Teitt

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717 Streat Address: 707 North Calvert Street • Baltimora, Maryland 21202

D-47-14





O. James Lighthizer Secretary Hal Kassoff Administrator

September 9, 1993

Owner 8613-C Falls Run Road Ellicott City MD 21043

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Very truly yours,

Neil J. Pedersen, Director

Office of Planning and Preliminary Engineering

Attachment

cc: Mr. Hal Kassoff

Mr. Karl Teitt

My telephone number is _

Teletypewriter for Impaired Hearing or Speech 383-7555 Beltimore Metro - 565-0451 D.C. Metro - 1-800-492-5062 Stetewide Toll Free 707 North Celvert St., Beltimore, Meryland 21203-0717

D-42-15

September 9, 1993

Owner 8613-D Falls Run Road Ellicott City MD 21043

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Mr. Karl Teitt

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383-7555 Beltimore Metro - 565-0451 D.C. Metro - 1-800-492-5062 Statewide Toll Free
707 North Calvert St., Beltimore, Maryland 21203-0717



O James Lighthizer Secretary Hal Kassoff



O. James Lighthizer Secretary Hal Kassoff Administrator

September 9, 1993

Owner 8613-E Falls Run Road Ellicott City MD 21043

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Neil J. Pedersen, Director Office of Planning and Preliminary Engineering

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Mr. Hal Kassoff

Mr. Karl Teitt

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383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5062 Statewide Toll Free
707 North Calvert St., Baltimore, Maryland 21203-0717

D-42-17

September 9, 1993

Owner 8613-F Falls Run Road Ellicott City MD 21043

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Neil J. Pedersen, Director Office of Planning and Preliminary Engineering

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Mr. Karl Teitt

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D-42-18





O. James Lighthizer Secretary Hal Kassoff Administrator

September 9, 1993

Owner 8613-G Falls Run Road Ellicott City MD 21043

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383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5062 Statewide Toll Free
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September 9, 1993

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Neil J. Pedersen, Director Office of Planning and Preliminary Engineering

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. J





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September 9, 1993

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Neil J. Pedersen, Director Office of Planning and Preliminary Engineering

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Mr. Hal Kassoff Mr. Karl Teitt

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D-42-21

September 9, 1993

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Neil J. Pedersen, Director Office of Planning and Preliminary Engineering

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Mr. Hal Kassoff

Mr. Karl Teitt

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D-42-22





O. James Lighthizer Secretary Hal Kassoff Administrator

September 9, 1993

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D-42-23

September 9, 1993

Owner 8613-L Falls Run Road Ellicott City MD 21043

Dear Owner:

The State Highway Administration (SHA) has recently reached a decision on the alignment for MD 100, between I-95 and MD 104. A copy of SHA's decision paper is attached which discusses the issues analyzed in selecting the Modified Option D alignment.

A meeting has been scheduled for residents of 8611 and 8613 Falls Run Road to review the selected alignment with the State Highway Administrator, Mr. Hal Kassoff, and members of his staff. The meeting is to be held on Monday, September 13th at 7:30 p.m. in the Villages of Montgomery Run Pool House.

I look forward to our meeting and hope we can have an open exchange regarding issues associated with noise mitigation options. Meanwhile, if you have any questions, please feel free to call me at (410) 333-1110.

Very truly yours.

Ail J. Federson

Neil J. Pedersen, Director Office of Planning and Preliminary Engineering

Attachment

Mr. Hal Kassoff

Mr. Karl Teitt

My telephone number is

Teletypewriter for Impaired Hearing or Speech 383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5062 Statewide Toll Free 707 North Calvert St., Baltimore, Maryland 21203-0717 LES



September 9, 1993

Ms. Terri Hobbs 8555-E Falls Run Road Ellicott City MD 21043

Dear Ms. Hobbs:

The State Highway Administration (SHA) has recently reached a decision on the alignment for MD 100, between I-95 and MD 104. A copy of SHA's decision paper is attached which discusses the issues analyzed in selecting the Modified Option D alignment.

A meeting has been scheduled for residents of 8611 and 8613 Falls Run Road to review the selected alignment with the State Highway Administrator, Mr. Hal Kassoff, and members of his staff. The meeting is to be held on Monday, September 13th at 7:30 p.m. in the Villages of Montgomery Run Pool House.

I look forward to our meeting and hope we can have an open exchange regarding issues associated with noise mitigation options. Meanwhile, if you have any questions, please feel free to call me at (410) 333-1110.

Very truly yours,

Ail 9. Pederson

Neil J. Pedersen, Director Office of Planning and Preliminary Engineering

Attachment

cc: Mr. Hal Kassoff

Mr. Karl Teitt

My telephone number is ___

Teletypewriter for impaired Hearing or Speech
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5062 Statewide Toll Free
707 North Calvert St., Baltimore, Maryland 21203-0717

D-42-25

EXHIBIT D-43

September 10, 1993

Mr. Mal Kassoff, Administrator State Highway Administration 707 North Calvert Street, Room 400 Baltimore, Maryland 21203

Oear Mr. Kassoff:

Wa were quita disturbed to have learned about your declsion regarding the Maryland 100 alignment via the newspapers. We had expected that after dealing with the State Mighway Administration (SHA) for over 30 years on this project, you or your staff would have at least notified us by telephone in advance of a public announcement. After all we have gone through over this for almost one-third of our lives; it adds insult to injury to read about it in the newspaper.

Although we are clearly the landowners with the largest adverse economic impact, we have been extended a small amount of consideration. Wa need to discuss adjustments to the right-of-way location on our land, and expect SHA's cooperation.

We have yet to be contacted by anyone regarding one of the two conditions set out by Howard County Council: that damages to the Curtis farm will ba fairly mitigated.

Basically, our comments and our input throughout this antire process has been given minor consideration. We submitted nine pages of comments on the draft ElS and then heard nothing. Why weren't our comments acknowledged? Where is the final Record of Decision? Why wera we not sent your nlne-page decision that the newspapers have access to?

Mr. Kassoff, we are tired of being treated as if we do not exist, and our comments and needs are not important. We expect to hear from you to schedula a meeting to discuss how SHA intends to deal with us on these issues.

Sincerely.

Robert L. Curtis, Jr.

191 Miller Mollow Road Lake City, Tennessee 37769 (615) 632-1552

R. Lee Curtis, Jr. 5771 Waterloo Road Ellicott Clty, Maryland 21043 (410) 465-6023

D-43-1



RESPONSE TO EXHIBIT D-43 Maryland Department of Transportation State Highway Administration

O James Lighthizer Secretary Hal Kassoff Administrator

September 23, 1993

Mr. Robert L. Curtis. Jr. 191 Miller Hollow Road Lake City TN 37769

Dear Mr. Curtis:

Thank you for your recent letter concerning the proposed MD 100 project. I regret that you found out about the decision the way you did, but unfortunately a draft version of our decision paper was leaked to the press by someone outside of the State Highway Administration (SHA). I am enclosing a copy of our decision paper, which I hope will help explain the basis for our decision.

I can assure you that all concerns and comments were given consideration in our decision making process. It was not an easy decision, and it was made only after extensive consultation with the environmental permitting agencies and elected officials.

We have made a commitment to fairly compensate for any damages MD 100 will cause to your family's farm, and I personally stand by that commitment. We have engineered the alignment to minimize the potential impact as much as we could, while still being able to obtain the necessary permits to construct the road.

We received your comments on the Supplemental Draft Environmental Impact Statement on December 30, 1992. We held the deadline on submitting responses for inclusion in the Public Hearing Transcript open 14 extra days so your comments could be included. We responded back to you on February 11, 1993. In our response, we explained that your comments would be addressed in detail in the Supplemental Final Environmental Impact Statement (SFEIS). This document will be started within the next several weeks. The Record of Decision will not be issued by the Federal Highway Administration until after completion of the SFEIS. The public notice provided to the media was mailed to you and your family, and everyone on the mailing list within a few days after the decision was announced. We will be available to meet with you and your family, at your convenience.

My telephone number is .

Maryland Relay Service for Impaired Hearing or Speech 1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 - Baltimore, MO 21203-0717 Street Address: 707 North Calvert Street . Baltimore, Maryland 21202



Mr. Robert L. Curtis, Jr. September 23, 1993 Page Two

Thank you again for your interest in the MD 100 process. If you have any additional questions or concerns, please feel free to contact Mr. Karl Teitt, our project manager, at (410) 333-1881 or toll free at 1-800-548-5026.

Sincerely,

Elizabeth L. Horsen, Deputy

Sor Hall Kassoff
Administrator

Enclosure

cc: Mr. Karl R. Teitt

D-43-2

SELEGTION OF ALTERNATIVES FOR MD 100 BETWEEN MD 104

AND I-95 IN HOWARD COUNTY

This paper documents the background and considerations which went into selection of the Modified Option D alignment for MD 100 between MD 104 and I-95 in Howard County.

BACKGROUND

In July 1989, the Final Environmental Impact Statement (FEIS) was approved by the Federal Highway Administration (FHWA) for MD 100. The alignment that was approved was based on an alignment jointly developed by Howard County and the Maryland State Highway Administration (SHA) which had been placed on the Howard County Master Plan in 1985 and which was subsequently modified slightly to avoid impacts to the community of Hunt Country Estates.

