

1

FEDERAL HIGHWAY ADMINISTRATION  
FINDING OF NO SIGNIFICANT IMPACT

FOR

INTERSTATE ROUTE I-270 SPUR,  
MONTGOMERY COUNTY, MARYLAND

The FHWA has determined that this project will not have any significant impact on the environment. This finding of no significant impact is based on the Environmental Assessment and the attached documentation, which summarizes the assessment and documents the selection of Alternate 2, which provides for widening primarily on the inside, with fourteen-foot paved inside shoulders, and a Jersey-type concrete barrier. The Selected Alternate also includes Option A as a short-term improvement and Option B as a long-range solution. Option A provides for the addition of one through lane to the northbound I-270 Spur roadway, without alteration of the existing I-495 bridge over the I-270 Spur. Option B proposes the reconstruction/realignment of a portion of the I-495 westbound roadway. The Environmental Assessment has been independently evaluated by the FHWA and determined to adequately discuss the need, environmental issues and impacts of the proposed project, and appropriate mitigation measures. It provides sufficient evidence and analysis for determining that an Environmental Impact Statement is not required. The FHWA takes full responsibility for the accuracy, scope, and content of the Environmental Assessment and attached documentation.

January 31, 1989  
Date

  
For Division Administrator

2

TABLE OF CONTENTS

	<u>PAGE</u>
I. Record of Decision	I-1
II. Comparison of Alternates	II-1
III. Summary of Actions and Recommendations	III-1
A. Background	III-1
1. Project Location	III-1
2. Purpose of the Project	III-1
3. Planning History	III-2
B. Alternates	III-3
1. Alternates Considered but Dropped	III-3
2. Alternates Presented at the Informational Meeting and Public Hearing	III-3
a. Alternate 1: No-Build	III-3
b. Alternate 2: Inside Widening-Selected Alternate	III-4
3. Service and Design Characteristics of the Selected Alternate	III-7
4. Environmental Consequences	III-8
a. Socioeconomic Impacts	III-8
b. Natural Environmental Impacts	III-10
c. Noise and Air Quality Impacts	III-13
C. Positions Taken	III-23
1. Elected Officials	III-23
2. Citizens and Community Associations	III-23
3. Agencies	III-24
D. Team Recommendations	III-25
IV. Public Hearing Comments	IV-1
V. Correspondence	V-1
A. Written Comments Received Subsequent to the Combined Location/Design Public Hearing and Responses	V-1
B. Elected Officials	V-34
C. Agency Coordination	V-57

LIST OF FIGURES

<u>Figure</u>	<u>Title</u>	<u>Follows Page</u>
1	Project Location	III-2
2	Study Area	III-2
3	Selected Alternate 2	III-4
4	Typical Sections	III-4
5	Noise Areas	III-14

LIST OF TABLES

<u>Table</u>	<u>Title</u>	<u>Page</u>
1	Comparison of Alternates	II-1
2	Build Alternate Noise Levels (dBA)	III-15
3	Noise Abatement Analysis Summary, Type I	III-18

4



Maryland Department of Transportation  
State Highway Administration

Richard H. Trainor  
Secretary  
Hal Kassoff  
Administrator

July 21, 1988

MEMORANDUM

TO: Mr. Hal Kassoff  
Administrator

FROM: Neil J. Pedersen, Director *Neil J Pedersen*  
Office of Planning and  
Preliminary Engineering

SUBJECT: Contract No. M 401-153-372N  
I-270 Spur (West)

RE: Minutes of Meeting  
Date: July 6, 1988  
Place: Room 400A  
Time: 1:00 p.m.  
Attendees:  

Mr. Hal Kassoff	Mr. Roger Trexler
Mr. Neil Pedersen	Mr. Don Sparklin
Mr. Robert Douglass	Ms. Catherine Pecora
Mr. Charles Walsh	Mr. Ron Rye
Mr. Bonaventure Wachter	Mr. Mark Lotz

This meeting was held to further discuss the project planning recommendation report with Mr. Kassoff. The recommendations discussed at this meeting will supplement those made in the attached alternate recommendation of May 31, 1988.

The main item of discussion was the southern limit of the project and the treatment of the X-bridge. The limit of the I-270 Spur widening has been extended by approximately 500 feet along the southbound roadway to Station 775+00. Therefore, this project will include the widening of southbound (westbound) I-495 along Thomas Branch and the extension of the culvert of Thomas Branch under I-495.

The Project Development Division will request Location/Design approval for both Option A - No Bridge Replacement (Initial Construction) and Option B - Bridge Replacement (Ultimate Construction) at the X-bridge. However, Mr. Kassoff confirmed that to reduce the cost of the project, neither option would be constructed initially. He stated that the following items should be deleted from the contract currently being designed:

333-1110

My telephone number is (301) \_\_\_\_\_

5

Mr. Hal Kassoff

Page 2

- widening (addition of fifth lane) along northbound I-495 from Thomas Branch to the X-bridge.
- reconstruction of X-bridge and construction of associated approach roads and retaining walls.

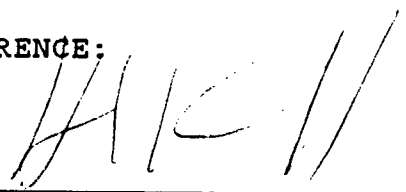
Mr. Kassoff also requested that the I-495/I-270 Spur northbound diverge be modified so that the third lane could be a choice lane for I-270 or I-495. This lane would connect into the existing third lane on I-495.

Mr. Kassoff was informed that aesthetic treatments and median plantings would be included on this project. Mr. Kassoff requested that a minimum acceptable distance in which median planting could be placed be provided by Mr. Charles Adams. In addition, the cost of these plantings should be added to the project cost.

In summary, the Project Development Division will incorporate the new limit into the FONSI. The Bureau of Highway Design will modify the I-270 Spur cost estimate to include the southbound lane extended limit, the additional lane at the I-270 Spur/I-495 northbound gore, and a cost for median plantings.

I concur with the minutes of this meeting as a supplement to the May 31, 1988 Alternates Recommendation.

CONCURRENCE:



7/21/88

\_\_\_\_\_  
Hal Kassoff, Administrator

\_\_\_\_\_  
Date

NJP:eh  
Attachment  
cc: Attendees  
Distribution List

**I Record of Decision**

DISTRIBUTION LIST

- Mr. George Frick
- Mr. Steven Gaj
- Mr. Mike Snyder
- Ms. Patricia Willard
- Mr. John Clark
- Mr. Steve McHenry
- Mr. Joe Finkle
- Mr. Don Sparklin
- Mr. Ron Rye
- Mr. Ron Burns
- Mr. Bill Mercado
- Mr. Charles G. Walsh
- Mr. Roger Trexler
- Mr. Robert Cunningham

8  
John S.

Richard H. Trainor  
Secretary  
Hal Kassoff  
Administrator

**Maryland Department of Transportation  
State Highway Administration**



May 31, 1988

MEMORANDUM

TO: Mr. Hal Kassoff  
Administrator

FROM: Neil J. Pedersen, Director  
Office of Planning and  
Preliminary Engineering

SUBJECT: Contract No. M 401-153-372 N  
I-270 Spur - I-270 to  
I-495 north of River Road  
PDMS No. 151104

RE: ALTERNATE RECOMMENDATION

*Neil J. Pedersen*

2011 8/11/11  
MAY 31 1988

The Project Development Division has completed project planning studies for the widening of the I-270 spur from the Y-split to I-495 and the portion of I-495 from I-270 Spur to south of Bradley Boulevard.