As SHA proceeded with final engineering for MD 100, during wetland pre-permit coordination meetings with federal and state environmental agencies, concern was expressed about impacts that the MD 100 construction would have on the main channel of Deep Run and associated wetland systems, with particular concern focussed on the area in the vicinity of the communities of Hunt Country Estates and the Villages of Montgomery Run. Federal agencies indicated that the original FEIS alignment would not obtain approval for a wetland permit. In response to these comments, options were developed which would shift the alignment to the north (Option C) and to the south (Option D) of the original FEIS alignment in the vicinity of the two communities. These options, together with the original FEIS alignment, were presented in a Supplemental Environmental Impact Statement and were the subject of a public hearing in December 1992.

Subsequent to the public hearing, refinement studies were performed which analyzed a series of possible measures to minimize impacts associated with each of the options.

REGULATORY REQUIREMENTS

In order to construct MD 100, it will be necessary to obtain permits for filling wetlands. Permits will be required from the U.S. Army Corps of Engineers and the Maryland Department of Natural Resources and Environment. The agencies issuing the permits receive input from the U.S. Environmental Protection Agency (which can veto a Corps permit), the U.S. Fish and Wildlife Service, the National Marine Fisheries Service and the Maryland Department of the Environment prior to approving a permit.

Requirements for wetland permits are found in regulations issued pursuant to Sections 401 and 404 of the Clean Water Act. These regulations require that wetland impacts be avoided where "practicable" and where impacts are unavoidable that all reasonable efforts are made to minimize and mitigate the impact.

COMPARISON OF ALTERNATIVES

Deep Run is a targetted watershed as part of the State of Maryland's Chesapeake Bay Initiatives. Measures are being taken to restore the watershed as an anadromous fish spawning ground. The area in the vicinity of Hunt Country Estates and the Villages of Montgomery Run is particularly sensitive because it is near the headwaters and, therefore, is expected to be a major spawning area. Thus, the area of Deep Run is particularly important.

The FEIS alignment would require the physical relocation of 1,800 feet of the main channel of Deep Run. After studying options which would result in less environmental impact, SHA's consultants and the environmental agencies have concluded that the original FEIS alignment is not permittable and the choice of alignment must be made between Option C and Option D. Therefore, SHA decided in January 1993 to no longer pursue the original FEIS alignment.

Following the December 1992 public hearing, the alignment of the southern alternative (Option D) was modified in the vicinity of the Villages of Montgomery Run to keep it north of the earth berm built to separate the Villages of Montgomery Run from MD 100 and to keep it at least as far from the buildings in the Villages of Montgomery Run west of the high tension power lines as the FEIS alignment. This change was made without increasing environmental impacts on Deep Run. Only in the area east of the high tension wire lines is the alignment of Modified Option D closer to a building in the Villages of Montgomery Run than the FEIS alignment. At the building at 8613 Falls Run Road, the edge of the nearest eastbound travel lane is 190 feet away from the closest point on the building as opposed to 216 feet for the FEIS alignment. In the vicinity of the building at 8613 Falls Run Road, it is not possible to shift the Modified Option D alignment further away from the building without significant encroachment on the main channel and wetlands of Deep Run. Other modifications were also made to Option D in the vicinity of the proposed Snowden River Parkway interchange so as to lessen the impacts of the interchange on Deep Run and its wetlands system.

As presented at the public hearing, Option C (the northern shift) resulted in more environmental impact than Option D. It would require two mainline crossings of the main channel of Deep Run (one for the mainline of MD 100 on a sharp skew angle and the other the mainline of Snowden River Parkway), more wetland filled (9.3 acres vs. 7.3 acres), and more linear feet of main channel relocation (3,050 feet vs. 3,025 feet). Therefore, SHA investigated what measures would be required to make Option C comparable from an environmental impact stanopoint to Modified Option D. This would be necessary for Option C to be permittable under Section 404 requirements. SHA and its environmental consultants concluded that to make the options comparable from an environmental impact standpoint, it would be necessary to completely span the wetland crossings where both the mainline of MD 100 and the mainline of Snowden River Parkway cross the main channel of Deep Run. To do so would require an expenditure of several million dollars in excess of the cost to



construct Option D and would result in the displacement of a minimum of two residences in Hunt Country Estates and the movement of the alignment much closer to the remaining residences, particularly those along Fetlock Court.

Representatives of the Army Corps of Engineers, the Environmental Protection Agency and the Maryland Department of Natural Resources all acknowledged that with bridging of the wetlands, Option C could be brought close enough to Option D from an environmental impact standpoint and if cost were not a factor and if there were other factors favoring Option C that it could be considered for possible selection. However, they all indicated that they would still favor Modified Option D unless there were truly compelling factors favoring Option C. The representative of the U.S. Fish and Wildlife Service indicated that his agency favored Modified Option D, regardless of other possible factors due to wildlife habitat considerations.

Howard County expressed concern about the impact that Modified Option D could have on the ability to develop a mixed use center in the area east of the Villages of Montgomery Run, north of MD 108, west of Old Montgomery Road and south of Deep Run since Modified Option D would reduce the area which could be developed and would limit access from Snowden River Parkway. Additional concerns were raised regarding impacts to the historic Curtis Farm. Community concerns focussed on how close either Option C or Modified Option D would come to residences in Hunt Country Estates or the Villages of Montgomery Run, respectively, particularly relative to the alignment contained in the FEIS, and the effect shifts in the alignment would have on noise impacts.

After reviewing information regarding each of the options at a meeting on July 22, 1993, most Howard County elected officials developed a consensus position favoring Modified Option D conditioned on providing noise mitigation for the residences at 8613 Falls Run Road and fairly compensating the Curtises for impacts to their farm and property.

DECISION

Based on a balancing of impacts and cost considerations, as well as requirements of federal and state laws and regulations, SHA has selected the Modified Option D alignment for MD 100 between MD 104 and I-95. This alignment minimizes environmental impact to the Deep Run main channel and wetland systems. It is at least as far away from residences in the Villages of Montgomery Run as the FEIS alignment except in the easternmost portion of the development in the vicinity of 8613 Falls Run Road. Option C would have resulted in higher costs due to the requirement to bridge the wetland of Deep Run at both the MD 100 mainline and Snowden River Parkway crossings of the main stream channel. It also would have required the displacement of a minimum of two houses in Hunt Country Estates, as well as moved the alignment very close to a number of remaining homes.

Due to the movement of the alignment of MD 100 closer to the residences at 8611 and 8613 Falls Run Road in the Villages of Montgomery Run than shown in the previously approved FEIS, SHA commits to providing noise mitigation for the residences in this building. Preliminary design information shows that mitigation could be provided to the first two floors via a noise wall or earth berm/wall combination. SHA normally requires 75 percent of affected residents to agree on a noise barrier before committing to construction. Residences on the third floor in the building at 8613 or 8611 Falls Run Road cannot be effectively protected with a wall or berm. The owners of those units that are impacted by noise will have the option of selling their residence to SHA at fair market value as if the roadway were not to be constructed adjacent to the property. These units will be sold at auction to the highest bidder. In addition, the option of purchase in lieu of construction of a barrier or barrier/berm will be discussed with the owners of the units on the first and second floors. Relocation costs would be borne by the owner of each unit. This offer is being made because these residents bought their homes based on public knowledge of a previously approved (FEIS) alignment for MD 100 in the vicinity of their residences and the alignment has now been moved closer to their homes. Elsewhere in the Villages of Montgomery Run and Ashton Woods, the alignment of MD 100 is no closer than it was under the FEIS alignment. Because these residences were built and sold with the understanding that MD 100 would be built adjacent to them, and noise mitigation was the responsibility of the developers, additional noise mitigation beyond that provided by the developers will not be constructed by the State. Noise mitigation for the communities along the project will be determined in accordance with adopted SHA noise policy.

The owners of the Curtis property will be offered full fair market value for the property required for MD 100, including any damages to the remainder of the property as established through an independent fair market appraisal.

SHA will proceed to complete a Supplemental Final Environmental Impact Statement and apply for a Section 404 wetland permit for Modified Option D. SHA will also proceed with final engineering for this alignment in order to meet the scheduled construction start in fiscal year 1997.

The State Highway Administration appreciates the time and effort by so many people in the community, and by the professional staff who contributed to this process.

BOARD OF DIRECTORS MONTGOMERY RUN SECTION IT

8555-E Falls Run Road Ellicott City, MD 21043 5 October 1993

Mr. Neil J. Pedersen, Director Office of Planning and Preliminary Engineering 707 North Calvert St. Baltimore, MD 21203-0717

Dear Mr. Pedersen,

.

The Board of Directors of Montgomery Run Section II is requesting the following RTE 100 information.

- 1) A copy of the RTE 100 noise map near our community. Also, we would like to see data about how the map was generated. Was the map generated with sound barriers installed?
- Clarification about the earth berm near building 8613? During our 13 September meeting you informed me that the earth berm was not possible because of the land contour. Please provide more detail about why the contour cannot be modified.
- Creation of an earth berm under the power lines? During the 16 August meeting at the State Highway Administration, there was a discussion about the use of waste earth below the power lines. Is this still a possibility?
- 8613 and 8611 Falls Run Road proposed buyout status? As the association representatives of community-owned common areas of the two buildings, we would like to be informed of the proposed buyout status.
- How far building 8613's edge is to the southern edge of the eastern travel lane?

Please send this information to the Board of Directors at the above address.

Sincerely,

Elizabeth T. Hobbs President

Jean Lamana Vice President Treasurer

D-44-1

Keith W. Fitch



Secretary Hal Kassoff Administrator

November 4, 1993

Board of Directors Montgomery Run Section II 8555-E Falls Run Road Ellicott City MD 21043

Dear Board of Directors:

Thank you for your recent letter requesting information concerning the MD 100 project in Howard County.

Attached is a copy of the 67 dba map which reflects the limit of noise line for Alternative 3 - Option D Modified. The technical data, however, is being finalized and will not be available until the end of November. The 67 dba map was not produced with any type of mitigation in place. The purpose of the map is to identify the extent of the potential noise impact based on the noise prediction model. Once the model predictions are determined, mitigation options are investigated to reduce the noise impacts, i.e. walls, berms, changes in vertical or horizontal alignment.

An earth berm is not possible for the protection of buildings 8613 and 8611 because there is not enough distance between the proposed roadway and the communities' stormwater management ponds to construct a berm high enough to afford protection to the two buildings. Secondly, the berm would have to extend across the tributary leading into Deep Run. This would increase the wetland impact which is unacceptable to the environmental agencies.

Members of my staff and a representative of the Baltimore Gas and Electric Company (BG&E) met last month to determine if it was possible to connect the two berms on either side of the BG&E right-of-way. BG&E has informed us that it is possible to construct this berm, providing we do not infringe on the vertical clearance requirements and BG&E's ability to maintain the transmission lines. We will be coordinating with BG&E on the design and landscaping of the berm in the future.

Our Office of Real Estate is still working on the buy-out option for those residents living in buildings 8611 and 8613. A letter discussing the status of the proposed buyout will be mailed within the next few weeks. Building 8613 is approximately 189 feet from the edge of the eastbound travel lane.

My telephone number is _

(410) 333-1110

Maryland Relay Service for Impaired Hearing or Speech 1-800-735-2258 Statewide Toll Free 707 North Calvert Straet, Baltimore, Maryland 21202



Board of Directors Page Two

Thank you again for your interest in the MD 100 project. If you have any additional questions or concerns, please feel free to contact Karl Teitt, our project manager. Karl can be reached at (410) 333-1881 or toll free at 1-800-548-5026.

Very truly yours,

Neil J. Pedersen, Director Office of Planning and Preliminary Engineering

Attachment

cc: Mr. Karl Teitt

bcc: Mr. Mark Crampton

Mr. Louis H. Ege, Jr.

Mr. Robert J. Finck

Mr. Robert Houst

Mr. Howard Johnson w/incoming

Mr. Doug Rose

Mr. Paul Wettlaufer w/incoming

Mr. James Wynn

Prepared by: Mr. Karl Teitt, Proj. Plan. Div., #254 10-18-93

D-44-2

RS

EXHIBIT D-45

October 11, 1993

Mr. William Donald Schaefer, Governor State House Anapolis, MD 21404

Dear Mr. Schaefer:

I am sure that you already know into the Milylind State Mighway Administration's decision to select the Modified Option D alignment for Route 100. If you don't, I will tell you that Route 100 is planned to be constructed within 100 feet of my community. I live in Howard County in the community of Montgomery Run. My family has received countless memos from our Board Of Directors. These memos keep us well informed of decisions made by Howard County and the State that directly effect our community.

My name is Brian Warfield and I am fifteen years old. I was alarmed when I heard of the plan for Route 100 to pass in such close proximity to my neighborhood knowing that my family has just put our condominium up for sale. I knew this would depreciate the property value of our condominium and it has. We have had people come to look at our house only to decide not to buy after learning of the Route 100 plans. Not only have people stagged linking at our condominium but the value of our condominium has gone from to the point that it is almost not worth it to reit.

The Ecard of Directors in our community has written many letters to our Government leaders explaining our community's epinion on the Route 100 plans. I thought it would be better for you to hear how I, as a member of the community, feel about the Modified Option D plan. The Maryland State Mighway Administration has proposed two options to the residents in buildings 8611 and 8613 (to the best of my knowledge).

- 1. To buy the translater Committee there buildings
- Construct come type of noise barrier.

They say they will not do both. I think these options don't take into consideration the feeling of the other homeowners in the community. I know that a lack of barrier will definitely increase the noise throughout the community. We aiready have the occasional roar of plane taking off or landing at SWI Airport to listen to and if you listen intently you can also hear the sound of cars driving on Route 108 and on Cld Montgomery Run Rd, two roads that have much less traffic than Route 100 will have when it is built. Also these roads are much farther away from most of the buildings in our community than Route 100 will be. I know the barrier will not keep out all the noise, but it will reduce it a great deal.

RESPONSE TO EXHIBIT D-45

Mr. Brian Warfield 8349-B Montgomery Run Road Ellicott City MD 21043

Est Louis Committee

Dear Mr. Warfield:

Thank you for your recent letters to me and State Highway Administrator Hal Kassoff expressing your concern about the location of the proposed MD 100 alignment.

It is my understanding that the Maryland State Highway Administration (SHA) is investigating all reasonable means of mitigation for the units within the Villages of Montgomery Run that are closer to MD 100 than was true under the original plan. Only those units were eligible for mitigation. For some of the other units, there was no change. At least 75 percent of those residents from the impacted buildings attending a meeting with SHA requested to be bought out. It is difficult to justify doing both the buy out option and the noise wall option at state expense. The residents have the option to choose one or the other.

I believe that SHA has made a good decision based on input from citizens, Howard County officials and public agencies at the state and federal levels.

Your interest in the MD 100 planning process is appreciated. If you have any additional questions or concerns, please feel free to contact Mr. Karl Teitt, SHA's project manager, at (410) 333-1881 or toll free at 1-800-548-5026.

Sincerely,

Governor

Mr. Hal Kassoff

bcc: Mr. Mark Crampton

Mr. Karl Teitt

Mr. Louis H. Ege, Jr.

Mr. Howard Johnson w/incoming Secretary O. James Lighthizer Mr. Neil J. Pedersen

Mr. Douglas R. Rose

Mr. Paul Wettlaufer w/incoming

Mr. James Wynn

Prepared by Karl Teitt, 333-1881, SHA

1.h

H 10/27/2

D-45-1

In conclusion, I would like to urge you to do whatever you can tohelp our community's problem. I don't know how final the alignment
of Route 100 is, but it honestly doesn't matter to me because a few
feet closer or farther away will not make much of a difference to me.
I just would like to have a barrier to reduce the sound that I will
hear when I open my back door to get a little fresh air. I also
think it would only be fair to also grant the buyout options to
residents in buildings 8611 and 8613. I am looking forward to
receiving a letter from you informing me of your position on this
matter and anything that you plan to do for our community on this
topic in the future.

Elicerely /

Brian Warfield

8349-B Montgomery Run Rd. Ellicott City, MD 21043

EXHIBIT D-46

Valerie McGuire 8070 Fetlock Court Ellicott City, Md.

October 12, 1993

To: Mr. Hal Kassoff, Administrator

Maryland State Highway Administration 707 N. Calvert Street

Room 400

Baltimore, Maryland 21202

Re: Route 100

Dear Mr. Kassoff,

I read The Sun's Howard County editorial "Building Roads, Saving Trees" in the October 6, 1993 issue. SHA was shown in a very favorable light. Similarly, the SHA came out on top at last week's MDOT Annual Report to the county which I was able to attend---especially in regard to Route 100 between Rte. 104 and I-95.

I was glad to hear you say that a decision has been reached with the Montgomery Run residents affected by the 30 ft. shift. I strongly believe everything should be done to compensate for the increased decibel level. However, I heard nothing about Hunt Country Estates' noise problems with the Lazy S alternative. I would assume at this point that the noise study has been refined for both sides of Deep Run Creek. Could you please provide me with the necessary information and maps? And, could you tell me what other enhancement methods will be used to screen my community's view of this highway? Evergreen planting should be started immediately on the northeast side of the creek.

Thank you for studying my Lazy S concept plan and making it the viable solution I knew it could be. I look forward to hearing from you.

Sincerely.

Valerie McGuire

D-46-1



O James Lighthizer Secretary Hal Kassoff Administrator

October 29, 1993

Ms. Valerie McGuire 8070 Fetlock Court Ellicott City MD 21043

Dear Ms. McGuire:

Thank you for your recent letter concerning the possible noise impacts of the proposed MD 100 project.

We are making final revisions to the technical report, and it should be completed in about a month. I would suggest that you contact Karl Teitt, our project manager, at the end of November for the results of the refined analysis.

We will look at ways of screening the views between communities and the highway throughout the entire project corridor. We will consider landscaping these areas, and others, during the final design phase.

Thank you again for your interest in the MD 100 project. If you have any additional questions or concerns, please feel free to contact Mr. Teitt at (410) 333-1881 or toll free at 1-800-548-5026.

Hal Kassoff Administrator

Mr. Karl Teitt

My telephone number is

Maryland Relay Service for Impaired Hearing or Speech 1-800-735-2258 Statewide Toll Free

Meiling Address: P.O. Cox 717 • Baltimore, MD 21203-0717 Street Address: 707 North Celvert Street • Beltimore, Meryland 21202





HOW THE I VIV.