These studies have concluded that Alternate 2, the mainline widening, is the preferred alternate. Two options in the vicinity of the bridge carrying I-495 southbound over I-270 Spur northbound (the X-bridge) as shown in the attached report, are proposed as part of this alternate. We are recommending approval of both options in order to allow the construction of this project to be stage constructed. Noise barriers are not recommended as part of this construction.

The recommended alternate was presented at a Public Informational Meeting on January 22, 1987 and the recommended alternate with the options at the X-bridge were presented at a Combined Location/Design Public Hearing on September 21, 1987. We are recommending Option B (replacement of the X-bridge) to be constructed ultimately as we discussed with you on September 22, 1987. Option A (widening under the existing bridge) is being recommended to be constructed initially as we discussed at the cost-reduction review on April 25, 1988.

The recommended alternate has received the support of the Maryland-National Capital Park and Planning Commission and the Montgomery County Department of Transportation. Representatives of the Montgomery County Council have expressed their views that the recommended widening will not be needed within the next 5 years. Neighborhoods along the project objected to the

My telephone number is (301) 333-1110



construction of the project because noise barriers are not included. No areas along this project qualify for noise barriers under SHA's Type I noise program. The neighborhood of Wildwood Hills meets the criteria for Type II noise abatement except for cost-effectiveness. Berms have been evaluated and are not feasible in this area due to steep slopes. Discussions are currently underway with this neighborhood regarding providing additional landscaping.

The recommended alternate does not require additional right-of-way. The ultimate construction (Option B) would not impact any wetlands or floodplains. However, the initial construction (Option A) would impact approximately 0.3 acre of wetlands and would require approximately 1100' of stream relocation.

The current cost estimate for this project is \$15.7 million for the mainline widening construction with Option A and \$20.2 million for the mainline widening construction with Option B.

The attached team recommendation report has received the concurrence of the project planning team. It was agreed at our September 22, 1987 meeting that a formal recommendation meeting would not be required, therefore, we are requesting your concurrence on the contents of this report and selection of Alternate 2.

I concur with the team recommendation and hereby select build alternate 2 for the widening of the I-270 Spur and a portion of I-495.

CONCURRENCE:



5/31/88

\_\_\_\_\_  
Hal Kassoff  
Administrator

\_\_\_\_\_  
Date

NJP/ih

- cc: Distribution List
- Mr. Bob B. Myers
- Mr. Edward M. Loskot
- Mr. Earle S. Freedman
- Mr. Jack F. Ross
- Mr. James K. Gatley
- Mr. Anthony M. Capizzi

- Mr. Thomas Hicks
- Mr. John Bruck
- Ms. Angela Hawkins
- Mr. John H. Grauer
- Mr. Samuel Miller, Jr.
- Ms. Cynthia D. Simpson
- Mr. Robert J. Finck

DISTRIBUTION LIST

- Mr. George Frick
- Mr. Steven Gaj
- Mr. Mike Snyder
- Ms. Patricia Willard
- Mr. John Clark
- Mr. Steve McHenry
- Mr. Joe Finkle
- Mr. Don Sparklin
- Mr. Ron Rye
- Mr. Ron Burns
- Mr. Bill Mercado
- Mr. Charles G. Walsh
- Mr. Roger Trexler
- Mr. Robert Cunningham

//

## **II Comparison of Alternatives**

TABLE 1  
COMPARISON OF ALTERNATES

Analysis Item	Alternate 1	Selected Alternate 2 (Initial Construction)	Selected Alternate 2 (Option A)
<u>Socio-economic Impacts</u>			
1. Residential Displacements	0	0	0
2. Minorities Relocated	0	0	0
3. Business Displacements	0	0	0
4. Total Properties Affected	0	0	0
5. Historical Sites Affected	0	0	0
6. Archaeological Sites Affected	0	0	0
7. Public Recreational Lands Affected	0	0	0
8. Effects of Residential Access	Not Improved	Improved	Improved
9. Consistency with Land Use Plans	No	Yes	Yes
<u>Natural Environment Impacts</u>			
1. Loss of Natural Habitat (woodland acres)	0	0	0
2. Effect on Wildlife Populations	0	0	0
3. Effect on Threatened or Endangered Species	0	0	0
4. Stream Crossings	0	0	0
5. Wetland Areas Affected (acreage)	0	.05	.25
6. 100-year Floodplains Affected (acreage)	0	0	0
7. Prime Farmland Soils Affected (acreage)	0	0	0
8. Air Quality Impacts (sites exceeding S/NAAQS)	0	0	0
9. Noise Sensitive Areas (NSAs exceeding Federal Noise Abatement Criteria or experiencing a 10 dBA or greater increase)	8	8	8
<u>Cost (1988 dollars in thousands)</u>			
TOTAL	0 (minimal)	\$16,000	\$17,300

**III Summary of Actions  
and Recommendations**

### III. SUMMARY OF ACTIONS AND RECOMMENDATIONS

#### A. Background

##### 1. Projection Location

This project includes the Interstate Route 270 (I-270) Spur (formerly known as the I-270 West Spur) and a portion of Interstate Route 495 (I-495) from the spur to north of River Road. The I-270 Spur is located in southern Montgomery County just northwest of Washington, D.C. (See Figures 1 and 2.) This roadway connects I-270 and I-495, the Capital Beltway. I-270 and I-495 serve as the major north-south and east-west commuter routes for Montgomery County and northwest Washington, D.C. In addition, they provide service to interstate traffic passing through the region. The I-270 Spur provides the connection between I-270 to the north and I-495 to the west and south.

##### 2. Purpose of the Project

The purpose of the proposed project is to improve capacity and safety along the I-270 Spur and the portion of I-495 from the I-270 Spur to north of River Road. This is proposed to be accomplished by adding one lane in each direction to the existing four-lane roadway. The existing roadway currently experiences operational difficulties, especially during the morning and evening rush hour periods. This will worsen as traffic volumes increase over time in accordance with planned development in Montgomery County. The proposed improvement will provide sufficient capacity through the design year 2010.

15

### 3. Planning History

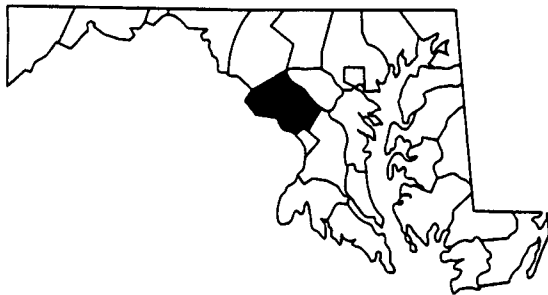
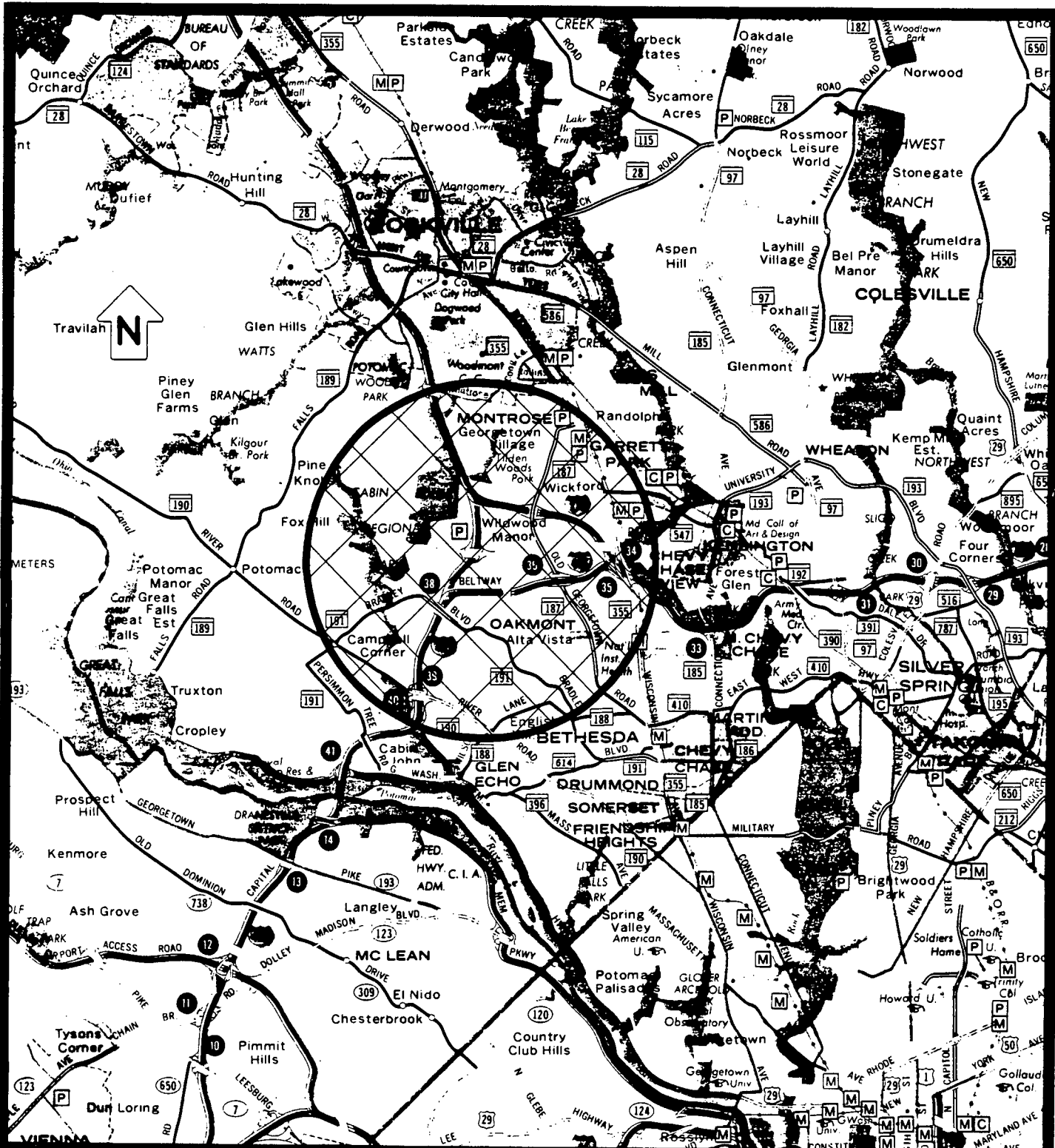
The I-270 Spur, including the interchange at Democracy Boulevard and the interchange with I-495 (Capital Beltway), was originally constructed in 1962-1963 as a four-lane freeway and designated as I-270. No further major capacity improvements to this segment of I-270 have taken place.

The highway segment was redesignated as Interstate Route 470 in 1974 and as the I-270 West Spur in 1976. It received its present designation as the I-270 Spur in 1987.

The widening of the I-270 Spur to six lanes was initially included in the 1975-1994 Twenty Year Highway Needs Study and retained in all subsequent updates of the document now renamed the Highway Needs Inventory (1986 revision).

The project was initially added to the Development and Evaluation portion of the 1985-1990 Consolidated Transportation Program together with the widening of the southernmost segment of I-270 (formerly I-270 east segment). These segments were separated into individual projects in the Development and Evaluation portion of the 1986-1991 Consolidated Transportation Program in order to accelerate construction of the east segment using Regular Federal Interstate funds. This project is currently listed in the Interstate Development and Evaluation Portion of the Draft 1989-1994 Consolidated Transportation Program.

Following location and design approvals from the Federal Highway Administration, the project will be a candidate for construction, subject to an agreement with Montgomery County to advance funding for construction.



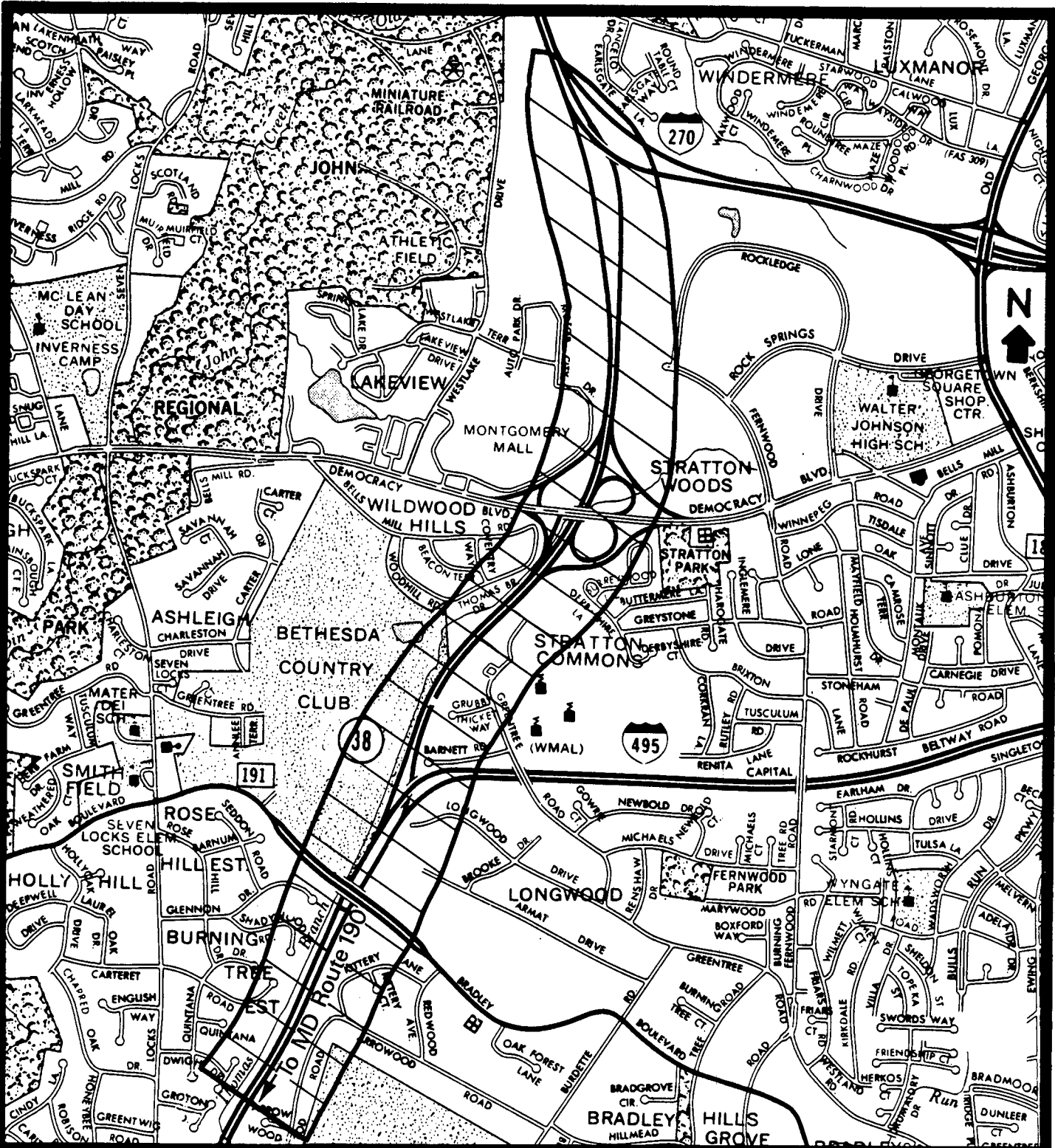
**INTERSTATE ROUTE 270 SPUR**  
 Y-Split to Interstate Route 495  
 Including I-495 to North of MD. RTE. 190

**PROJECT LOCATION**



**FIGURE 1**





LEGEND



STUDY AREA CORRIDOR

INTERSTATE ROUTE 270 SPUR

Y-Split to Interstate Route 495

Including I-495 to North of MD. RTE. 190

STUDY AREA

Scale



FIGURE 2

The project is consistent with the mainline I-270 widening to eight lanes with collector-distributor roadways, from north of Maryland Route 121 to the northern terminus of this project at the Y-split. It is also consistent with the widening of I-495 from the American Legion Memorial Bridge at Cabin John to north of River Road.