O James Lighthizer Secretary C-49

Hal Kassoff

October 12, 1993

Ms. Barbara Ann Coakley 8613-H 28613 Falls Run Road Ellicott City MD 21043

Dear Ms. Coakley:

Following extensive studies, public meetings, a public hearing, and consultation with Federal and State environmental agencies, the State Highway Administration (SHA) has determined that a shift will be necessary in the alignment of future MD 100. This shift brings the proposed MD 100 closer to two building complexes, specifically 8611 and 8613 Falls Run Road. Since this shift occurred after location approval for MD 100, SHA is extending an opportunity to all first and second floor condominium unit owners located at 8611 and 8613 Falls Run Road to participate either in a voluntary buyout program or elect to have a noise barrier constructed. If 75% or more of the first and second floor residents elect to have a noise barrier constructed, we will proceed with that option. If less than 75% approve of the noise barrier option, we will proceed with the buyout option.

If we do not hear from you, your unit will not be counted in the tally.

If you advise SHA by October 25, 1993 (by use of the enclosed form) that you are interested in participating in the buyout option, you will receive a fair market value offer for your unit as established by an independent appraiser. This offer will be made in approximately 8 weeks from the date we hear from you. Offers to purchase made by SHA will expire 6 months following the date of our offer unless it is mutually decided by the unit owner and SHA to proceed to court to determine fair market value. Since this is a voluntary program, no relocation assistance benefits, other than advisory services and settlement costs for your existing unit, will be available. Details regarding vacancy dates, settlement dates, leasebacks and advisory services will be available from SHA at the time of the purchase offer.

Mailing Address: P.O. Box 717 * Baltimore, MD 21203-0717 Street Address: 707 North Calvert Street * Baltimore, Maryland 21202 Montgomery Run Condominiums Page 2

Again, I wish to stress the voluntary nature of the buyout option. Should you choose this option, I believe you will find the representatives from our Office of Real Estate helpful. If you have any questions, please feel free to call Robert Tresselt, Deputy Director of our Office of Real Estate: Mr. Tresselt can be reached at (410) 333-1655.

Sincerely.

Hal Kassoff Administrator

Enclosure

cc: Mr. James Kraft



October 12, 1993

Mr. David B. Kline 5465 Hunting Horn Drive Ellicott City MD 21043

Dear Mr. Kline:

Following extensive studies, public meetings, a public hearing, and consultation with Federal and State environmental agencies, the State Highway Administration (SHA) has determined that a shift will be necessary in the alignment of future MD 100. This shift brings the proposed MD 100 closer to two building complexes, specifically 8611 and 8613 Falls Run Road. Since this shift occurred after location approval for MD 100, SHA is extending an opportunity to all first and second floor condominium unit owners located at 8611 and 8613 Falls Run Road to participate either in a voluntary buyout program or elect to have a noise barrier constructed. If 75% or more of the first and second floor residents elect to have a noise barrier constructed, we will proceed with that option. If less than 75% approve of the noise barrier option, we will proceed with the buyout option.

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My telephone number is

Maryland Relay Service for Impaired Hearing or Speech 1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717 Street Address: 707 North Calvert Street • Galtimore, Maryland 21202 Montgomery Run Condominiums Page 2

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Sincerely

Hal Kassoff
Administrator

Enclosure

cc: Mr. James Kraft



O James Lighthizer Secretary Hal Kassoff

October 12, 1993

Ms. Florence M. Serio 8611-B 28613 Falls Run Road Ellicott City MD 21043

Dear Ms. Serio:

Following extensive studies, public meetings, a public hearing, and consultation with Federal and State environmental agencies, the State Highway Administration (SHA) has determined that a shift will be necessary in the alignment of future MD 100. This shift brings the proposed MD 100 closer to two building complexes, specifically 8611 and 8613 Falls Run Road. Since this shift occurred after location approval for MD 100, SHA is extending an opportunity to all first and second floor condominium unit owners located at 8611 and 8613 Falls Run Road to participate either in a voluntary buyout program or elect to have a noise barrier constructed. If 75% or more of the first and second floor residents elect to have a noise barrier constructed, we will proceed with that option. If less than 75% approve of the noise barrier option, we will proceed with the buyout option.

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Mailing Address: P.O. Box 717 • Baltlmore, MD 21203-0717 Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 Montgomery Run Condominiums
Page 2

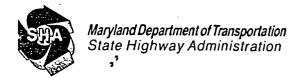
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Sincerely.

Hal Kassoff Administrator

Enclosure

c: Mr. James Kraft



O James Lighthizer Secretary Hal Kassoff

October 12, 1993

Ms. Yavonne Tate 8611-C 28613 Falls Run Road Ellicott City MD 21043

Dear Ms. Tate:

Following extensive studies, public meetings, a public hearing, and consultation with Federal and State environmental agencies, the State Highway Administration (SHA) has determined that a shift will be necessary in the alignment of future MD 100. This shift brings the proposed MD 100 closer to two building complexes, specifically 8611 and 8613 Falls Run Road. Since this shift occurred after location approval for MD 100, SHA is extending an opportunity to all first and second floor condominium unit owners located at 8611 and 8613 Falls Run Road to participate either in a voluntary buyout program or elect to have a noise barrier constructed. If 75% or more of the first and second floor residents elect to have a noise barrier constructed, we will proceed with that option. If less than 75% approve of the noise barrier option, we will proceed with the buyout option.

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My telephone number is ______

Maryland Relay Service for Impaired Hearing or Speech 1-800-735-2258 Statewide Toll Free

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Page 2

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Sincerely

Hal Kassoff Administrator

Enclosure

cc: Mr. James Kraft



October 12, 1993

Ms. Deborah C. Kling 8611-D 28613 Falls Run Road Ellicott City MD 21043

Dear Ms. Kling:

Following extensive studies, public meetings, a public hearing, and consultation with Federal and State environmental agencies, the State Highway Administration (SHA) has determined that a shift will be necessary in the alignment of future MD 100. This shift brings the proposed MD 100 closer to two building complexes, specifically 8611 and 8613 Falls Run Road. Since this shift occurred after location approval for MD 100, SHA is extending an opportunity to all first and second floor condominium unit owners located at 8611 and 8613 Falls Run Road to participate either in a voluntary buyout program or elect to have a noise barrier constructed. If 75% or more of the first and second floor residents elect to have a noise barrier constructed, we will proceed with that option. If less than 75% approve of the noise barrier option, we will proceed with the buyout option.

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Sincerely

Hal Kassoff Administrator

Enclosure

cc: Mr. James Kraft



October 12, 1993

Ms. Lynne A. Rich 8611-E 28613 Falls Run Road Ellicott City MD 21043

Dear Ms. Rich:

Following extensive studies, public meetings, a public hearing, and consultation with Federal and State environmental agencies, the State Highway Administration (SHA) has determined that a shift will be necessary in the alignment of future MD 100. This shift brings the proposed MD 100 closer to two building complexes, specifically 8611 and 8613 Falls Run Road. Since this shift occurred after location approval for MD 100, SHA is extending an opportunity to all first and second floor condominium unit owners located at 8611 and 8613 Falls Run Road to participate either in a voluntary buyout program or elect to have a noise barrier constructed. If 75% or more of the first and second floor residents elect to have a noise barrier constructed, we will proceed with that option. If less than 75% approve of the noise barrier option, we will proceed with the buyout option.

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Sincerely,

Hal Kassoff Administrator

Enclosure

cc: Mr. James Kraft Mr. Robert Tresselt

EXHIBIT D-32

FREISHTAT & SANDLER

ATTORNEYS AT LAW

(410) 727-7740

DAVID FREIDHTAT
PAUL HARK SANDER
RAYMOND F ALTHAN
RAYMOND DANIEL BURKE
W MCCHAEL MULLEN
IOHN CARROLL BRODERICK
LLOYD I. SNOW
LITYN WEBRERG
STACE F DUBNOW
T ALLEN MOTT

TELECOPIER — 410 727-7356

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. - . .

March 30, 1993

Mr. Hal Kassoff, Administrator state Highway Administration 707 North Calvert Street Room 400 Baltimore, Maryland 21203

Re: Proposed Southern Shift in Alignment of Route 100

Dear Mr. Kassoff:

This firm has been retained by the developers of the Villages of Montgomery Run and related entities (together, the "Developers") to represent their interests in connection with a proposed southern shift in the alignment of Route 100 through The Villages of Montgomery Run condominium development in Ellicott City, Maryland. It is our opinion that the State Highway Administration ("SHA") has a legal obligation to take all steps within its power to ensure that the anticipated Route 100 corridor connecting U.S. Route 29 to Interstate Route 95 is constructed in substantial accordance with the alignment contractually promised to the Developers, reflected on the plats attached hereto as part of Exhibits A and B. Of the four (4) proposed changes to the alignment of Route 100 presented at a public hearing on December 1, 1992 (referred to as Alternates A, B, C and D), only Alternates A and C are sufficiently close to the State's contractual representations as to the location of this highway to be acceptable.

A summary of the pertinent facts follows. When the Developers contracted to purchase the 73 acre Montgomery Run site in August of 1984 to build moderate priced housing, the most current General Plan of Highways indicated that the proposed Route 100 corridor had been eliminated from the vicinity of this parcel. It was not until this parcel had been re-zoned for moderate priced housing that the Developers first learned that the State was contemplating building Route 100 through this area.