## B. Alternates

### 1. Alternates Considered but Dropped

#### Outside Widening

Widening to the outside of the existing road was considered but dropped for a number of reasons. Outside widening would involve the additional cost to reconstruct overpasses, reconstruct ramp connections, extend drainage structures, and purchase additional right-of-way. Outside widening would also create worse impacts to adjacent residents than inside widening due to the acquisition of right-of-way, the destruction of existing vegetation between residences and the roadway, and an increase in noise level due to the increased proximity of the roadway to the residences.

### 2. Alternates Presented at Informational Meeting and Public Hearing

#### a. Alternate 1: No-Build

This alternate would provide no major improvements or construction to the existing roadway that would measurably affect the ability of the highway to accommodate increased traffic volumes predicted for the design year 2010. Normal maintenance, such as shoulder modifications, signing, resurfacing, and

safety improvements, would be completed as warranted, but capacity would not be increased.

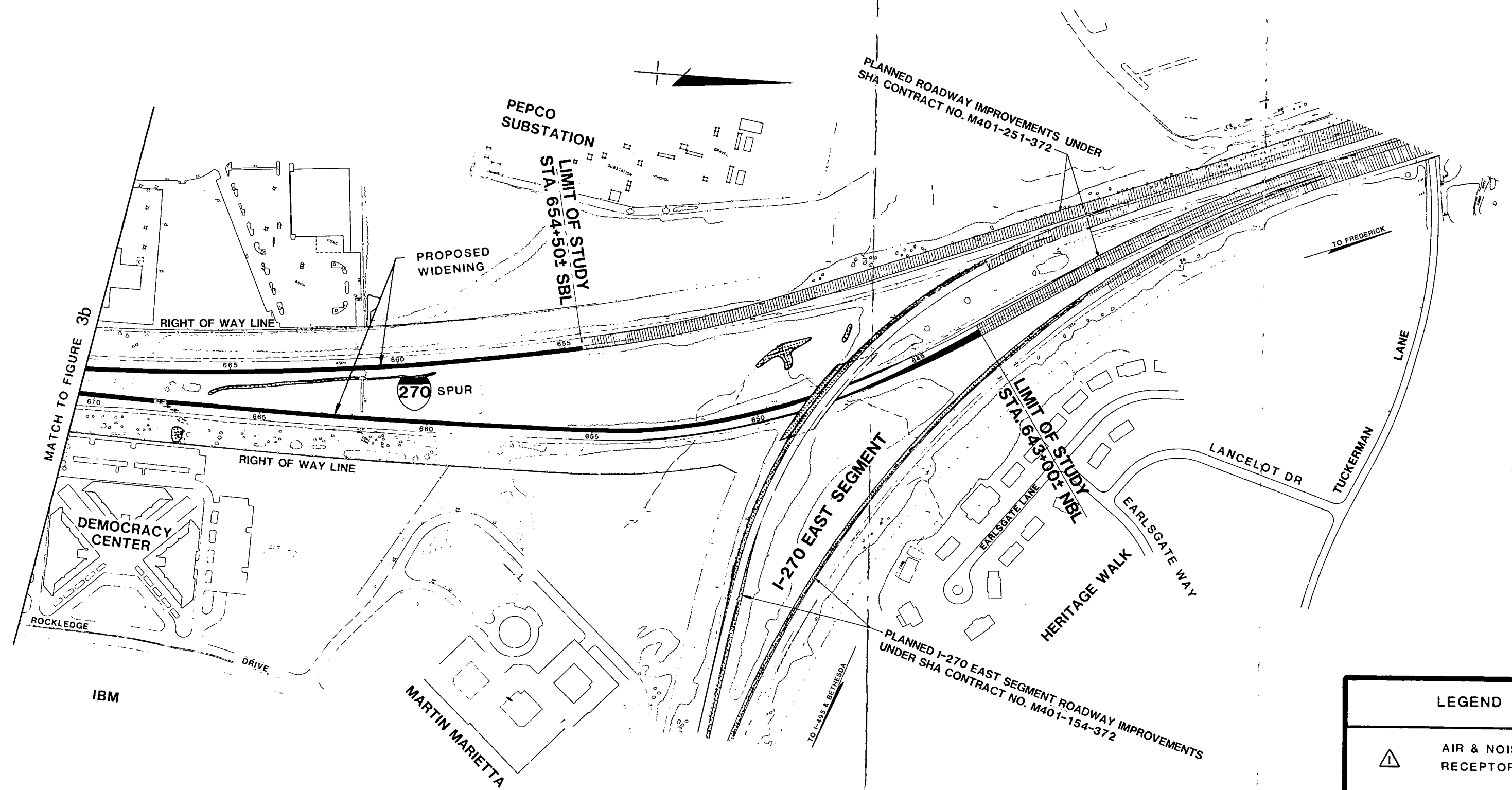
The No-Build Alternate is not a feasible solution to current and anticipated traffic capacity problems. As traffic volumes grow, the frequency and duration of congested periods will likely increase. In turn, this congestion would increase the potential for accidents and delays for travelers through the area.

b. Alternate 2: Inside Widening-Selected Alternate

This alternate proposes the addition of one 12-foot wide lane in each direction to the existing four-lane roadway from the Y-split to the I-270 Spur/I-495 junction. This alternate also proposes the addition of one 12-foot wide lane in each direction to the existing eight-lane I-495 roadway from the I-270 Spur/ I-495 junction to approximately 3,200' south of Bradley Boulevard. (See Figures 3a-3c.) The two additional lanes would be constructed generally in the existing median and would be separated by a continuous Jersey-type concrete median barrier. Fourteen-foot wide paved shoulders are proposed between the additional lanes and the median barrier. (See Figure 4.) The existing roadway within the study limits would be resurfaced.

No improvements are contemplated for the interchange at I-270 Spur/Democracy Boulevard as part of this project. A separate study will address safety and capacity problems at this interchange.