201 EAST BALTIMORE STREET, SUITE 1500, BALTIMORE, MARYLAND 21202



RESTONSE TO EXHIBIT D-32

Maryland Department of Transportation State Highway Administration Howard Co

O. James Lighthizer Secretary Hal Kassoff

Administrator

May 20, 1993

Stacie F. Dubnow, Esq. Freishtat and Sandler 201 East Baltimore Street Suite 1500 Baltimore MD 21202

Dear Ms. Dubnow:

Thank you for your recent letter concerning the MD 100 project.

In 1985, when the State Highway Administration (SHA) entered into the Memorandum of Agreement, we believed that the 1989 approved Alternative 3 alignment could receive the necessary federal and state environmental approvals and permits. Since that time, the emphasis and interpretation of the wetland protection regulations have changed. As a result of these changes, federal and state environmental agencies have requested SHA to investigate additional alternatives to minimize both the natural environmental impacts, as well as the social impacts.

In December of 1992, SHA held a Public Hearing and presented four different alignment options to the approved Alternative 3. Since that hearing, additional modifications were requested by the environmental agencies for Options C and D. These additional modifications, specific to Option D, move the alignment farther away from the Villages of Montgomery Run. The studies are nearing completion and will be presented to the local communities in late June 1993.

Our staff would be happy to meet with you and the representatives from the Villages of Montgomery Run to review the results of the studies in detail, and address any concerns you may have. If you have any additional questions or comments in the meantime, please feel free to call me or Neil Pedersen, Director of our Office of Planning and Preliminary Engineering. Neil can be reached at (410) 333-1110.

Sincerely,

Hal Kassoff
Administrator

cc: Mr. Neil J. Pedersen

My telephone number is ______

Teletypewriter for Impaired Hearing or Speech 383-7555 Baltimore Metro - 555-0451 D.C. Metro - 1-800-492-5062 Statewide Toll Free 707 North Calvert St., Baltimore, Maryland 21203-0717



October 12, 1993

Mr. Cleve R. O'Baniou 8611-F 28613 Falls Run Road Ellicott City MD 21043

Dear Mr. O'Baniou:

Following extensive studies, public meetings, a public hearing, and consultation with Federal and State environmental agencies, the State Highway Administration (SHA) has determined that a shift will be necessary in the alignment of future MD 100. This shift brings the proposed MD 100 closer to two building complexes, specifically 8611 and 8613 Falls Run Road. Since this shift occurred after location approval for MD 100, SHA is extending an opportunity to all first and second floor condominium unit owners located at 8611 and 8613 Falls Run Road to participate either in a voluntary buyout program or elect to have a noise barrier constructed. If 75% or more of the first and second floor residents elect to have a noise barrier constructed, we will proceed with that option. If less than 75% approve of the noise barrier option, we will proceed with the buyout option.

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Page 2

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Sincerely.

Hal Kassoff Administrator

Enclosure

cc: Mr. James Kraft

Mr. Robert Tresselt

Ch d



O James Lighthizer Secretary Hal Kassoff

Administrator

October 12, 1993

Ms. Deborah Ann Miller 8611-G 28613 Falls Run Road Ellicott City MD 21043

Dear Ms. Miller:

Following extensive studies, public meetings, a public hearing, and consultation with Federal and State environmental agencies, the State Highway Administration (SHA) has determined that a shift will be necessary in the alignment of future MD 100. This shift brings the proposed MD 100 closer to two building complexes, specifically 8611 and 8613 Falls Run Road. Since this shift occurred after location approval for MD 100, SHA is extending an opportunity to all first and second floor condominium unit owners located at 8611 and 8613 Falls Run Road to participate either in a voluntary buyout program or elect to have a noise barrier constructed. If 75% or more of the first and second floor residents elect to have a noise barrier constructed, we will proceed with that option. If less than 75% approve of the noise barrier option, we will proceed with the buyout option.

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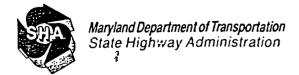
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Sincerely,

Hal Kassoff Administrator

Enclosure

c Mr. James Kraft



O James Lighthizer Secretary Hal Kassoff

October 12, 1993

Ms. Karen L. Brown 8611-H 28613 Falls Run Road Ellicott City MD 21043

Dear Ms. Brown:

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Sincerely,

Hal Kassoff Administrator

Enclosure

cc: Mr. James Kraft



October 12, 1993

Mr. Steven L. Vaughn 8613-A 28613 Falls Run Road Ellicott City MD 21043

Dear Mr. Vaughn:

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Sincerely.

Hal Kassoff Administrator

Enclosure

cc: Mr. James Kraft



October 12, 1993

Mr. Jeffrey A. Trent 8613-B 28613 Falls Run Road Ellicott City MD 21043

Dear Mr. Trent:

Following extensive studies, public meetings, a public hearing, and consultation with Federal and State environmental agencies, the State Highway Administration (SHA) has determined that a shift will be necessary in the alignment of future MD 100. This shift brings the proposed MD 100 closer to two building complexes, specifically 8611 and 8613 Falls Run Road. Since this shift occurred after location approval for MD 100, SHA is extending an opportunity to all first and second floor condominium unit owners located at 8611 and 8613 Falls Run Road to participate either in a voluntary buyout program or elect to have a noise barrier constructed. If 75% or more of the first and second floor residents elect to have a noise barrier constructed, we will proceed with that option. If less than 75% approve of the noise barrier option, we will proceed with the buyout option.

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Maryland Relay Service for Impaired Hearing or Speech

1-800-735-2258 Stalewide Toll Free

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Sincerely

Hal Kassoff Administrator

Enclosure

Mr. James Kraft



O James Lighthizer Secretary Hal Kassoff

October 12, 1993

Ms. Sharon R. Harrington 8613-C 28613 Falls Run Road Ellicott City MD 21043

Dear Ms. Harrington:

Following extensive studies, public meetings, a public hearing, and consultation with Federal and State environmental agencies, the State Highway Administration (SHA) has determined that a shift will be necessary in the alignment of future MD 100. This shift brings the proposed MD 100 closer to two building complexes, specifically 8611 and 8613 Falls Run Road. Since this shift occurred after location approval for MD 100, SHA is extending an opportunity to all first and second floor condominium unit owners located at 8611 and 8613 Falls Run Road to participate either in a voluntary buyout program or elect to have a noise barrier constructed. If 75% or more of the first and second floor residents elect to have a noise barrier constructed, we will proceed with that option. If less than 75% approve of the noise barrier option, we will proceed with the buyout option.

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Montgomery Run Condominiums
Page 2 2 2

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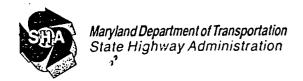
Sincerely,

Hal Kassoff Administrator

Enclosure

c: Mr. James Kraft

Mr. Robert Tresselt



October 12, 1993

Mr. James Nolan Legoff 8613-D 28613 Falls Run Road Ellicott City MD 21043

Dear Mr. Legoff:

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Sincerely.

Hal Kassoff Administrator

Enclosure

cc: Mr. James Kraft



October 12, 1993

Ms. Linda J. Kosmin 8613-E 28613 Falls Run Road Ellicott City MD 21043

Dear Ms. Kosmin:

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Sincerely

Hal Kassoff Administrator

Enclosure

c: Mr. James Kraft



October 12, 1993

Ms. Dorothy F. Benner 8613-F 28613 Falls Run Road Ellicott City MD 21043

Dear Ms. Benner:

Following extensive studies, public meetings, a public hearing, and consultation with Federal and State environmental agencies, the State Highway Administration (SHA) has determined that a shift will be necessary in the alignment of future MD 100. This shift brings the proposed MD 100 closer to two building complexes, specifically 8611 and 8613 Falls Run Road. Since this shift occurred after location approval for MD 100, SHA is extending an opportunity to all first and second floor condominium unit owners located at 8611 and 8613 Falls Run Road to participate either in a voluntary buyout program or elect to have a noise barrier constructed. If 75% or more of the first and second floor residents elect to have a noise barrier constructed, we will proceed with that option. If less than 75% approve of the noise barrier option, we will proceed with the buyout option.

If we do not hear from you, your unit will not be counted in the tally.

If you advise SHA by October 25, 1993 (by use of the enclosed form) that you are interested in participating in the buyout option, you will receive a fair market value offer for your unit as established by an independent appraiser. This offer will be made in approximately 8 weeks from the date we hear from you. Offers to purchase made by SHA will expire 6 months following the date of our offer unless it is mutually decided by the unit owner and SHA to proceed to court to determine fair market value. Since this is a voluntary program, no relocation assistance benefits, other than advisory services and settlement costs for your existing unit, will be available. Details regarding vacancy dates, settlement dates, leasebacks and advisory services will be available from SHA at the time of the purchase offer.

My telephone number is ______

Maryland Relay Service for Impaired Hearing or Speech 1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Gox 717 - Galtimore, MD 21203-0717 Street Address: 707 North Calvert Street - Galtimore, Maryland 21202 Montgomery Run Condominiums
Page 2

Again, I wish to stress the voluntary nature of the buyout option. Should you choose this option, I believe you will find the representatives from our Office of Real Estate helpful. If you have any questions, please feel free to call Robert Tresselt, Deputy Director of our Office of Real Estate. Mr. Tresselt can be reached at (410) 333-1655.