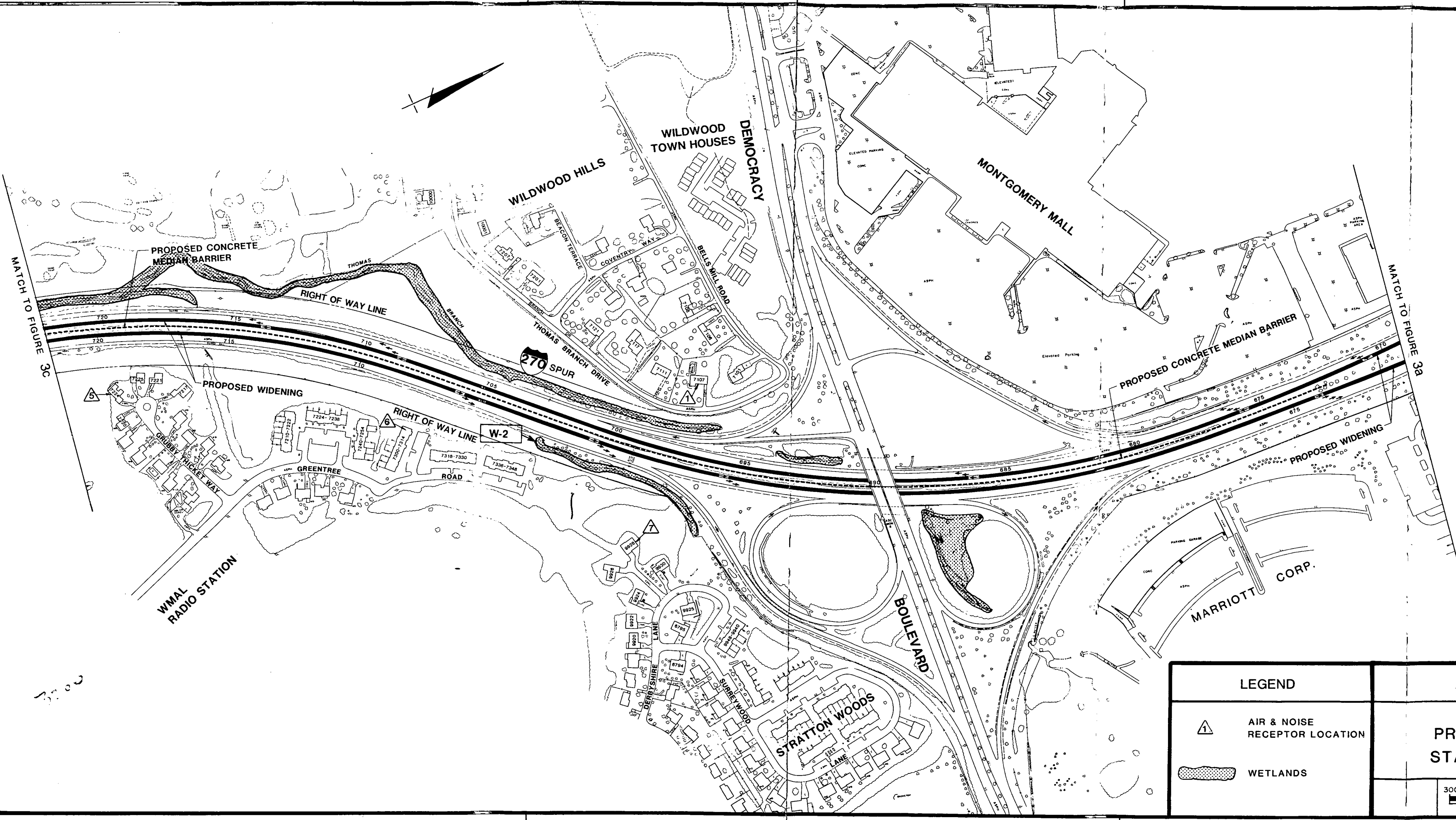
In general, the existing cross slopes will be held to extend the additional widening. The emergency vehicle turnaround on I-495 south of Maryland Route 191 would be closed as a result of the widening.



LEGEND	
	AIR & NOISE RECEPTOR LOCATION
	WETLANDS

**I-270 SPUR  
Y-SPLIT TO I-495  
ALTERNATE 2  
PROPOSED WIDENING  
STA 643 TO STA 669**

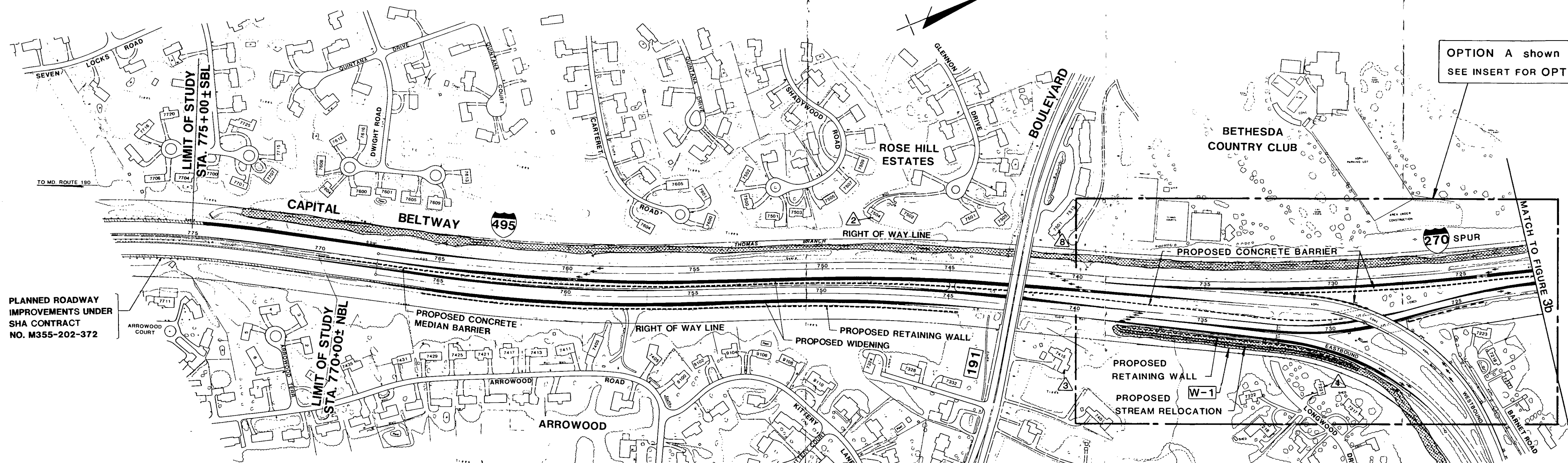




MATCH TO FIGURE 3c

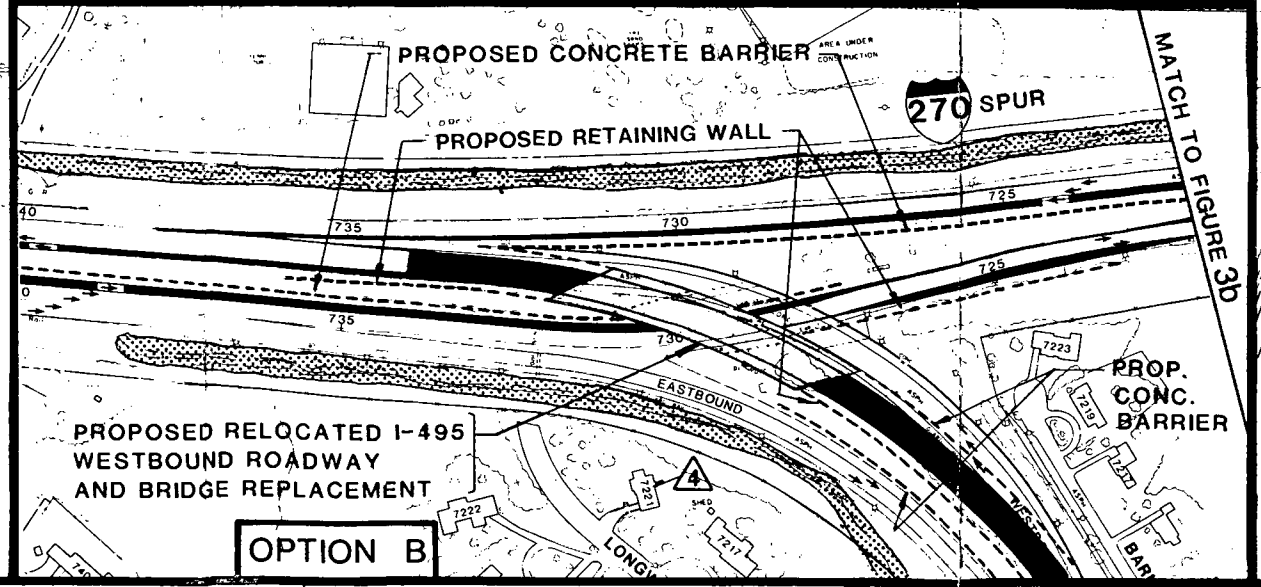
MATCH TO FIGURE 3a

<b>LEGEND</b>		<b>I-270 SPUR Y-SPLIT TO I-495 ALTERNATE 2 PROPOSED WIDENING STA 669 TO STA 722</b>	
	AIR & NOISE RECEPTOR LOCATION	 SCALE IN FEET	
	WETLANDS		
		FIGURE 3b	



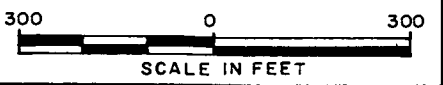
OPTION A shown  
SEE INSERT FOR OPTION B

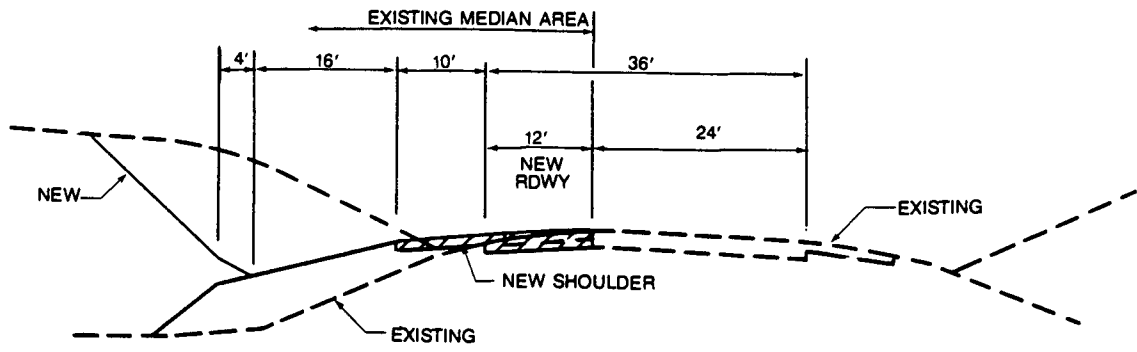
PLANNED ROADWAY  
IMPROVEMENTS UNDER  
SHA CONTRACT  
NO. M355-202-372



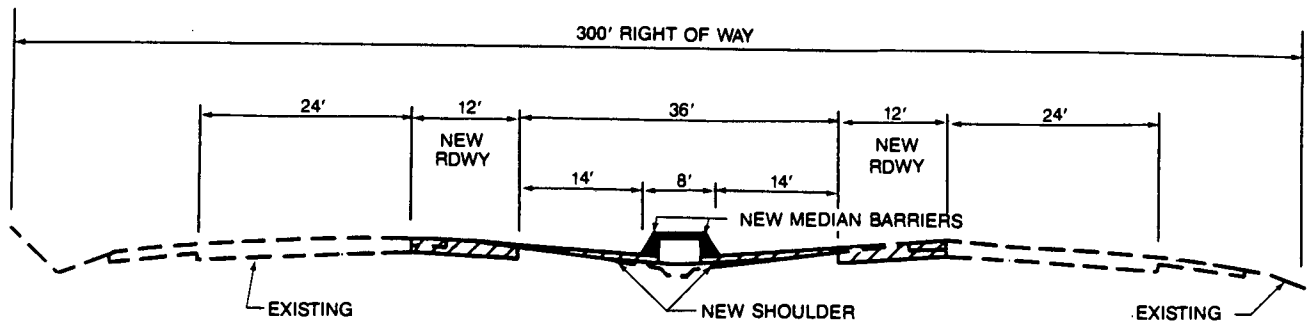
LEGEND	
	AIR & NOISE RECEPTOR LOCATION
	WETLANDS

**I-270 SPUR  
Y-SPLIT TO I-495**  
**ALTERNATE 2  
PROPOSED WIDENING  
STA 722 TO STA 770**

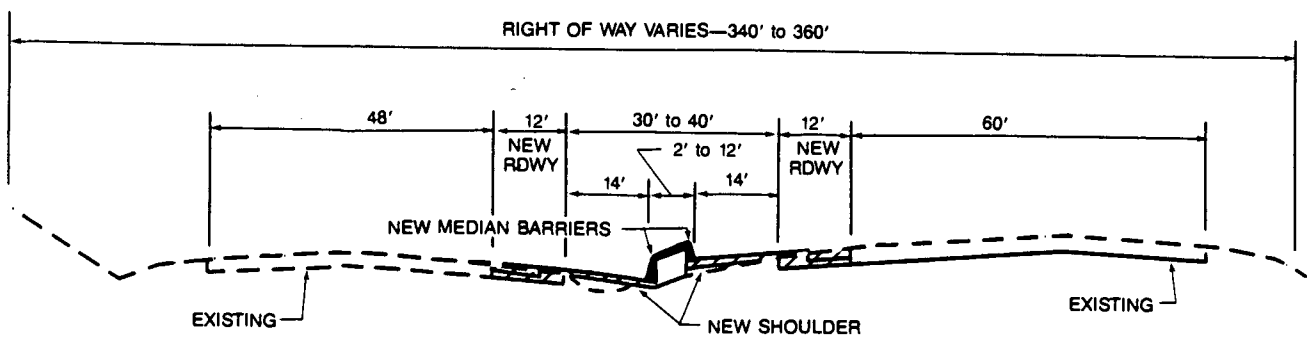




I-270 SPUR—NORTHBOUND AND SOUTHBOUND ROADWAYS  
NORTH OF DEMOCRACY BLVD. INTERCHANGE



I-270 SPUR—FROM DEMOCRACY BLVD.  
INTERCHANGE TO I-270/I-495 JUNCTION



I-495 MAINLINE—FROM SOUTH OF  
I-270 JUNCTION TO SOUTH OF BRADLEY BLVD.

The dimensions shown are for the purpose of determining cost estimates and environment impact, and are subject to change during the final design phase.

**INTERSTATE ROUTE 270 SPUR**  
Y-Split to Interstate Route 495  
Including I-495 to North of MD. RTE. 190

**I-270 SPUR  
TYPICAL SECTIONS**

FIGURE 4

Some outside widening will be required to meet the proposed design criteria for sight distance and shoulder widths. This will occur at the Y-split where the project will gradually transition to outside widening and meet the roadway proposed for the I-270 mainline project. Some outside widening will be required along the northbound roadway of I-495 south of Maryland Route 191 and a retaining wall will be required on the outside of the roadway. The amount and location of outside widening at the I-495/I-270 Spur junction depends upon the option selected.

I-270 Spur Junction at I-495

In conjunction with the Alternate 2 (Inside Widening) studies, options have been developed to determine the feasibility of safety improvements in the vicinity of the bridge carrying the I-495 westbound roadway over the I-270 Spur northbound roadway. Due to underpass width and sight distance constraints imposed by the bridge, full inside widening along the northbound roadway through the existing underpass would not satisfy the 55 mph design criteria.