Sincerely,

Hal Kassoff Administrator

Enclosure

cc: Mr. James Kraft



O James Lighthizer Secretary Hal Kassoff

October 12, 1993

Ms. June E. Bittinger 8613-F 28613 Falls Run Road Ellicott City MD 21043

Dear Ms. Bittinger:

Following extensive studies, public meetings, a public hearing, and consultation with Federal and State environmental agencies, the State Highway Administration (SHA) has determined that a shift will be necessary in the alignment of future MD 100. This shift brings the proposed MD 100 closer to two building complexes, specifically 8611 and 8613 Falls Run Road. Since this shift occurred after location approval for MD 100, SHA is extending an opportunity to all first and second floor condominium unit owners located at 8611 and 8613 Falls Run Road to participate either in a voluntary buyout program or elect to have a noise barrier constructed. If 75% or more of the first and second floor residents elect to have a noise barrier constructed, we will proceed with that option. If less than 75% approve of the noise barrier option, we will proceed with the buyout option.

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My telephone number is ____

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Sincerely.

Hal Kassoff Administrator

Enclosure

cc: Mr. James Kraft



October 12, 1993

Ms. Cindy A. Jones Powell 8613-G 28613 Falls Run Road Ellicott City MD 21043

Dear Ms. Jones Powell:

Following extensive studies, public meetings, a public hearing, and consultation with Federal and State environmental agencies, the State Highway Administration (SHA) has determined that a shift will be necessary in the alignment of future MD 100. This shift brings the proposed MD 100 closer to two building complexes, specifically 8611 and 8613 Falls Run Road. Since this shift occurred after location approval for MD 100, SHA is extending an opportunity to all first and second floor condominium unit owners located at 8611 and 8613 Falls Run Road to participate either in a voluntary buyout program or elect to have a noise barrier constructed. If 75% or more of the first and second floor residents elect to have a noise barrier constructed, we will proceed with that option. If less than 75% approve of the noise barrier option, we will proceed with the buyout option.

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My telephone number is ______

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Mailing Address: P.O. Box 717 + Baltimore, MD 21203-0717 Street Address: 707 North Calvert Street + Baltimore, Maryland 21202 Montgomery Run Condominiums

Page 2

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Sincerely

Hal Kassoff Administrator

Enclosure

c: Mr. James Kraft

HOWARD



O James Lighthizer Secretary Hal Kassoff

Administrator

October 12, 1993

Mr. John B. McKeelon 8613-K 28613 Falls Run Road Ellicott City MD 21043

Dear Mr. McKeelon:

Following extensive studies, public meetings, a public hearing, and consultation with Federal and State environmental agencies, the State Highway Administration (SHA) has determined that a shift will be necessary in the alignment of future MD 100. This shift brings the proposed MD 100 closer to two building complexes, specifically 8611 and 8613 Falls Run Road. Since this shift occurred after location approval for MD 100, SHA is extending an offer to all third floor condominium unit owners located at 8611 and 8613 Falls Run Road to participate in a voluntary buyout program. Unlike the first and second floors, where a noise wall is a possible option, such a solution is not feasible for the third floor.

If we do not hear from you, your unit will not be considered in this buyout program.

If you advise SHA by October 25, 1993 (by use of the enclosed form) that you are interested in participating in this program, you will receive a fair market value offer for your unit as established by an independent appraiser. This offer will be made in approximately 8 weeks from the date we hear from you. Offers to purchase made by SHA will expire 6 months following the date of the fair market value offer, unless it is mutually decided by the unit owner and SHA to proceed to court to determine fair market value. Since this is a voluntary program, no relocation assistance benefits, other than advisory services and settlement costs for your existing unit will be available. Details regarding vacancy dates, settlement dates, leasebacks and advisory services will be available from SHA at the time of the purchase offer.

My telephone number is _____

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Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717 Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 Montgomery Run Condominiums Page 2

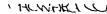
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Sincerel

Hal Kassoff Administrator

Enclosure

c: Mr. James Kraft





October 12, 1993

Mr. Robert E. Johnson 8611-J 28613 Falls Run Road Ellicott City MD 21043

Dear Mr. Johnson:

Following extensive studies, public meetings, a public hearing, and consultation with Federal and State environmental agencies, the State Highway Administration (SHA) has determined that a shift will be necessary in the alignment of future MD 100. This shift brings the proposed MD 100 closer to two building complexes, specifically 8611 and 8613 Falls Run Road. Since this shift occurred after location approval for MD 100, SHA is extending an offer to all third floor condominium unit owners located at 8611 and 8613 Falls Run Road to participate in a voluntary buyout program. Unlike the first and second floors, where a noise wall is a possible option, such a solution is not feasible for the third floor.

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My telephone number is ______

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Sincerely

Hal Kassoff Administrator

Enclosure

cc: Mr. James Kraft

Mr. Robert H. Tressett

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O James Lighthizer Secretary

Hal Kassoff

October 12, 1993

Ms. Jacqueline M. Pasternak 8613-L 28613 Falls Run Road Ellicott City MD 21043

Dear Ms. Pasternak:

Following extensive studies, public meetings, a public hearing, and consultation with Federal and State environmental agencies, the State Highway Administration (SHA) has determined that a shift will be necessary in the alignment of future MD 100. This shift brings the proposed MD 100 closer to two building complexes, specifically 8611 and 8613 Falls Run Road. Since this shift occurred after location approval for MD 100, SHA is extending an offer to all third floor condominium unit owners located at 8611 and 8613 Falls Run Road to participate in a voluntary buyout program. Unlike the first and second floors, where a noise wall is a possible option, such a solution is not feasible for the third floor.

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Sincerely

Hal Kassoff Administrator

Enclosure

c: Mr. James Kraft



October 12, 1993

Mr. Charles E. Jacobs 8611-I 28613 Falls Run Road Ellicott City MD 21043

Dear Mr. Jacobs:

Following extensive studies, public meetings, a public hearing, and consultation with Federal and State environmental agencies, the State Highway Administration (SHA) has determined that a shift will be necessary in the alignment of future MD 100. This shift brings the proposed MD 100 closer to two building complexes, specifically 8611 and 8613 Falls Run Road. Since this shift occurred after location approval for MD 100, SHA is extending an offer to all third floor condominium unit owners located at 8611 and 8613 Falls Run Road to participate in a voluntary buyout program. Unlike the first and second floors, where a noise wall is a possible option, such a solution is not feasible for the third floor.

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My telephone number is ______

Maryland Relay Service for Impaired Hearing or Speech 1-800-73S-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717 Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 Montgomery Run Condominiums
Page 2

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Sincerely

Hal Kassoff Administrator

Enclosure

c: Mr. James Kraft



October 12, 1993

Mr. Gary E. Boettinger 8611-K 28613 Falls Run Road Ellicott City MD 21043

Dear Mr. Boettinger:

Following extensive studies, public meetings, a public hearing, and consultation with Federal and State environmental agencies, the State Highway Administration (SHA) has determined that a shift will be necessary in the alignment of future MD 100. This shift brings the proposed MD 100 closer to two building complexes, specifically 8611 and 8613 Falls Run Road. Since this shift occurred after location approval for MD 100, SHA is extending an offer to all third floor condominium unit owners located at 8611 and 8613 Falls Run Road to participate in a voluntary buyout program. Unlike the first and second floors, where a noise wall is a possible option, such a solution is not feasible for the third floor.

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Sincerely

Hal Kassoff Administrator

Enclosure

cc: Mr. James Kraft



October 12, 1993

Ms. Joyce A. Williams 8611-L 28613 Falls Run Road Ellicott City MD 21043

Dear Ms. Williams:

Following extensive studies, public meetings, a public hearing, and consultation with Federal and State environmental agencies, the State Highway Administration (SHA) has determined that a shift will be necessary in the alignment of future MD 100. This shift brings the proposed MD 100 closer to two building complexes, specifically 8611 and 8613 Falls Run Road. Since this shift occurred after location approval for MD 100, SHA is extending an offer to all third floor condominium unit owners located at 6611 and 8613 Falls Run Road to participate in a voluntary buyout program. Unlike the first and second floors, where a noise wall is a possible option, such a solution is not feasible for the third floor.

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Page 2

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Sincerel

Hal Kassoff Administrator

Enclosure

cc: Mr. James Kraft



October 12, 1993

Ms. Jane A. Callahan 8613-J 28613 Falls Run Road Ellicott City MD 21043

Dear Ms. Callahan:

Following extensive studies, public meetings, a public hearing, and consultation with Federal and State environmental agencies, the State Highway Administration (SHA) has determined that a shift will be necessary in the alignment of future MD 100. This shift brings the proposed MD 100 closer to two building complexes, specifically 8611 and 8613 Falls Run Road. Since this shift occurred after location approval for MD 100, SHA is extending an offer to all third floor condominium unit owners located at 8611 and 8613 Falls Run Road to participate in a voluntary buyout program. Unlike the first and second floors, where a noise wall is a possible option, such a solution is not feasible for the third floor.

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1-800-735-2258 Statewide Toll Free

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Sincerel

Hal Kassoff Administrator

Enclosure

c: Mr. James Kraft



October 12, 1993

Ms. Sharon R. Dunn
8613-I 28613 Falls Run Road
Ellicott City MD 21043

Dear Ms. Dunn:

Following extensive studies, public meetings, a public hearing, and consultation with Federal and State environmental agencies, the State Highway Administration (SHA) has determined that a shift will be necessary in the alignment of future MD 100. This shift brings the proposed MD 100 closer to two building complexes, specifically 8611 and 8613 Falls Run Road. Since this shift occurred after location approval for MD 100, SHA is extending an offer to all third floor condominium unit owners located at 8611 and 8613 Falls Run Road to participate in a voluntary buyout program. Unlike the first and second floors, where a noise wall is a possible option, such a solution is not feasible for the third floor.

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My telephone number is

Maryland Relay Service for Impaired Hearing or Speech 1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 + Baltimore, MD 21203-0717 Street Address: 707 North Calvert Street - Baltimore, Maryland 21202 Montgomery Run Condominiums Page 2

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Hal Kassoff Administrator

Enclosure

Mr. James Kraft

Mr. Robert H. Tresselt

D-47-25

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VILLAGE OF MONTGOMERY RUN OWNER RESPONSE

Please return this form by November 15, 1993 to:

Robert H. Tresselt
Deputy Director
Office of Real Estate
State Highway Administration
707 N. Calvert Street - Rm. 600
Baltimore MD 21202

Cross out the (phrases) which do not apply to you:

(I am a) (We are) third floor unit owner(s) in the complexes located at 8611/8613 Falls Run Road and wish to receive a buyout offer for (my/our) unit from the State Highway Administration.

Circle Vote:

YES

NO

Signature of unit owner(s)					
Please print full nad	me(s) of owner(s) as they app	pear on the Deed	1		
Address	Conda. #	City	State		

;	;	_
!!	i i	Montgomery Ran Condominium 8611 28613 Full. Run Rd., Ellicott Cody, Md. 210
	Unitin 8611 A	1st Floor Dovid B Kling -> 5465 Hunting 2hr
	8611 B	1st Floor Florence M. Serio activates 310
	864 C	1st Floor Yavonna Tata
	.86 H . D	istfloor Daborch C- Kling
	8611. E	2d Floor Lynne A Rich
	8611 F	2d Floor Cleve R O Bonion
	18611 G	2d Floor Deborah Am Miller
	8611 /7	2) Floor Koren L Brown
	8611 I	3d Floor Churles E Jacobs
	8611 J	3) Floor Robert E Johnson
. !	8611 K	Ed Floor Gary E Boothinger
į	18611 L	3) Floor Tryes A hilliams
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	8013B	1st Floor Jaffrey A Trent
 !	8613 C	1st Floor Sharon R. Hurrington
	8613 D.	1st Floor Jones Molon Legost
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;	8613 =	2) Floor Dorothy FBenner June E. Bittinger
	86136	22 Floor Cardy & Jones Powell.
i i	8613 H	2) Floor Barbaca Ana Coakley CHINTER
	8613 I	3d Floor Shoran R Dunn Father Chies
	86132	3d Floor Jane A. Cullahan
J	8613 K	3) Floor John B. McKeelon
: 	8613 L	30 Floor Jacquelina M. Pasternate

8613-K Falls Run Rd. Ellicott City, MD 21043 September 13, 1993

Mr. Hal Kassoff State Highway Administration 707 North Calvert Street Baltimore, MD 21203-0717

Dear Mr. Kassoff,

I just attended the meeting with you and the other owners of 8611 and 8613 Falls Run Road in Montgomery Run Village, and I must say that I was pleasantly surprised at how well the proceedings went. The grace and cordiality with which SHA handled the affair, as well as your assured recognition of the unique situation that we have been placed in, was a breath of fresh air.

I am an owner/resident of a third floor unit in 8613, and I would like this letter to serve as an official notification to you that I am ready to enter into immediate negotiations with the SHA for the buyout of my unit. I am sending this letter based on the statement you made at the meeting that a written request is necessary before negotiations can begin. I understand that we will be receiving a "form letter" from you in the next two to three weeks (which I also plan on returning to you), but I am sending you this precursor letter in hopes of being one of the first owners with whom you open negotiations. Please keep this letter on file.

A courtesy copy of this letter is being sent to Mr. Neil Pedersen. I thank you all for your time and consideration.

Sincerely yours.

TATE HMY AL

93 12: 1

John McKeehan

cc: Mr. Neil Pedersen

D-47-27

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SENATE OF MARYLAND

ANNAPOLIS, MARYLAND 21401-1991

ANNAPOLIS ADDRESS:

SENATE OFFICE SUILDING ROOM 309 ANNAPOLIS, NARYLAND 21401-1861

PHONE: 1419) 641-3572

DISTRICT OFFICE:

416 MAIN STREET LAUREL, MARYLAND 20707-4176

PHONE: (3011 488-3400

(301) 856-3672

THOMAS M. YEAGER STATE SENATOR THIRTEENTH DISTRICT OWARD/PRINCE GEORGE'S COUNTIES

> BUDGET AND TAXATION COMMITTEE

> > October 21, 1993

Mr. Hal Kassoff State Highway Administrator Maryland Department of Transportation P.O. Box 717 Baltimore MD 21203-0717

Dear Hal:

Enclosed is a letter from Adele K. Shuart from Montgomery Run regarding the proposed sound barrier.

Please respond directly to Ms. Shuart, with a copy to me.

Thank you so much.

Sincerely,

TMY/bp Enclosure State Senator

Copy Ms. Adele K. Shuart 8585 H Falls Run Road Ellicott City MD 21043-7334

D-48-1



O. James Lighthizer Secretary Hal Kassoff Administrator

Nov 16 9 28 AN '93

November 16, 1993

Ms. Adele K. Shuart 8585-H Falls Run Road Ellicott City MD 21043

Dear Ms. Shuart:

Senator Yeager has asked me to respond to your recent letter to him concerning MD 100 and impacts to the Villages of Montgomery Run.

We have been and will continue to investigate reasonable means of mitigation for the units within the Villages of Montgomery Run that are closer to MD 100. During a meeting with individuals involved, we explained that our offer was to construct a wall that would protect first and second floor residences only with a buy out option for the third floor residences, or the optional buy out for all three floors. The majority of those residents in attendance requested to be bought out. From a cost and policy standpoint, we could not justify doing both the buy out option and the noise wall at state expense.

Large numbers of units purchased by the State Highway Administration will not be sold at one time. However, we must follow the process outlined in state law for disposal of the units, which calls for the units to be sold at public auction.

Your interest in the MD 100 planning process is appreciated. If you have any additional questions or concerns, please feel free to contact Neil Pedersen, Director of our Office of Planning and Preliminary Engineering. Neil can be reached at (410) 333-1110.

Hal Kassoff **Administrator**

Mr. Neil J. Pedersen

The Honorable Thomas M. Yeager

My telephone number is

Maryland Relay Service for Impaired Hearing or Speech 1-800-735-2258 Stalewide Toll Free

Mailing Address: P.O. Box 717 • Baitimore, MD 21203-0717 Street Address: 707 North Calvert Street • Baltimore, Marvland 21202 ADELE R. SHUART 8585 H FALLS RUN ROAD ELLICOTT CITY, MD 21043-7334

Pr 19 130

October 19, 1993

Senator Thomas Yeager 413 Main Street Laurel, MD 20707

Dear Senator Yeager,

As a condominium owner at Montgomery Run Section II, I read with dismay that State Highway Administration proposed a buyout or to have a noise barrier constructed to the owners at 8611 and 8613 Falls Run Road.

I would like SHA to agree in writing to the following:

(1) a noise barrier will be constructed near 8613 Falls Run Road by SHA, and

(2) SHA will not sell the units at 8611 and 8613 at public auction, nor sell to a group of investors, or offer more than one unit per month for sale over the next two years or until construction begins on Route 100.

Thank you for your consideration.

Sincerely,

adeli K. Shunt

Adele K. Shuart

D-48-2

Px. 100

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VILLAGES OF MONTGOMERY RUN, SECTION II BOARD OF DIRECTORS

8555-E Falls Run Road Ellicott City, Maryland 21043

NCV - 1 1993

October 25, 1993

Senator Thomas M. Yeager Senate Office Building, Room 309 Annapolis, Maryland 21401

Dear Senator Yeager:

We are deeply concerned that the consensus solution to the problem of aligning Route 100 in the vicinity of Montgomery Run, which you worked so hard to bring about, is in danger of collapse. The SHA has offered noise mitigation of a buy-out to the 24 homeowners in 8611-8613 Falls Run Road. The SHA is moving forward without heed to how their actions will negatively impact the other 564 homeowners in Montgomery Run. Furthermore, our requests for information about the chosen alignment and the process of buying and reselling individual homes have gone unanswered. As it has been your consistent position that noise mitigation and appropriate compensation are both necessary, we believe your involvement is essential to ensure that the consensus will hold and that Route 100 can be built without the expense and delay of litigation.

As you know, Montgomery Run homeowners have been victimized by the long battle over the alignment of Route 100. We are the only community that took the time to get involved in the process before an alignment was selected. Our developer worked with County Officials and the SHA as long ago as 1985 to agree on a precise alignment for Route 100. Our contract with the SHA, however, has been repeatedly "renegotiated" or ignored. At this point, the SHA is apparently prepared only to recognize the damage to individual unit owners in two buildings, when, in fact, the entire community has a right not to be disadvantaged by the relocation of Route 100.

Our position is quite simple: noise mitigation is essential to protect the community and compensation for individual homeowners is also warranted. If the SHA purchases the 24 homes which they say will have higher noise levels and resells them at a significant discount, the discounted prices will be reflected in resales throughout the community. If someone can buy a home in Montgomery Run for \$10,000-\$15,000 below market, albeit somewhat closer to Route 100, the values of other resales will be reduced by some significant amount.