1. Initial Construction

Initial construction of Alternate 2 in this area would not involve any widening of the northbound roadway south of the bridge carrying I-495 over the I-270 Spur. The addition of the third lane on the northbound roadway would begin on the I-270 Spur just north of this bridge. This initial construction would remain in place until the third lane south of the bridge is needed. This construction would cost approximately \$16 million.



2. Option A - No Bridge Replacement (Ultimate Construction)

Option A proposes the addition of one through lane to the northbound I-270 Spur roadway without alteration of the existing I-495 bridge over the I-270 Spur. To provide the additional lane through the underpass and maintain the existing design speed, some realignment and outside widening of the I-270 Spur northbound roadway and I-495 eastbound roadway would be required. The outside widening would necessitate the construction of a retaining wall on the outside edge of the eastbound I-495 roadway and a stream relocation here. Two retaining walls would also be required in the median of the southbound I-270 Spur and westbound I-495 in the vicinity of the bridge. All improvements would take place within the existing right-of-way.

The cost for Alternate 2 with this option is approximately \$17.3 million.

3. Option B - Bridge Replacement (To be considered at a later date)

Option B proposes the reconstruction of the bridge carrying I-495 over the I-270 Spur and the realignment of a portion of the I-495 westbound roadway. This option is to be considered when funds are available. Retaining walls would be required in the median to avoid an impact of the westbound roadway on the eastbound roadway.

The widening of the I-270 Spur with this option would take place in the median except for a small section north of the bridge. Retaining walls would be required in the median of the I-270 Spur in the area of the bridge. No stream relocation would be required and all improvements would take place within the existing right-of-way.

The cost for Alternate 2 with this option is approximately \$21.8 million.

### 3. Service and Design Characteristics of the Selected Alternate

The I-270 Spur currently carries an average daily traffic of approximately 82,000 vehicles. This volume is projected to increase to between 113,000 and 121,000 vehicles by the design year 2010. This volume of traffic is currently operating at Level of Service F and is projected to continue at this level through the design year under the No-Build Alternate. With Alternate 2, the selected alternate, a Level of Service D/E is projected to be achieved in the design year.

Interstate Route 495 from the I-270 Spur to south of Bradley Boulevard currently carries 148,000 vehicles per day at level of service E. This will increase to 197,000 vehicles per day at level of service F by the year 2010 without the widening and at a level of service D/E with the widening.

With Alternate 2, Option A the widening of the I-270 Spur and I-495 would be consistent with the existing geometrics. This would meet a 55 mph design speed. A design exception will be requested from the Federal Highway Administration for this design.

Option B allows a 60 mph design speed to be achieved for both the I-270 Spur and I-495 roadways. Therefore, this would significantly improve the high accident section of I-495 that currently exists and provide an improved design for the I-270 Spur over that proposed in Option A. A design exception for the I-270 Spur would not be required for this option. A design exception would be required for the I-495 bridge over the I-270 Spur for stopping sight distance because an unreasonably wide shoulder would be required to achieve a 60 mph sight distance. The Federal Highway Administration has agreed that a 12-foot inside shoulder would be acceptable.

4. Environmental Consequences

a. Socioeconomic Impacts

The proposed widening (Alternate 2) would occur within existing right-of-way and no displacements would be required. It may be determined during the design phase that minor right-of-way is needed for stormwater management facilities. No minority, elderly, or handicapped persons would be affected by the proposed improvements.

Alternate 2 would improve traffic operations, safety, and access along the I-270 Spur and the portion of I-495 included in this study, as well as alleviate congestion, and reduce travel times and costs.

An emergency service turnaround on I-495 just south of Bradley Boulevard will be closed in conjunction with the widening. This turnaround now allows the northbound I-270 Spur between the I-495 junction and Democracy Boulevard and the section of I-495 between the I-270 Spur and MD Route 187 to be

served by the Bethesda Fire Department Station No. 26 (on Democracy Boulevard). The Federal Highway Administration has directed that median turnarounds (such as the one in question) be closed where safe turning radii cannot be provided. The future median width in this area (30 feet between inside roadway edges) would not be wide enough to safely accommodate the turning radius of many emergency vehicles. Alternative means of duplicating this access elsewhere in the median in this area were investigated, but none were determined to be feasible or safe. Currently, and with the proposed improvement, this section could be more safely served by stations 10 and 20 (on River Road and Old Georgetown Road, respectively) with a minor change and possibly an improvement in response times. The Bethesda Fire Department concurs with these changes (see the letter in the Correspondence Section of this document). A new turnaround just north of the Y-split will be requested from the Federal Highway Administration to provide quicker access from the northbound I-270 roadway spur onto the southbound I-270 spur roadway.

The selected alternate is consistent with the Approved and Adopted Master Plans for the Bethesda-Chevy Chase Planning Area (1970), North Bethesda-Garrett Park Planning Area (1970-amended 1979), and Potomac Subregion (1980-amended 1984). The proposed improvement would help accommodate planned industrial, commercial, and residential growth for the region.

No property is required from any public park or recreation area, archaeological resources, or historic sites on or eligible for the National Register of Historic Places. (See letters in the Correspondence Section of this document.)

b. Natural Environmental Impacts

These impacts are minimal due to the urbanized nature of the study area and because most of the widening is occurring within the median. No prime farmland soils or significant wildlife habitat would be affected under Alternate 2, regardless of the construction.

The 100-year floodplain of Thomas Branch would be affected in two areas, due to the construction of retaining walls, but this impact is not significant; that is, flood conditions would not be appreciably altered.

In accordance with the requirements of FHPM 6-7-3-2, each encroachment has been evaluated to determine its significance. A significant encroachment would involve one of the following:

- A significant potential for interruption or termination of a transportation facility which is needed for emergency vehicles or provides a community's only evacuation route.
- A significant risk, or
- A significant adverse impact on natural and beneficial floodplain values.

The use of standard hydraulic design techniques for all waterway openings which limit upstream flood level increases and approximate existing downstream flow rates will be utilized where feasible.

Use of state-of-the-art sediment and erosion control techniques and stormwater management controls will ensure that none of the encroachments would result in risks or impacts to the beneficial floodplain values or provide direct or indirect support to further development within the floodplain. Preliminary floodplain analyses indicate that the encroachment required for Selected Alternate 2 will not cause any adverse effects on the storage capacity of the floodplain or associated surface water elevation. In consideration of these factors, the floodplain encroachments were determined to be non-significant. In accordance with the Federal Aid Highway Program Manual 6-7-3-2, and Executive Order 11988, a floodplain finding is not required.

Alternate 2, Option A requires the relocation and rechannalization of approximately 1,100 feet of Thomas Branch (a Class I stream). A Waterway Construction Permit would be required by the Department of Natural Resources. Instream construction may be prohibited from March 1 to June 15, inclusive.

This option impacts approximately 0.25 acre of palustrine, forested wetlands associated with this stream (W-1). The ultimate construction (Option B) for Alternate 2 near the I-270 Spur/I-495 junction would not require any additional wetland impacts or stream relocation. However, since Option B includes the complete reconstruction of the bridge carrying I-495 over northbound I-270 Spur, making Option B \$4.5 million more expensive than Option A, Option B is being deferred until such time as additional funds become available. The construction of Alternate 2 north of this area, specifically, the reconstruction of a deteriorated culvert, also impacts less than .05 acre of palustrine, forested wetlands (W-2). Avoidance of these wetlands is not

possible: the culvert must be reconstructed; and second, there is not sufficient room in the median near the bridge carrying I-495 over the I-270 Spur to shift the alignment or widen the roadway to the inside.