Grann Janes

SHA

RESTONSE TO EXHIBIT D-49 Maryland Department of Transportation State Highway Administration

O. James Lighthizer Secretary Hat Kassoff Administrator

November 23, 1993

Ms. Elizabeth T. Hobbs President Board of Directors Villages of Montgomery Run, Section II 8555-E Falls Run Road Ellicott City MD 21043

Dear Ms. Hobbs:

Senator Yeager asked me to respond to your recent letter concerning the location of the proposed MD 100 alignment in the vicinity of the Villages of Montgomery Run.

We have been and will continue to investigate reasonable means of mitigation for the units within the Villages of Montgomery Run that are closer to MD 100. I personally attended a meeting with those individuals involved. We explained that our offer was to construct a noise wall that would protect first and second floor residences only with a buy out option for the third floor units, or to buy out all three floors. All of the residents in the two buildings affected have requested to be bought out. From a cost and policy standpoint, we cannot justify doing both the buy out option and the noise wall at state expense.

Large numbers of units purchased by the State Highway Administration will not be sold at one time. However, we must follow the process outlined in state law for disposal of units, which calls for the units to be sold at public auction.

Throughout the entire planning process, several communities within the study area have taken a very active part in the process. Their input, as well as yours, has been very helpful in the development of an alternative that will benefit the community and the state.

My telephone number is ______

Maryland Relay Service for Impaired Hearing or Speech 1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717 Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

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Senator Thomas M. Yeager October 25, 1993 Page Two

We believe if SHA agrees 1) to build a noise barrier along the section of Route 100 that runs closer to our community and 2) to sell the 24 units in a responsible manner as we have previously discussed, that much of the negative impact to our community will be eliminated. But, for whatever reason, the SHA has shown its unwillingness to implement these two actions. We hope you can convince them of the need to do so. A noise barrier should reduce the cost to the SHA of acquiring and re-selling homes, as the number of impacted homes may be reduced and the amount of the impact should be reduced. It is entirely possible that the construction of a sound barrier would pay for itself! We also believe the following re-sale procedure is fair to Montgomery Run homeowners:

- 1. The SHA should sell the homes singly over a two-year period; and
- 2. The SHA should only offer the homes for owner-occupancy.

At this late date, when the SHA has an opportunity to end this matter easily to the satisfaction of all, they have taken a course of action sure to hit us hard financially. Our homeowners, over 1,000 strong, recognize that your support of the community has previously played a critical role. We hope that you can intercede with the SHA now, when so little on the part of the SHA can mean so much to our community.

Very truly yours,

Elizabeth T. Hardis

President, Board of Directors

Village of Montgomery Run, Section II

Ms. Elizabeth T. Hobbs November 23, 1993 Page Two

Your interest in the MD 100 planning process is appreciated. If you have any additional questions or concerns, please feel free to contact Karl Teitt, our project manager, at (410) 333-1881 or toll free 1-800-548-5026..

Sincerely,

Hal Kassoff Administrator

cc: Mr. Karl R. Teitt



SENATE OF MARYLAND

ANNAPOLIS, MARYLAND 21401-1991

THOMAS M. YEAGER STATE SENATOR THIRTEENTH DISTRICT HOWARD/PRINCE GEORGE'S COUNTIES

BUDGET AND TAXATION

ANNAPOLIS ADDRESS: SENATE OFFICE SUILDING ROOM 309 ANNAPOLIS, MARYLAND 21401-1991 PHONE: (410) 841-2872 (901) 688-8872

DISTRICT OFFICE:

418 MAIN STREET LAUREL, MARYLAND 20707-4178 PHONE: (301) 488-3400

November 3, 1993

Mr. Hal Kassoff State Highway Administration Maryland Department of Transportation P.O. Box 717 Baltimore MD 21203-0717

Dear Hal,

Enclosed is a letter from Ms. Blizabeth T. Hobbs, from Villages of Montgomery Run, Section II regarding the proposed sound barrier.

Please respond directly to Ms. Hobbs, with a copy to me. Thank you so much.

Sincerely,

TMY/bp Enclosure Tom Yeager State Senator

Copy Ms. Elizabeth T. Hobbs President, Board of Directors Village of Montgomery Run, Section II 8555-E Palls Run Road Ellicott City MD 21043

Hal Kassoft Regionse

EXHIBIT D-50

October 26, 1993

Mr. James Lighthizer, Secretary Maryland Department of Transportation 10 Elm Road BWI Airport, MD 21240 # 99 DEVELOPMENT ON STAN

SECRETARY OF THE SPORTATION

Dear Mr. Lighthizer,

I am writing with regard to the selection of the Modified Option D alignment for Route 100 and the impact this decision will have on the Villages of Montgomery Run.

Although my building will not be directly affected by Route 100, I am concerned with how the new alignment will affect our community as a whole. I purchased my unit, as did many others, with the understanding that an agreement had been made between SHA and Macks Homes with regard to the location of Route 100 with respect to our community.

As the alignment has since changed, our community is asking for a few commitments from SHA to protect the value of our properties.

- I would like the SHA to agree in writing to constructing a noise barrier adjacent to 8611 and 8613 Falls Run Road in addition to offering to buy out these residences. This will help maintain the value of these buildings as well as the others in the community.
- Also, I would like the SHA to agree to the following regarding the
 residences they obtain: the properties will not be sold at auction, will
 not be offered in blocks to investors, nor will they be sold or used as
 low-income or subsidized housing. Ideally, the properties would be
 bought and sold over the next several years, allowing the residents to
 move at their convenience and avoiding a flood on the market of
 Montgomery Run properties.

The residents of Montgomery Run are being forced to make sacrifices so that the fish and wildlife can flourish in the channel of Deep Run. All we are asking for is some consideration so that our community and the families that live here can continue to flourish as well. We appreciate the concessions the state has made so far and hope that you will help us to protect Montgomery Run from any further decline in property value or the quality of its residents.

Sincerely,

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Rhonda L. Adkins • 8489-1 Falls Run Road • Ellicott City, Maryland 21043

D-50-1



William Donald Schae Governor O. James Lighthizer Secretary Stephen G. Zentz

November 15, 1993

Ms. Rhonda L. Adkins 8489-I Falls Run Road Ellicott City MD 21043

Dear Ms. Adkins:

Thank you for your recent letter concerning the location of the proposed MD 100 alignment. I am also responding on behalf of the Governor and the State Highway Administration (SHA). I can understand and appreciate your concerns about the potential noise impacts and selling of the condominium units.

I can assure you that SHA is investigating all reasonable means of mitigation for the units within the Villages of Montgomery Run that are closer to MD 100 than under the original plan. Mr. Hal Kassoff, the State Highway Administrator, has met with the residents of the affected condominium units. During that meeting, an offer was made to construct a noise wall that would protect first and second floor residences only with a buy out option for the third floor residences, or to buy out all three floors. Approximately 75 percent of those residents in attendance requested to be bought out. From a cost and policy standpoint, we cannot justify doing both the buy out option and the noise wall at state expense.

For the units of the Villages of Montgomery Run that are not closer to MD 100, our position is that sound walls will not be constructed at public expense. These units were sold with the alignment of MD 100 being public knowledge. In fact, at the county's request, the alignment was moved to permit these units to be constructed. If we have enough excess dirt available, we would be willing to investigate the possibility of constructing additional earth berms.

As we have promised to the Board of Directors, any units purchased by SHA will not be sold in bulk. The resale of any unit will follow applicable law concerning sale of real estate owned by the state.

Your interest in the MD 100 planning process is appreciated. If you have any additional questions or concerns, please feel free to contact Mr. Neil Pedersen, Director of SHA's Office of Planning and Preliminary Engineering, at (410) 333-1110.

Sincerely,

O. James Lighthizer Secretary

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TTY For the Deal (410) 684-6919

Post Office Box 8755, Baltimore/Washington International Airport, Maryland 21240-0755

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RESPONSE TO EAHIERT D-51 Maryland Department of Transportation State Highway Administration

O James Lighthizer Secretary Hal Kassoff

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Hal Kassoff Administrator

November 16, 1993

Mrs. Roberta Drieslein 8353-F Montgomery Run Road Ellicott City MD 21043

Dear Mrs. Drieslein:

Thank you for your recent letters concerning the location of the proposed MD 100 alignment. I am also responding on behalf of Neil Pedersen.

The State Highway Administration (SHA) is also concerned about potential noise impacts to the units within the Villages of Montgomery Run that are closer to MD 100 than the original plan. We have been and will continue to investigate reasonable means of mitigation for those units. I personally attended a meeting with those individuals involved. We explained that our offer was to construct a noise wall that would protect first and second floor residences only with a buy out option for the third floor units, or to buy out all three floors. Approximately 75 percent of those residents in attendance requested to be bought out. From a cost and policy standpoint, we cannot justify doing both the buy out option and the noise wall at state expense.

Large numbers of units purchased by SHA will not be sold at one time. However, we must follow the process outlined in state law for disposal of units, which calls for the units to be sold at public auction.

Your interest in the MD 100 planning process is appreciated. If you have any additional questions or concerns, please feel free to contact Karl Teitt, our project manager, at (410) 333-1881 or toll free at 1-800-548-5026.

Sincerely,

Hal Kassoff Administrator

cc: Mr. Karl R. Teitt

My telephone number is _____

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