In accordance with Executive Order 11990, efforts were made to avoid and minimize harm to wetlands associated with Thomas Branch in the project area. Due to the linear nature of Thomas Branch which crosses and flows parallel to the I-270 Spur and the nearness of these wetlands to the roadway, there are no practicable alternatives to the need for construction in these wetlands. Wetland encroachment will be minimized to the extent possible.

Appropriate agency coordination will be undertaken and mitigation developed for any wetland impact. Other wetlands are located in the project corridor, but none would be affected (see Figures 3a-3c for these locations).

No federally listed threatened or endangered plant or animal species exist in the study area.

Some modification of the existing hydraulic structures which carry Thomas Branch and its tributaries under the I-270 Spur and I-495 may be required. Sediment and erosion control measures, approved by the Maryland Department of the Environment (MDE), would be implemented to minimize water quality impacts during construction. Stormwater management practices, also approved by MDE, would be incorporated into the project design to reduce the effects of surface water run-off and compensate for the loss of pervious surface within the existing median area.

c. Noise and Air Quality Impacts

The air quality analysis indicated that the selected alternate would not result in any violations of the 1-hour and 8-hour State and National Ambient Air Quality Standards (S/NAAQS) for carbon monoxide in the completion year (1990) or design year (2010). Copies of the air quality analysis were provided to the Environmental Protection Agency and Maryland Air Management Administration. Both agencies found that the project is consistent with the State Implementation Plan (SIP) for air quality (see letters in the Correspondence Section of this document).

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

In accordance with 23 CFR 772, and the Federal Aid Highway Program Manual Volume 7, Section 7, Chapter 3, this project was analyzed for noise impacts under the Type I program. As described previously the proposed project generally consists of the addition of two lanes in the median of the existing I-270 Spur.

The Type I program addresses noise impacts created by new construction or reconstruction projects. Noise mitigation is considered under this program when the Federal Highway Administration Noise Abatement Criteria is approached or exceeded or when predicted noise levels substantially exceed existing noise levels. In Maryland, substantial means noise increases by 10 dBA or more over existing levels. The Noise Abatement Criteria for residential areas is 67



decibels. The land use adjacent to the I-270 Spur is primarily residential. Figure 5 illustrates the five noise sensitive areas for which noise barriers were investigated.

The following items were considered in determining potential noise impacts:

- 1) Identification of existing land use
- 2) Existing noise levels
- 3) Prediction of future design year noise levels
- 4) Potential traffic increases.

The existing noise levels as well as the future design year (2010) Build and No-Build noise levels are shown in Table 2. As can be seen, both future Build and No-Build levels will approach or exceed the Noise Abatement Criteria. There would be a maximum 8 dBA increase with the Build Alternate when compared to existing noise levels.

In order to determine if noise mitigation should be considered, a comparison was made between existing noise levels and projected build levels. As stated previously, there would be a maximum of a 8 dBA increase when comparing the Build Alternate noise levels with existing noise levels.

Several types of noise mitigation were investigated and considered for this project (see Table 3). Noise abatement is considered when the FHWA Noise Abatement Criteria is approached or exceeded or when noise levels increase 10 dBA or more over the existing levels.

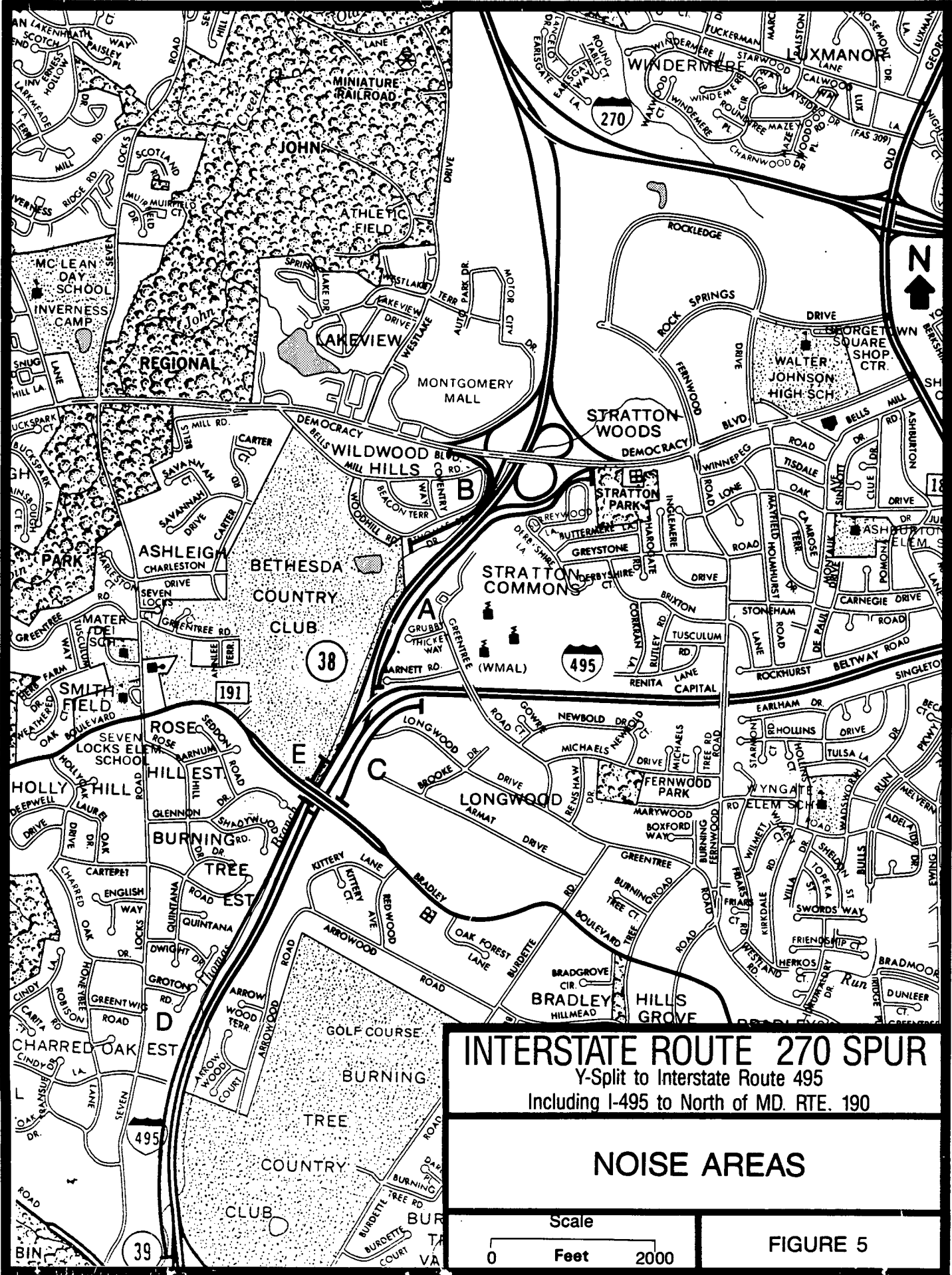


TABLE 2  
 BUILD ALTERNATE NOISE LEVELS (dBA)

Noise Sensitive Area (NSA)	Receptor Site	Address	Ambient Leq	No-Build Leq (2010)	Build Leq (2010)
A	5	7224 Grubby Thicket Dr.	69	72	74
	6	7314 Greentree Rd.	63	68	71
	7	9828 Derbyshire La.	65	70	72
B	1	7107 Thomas Branch Dr.	67	70	72
C	3	7415 Bradley Blvd.	73	75	75
	4	7221 Longwood Dr.	70	76	77
D	2	7504 Glennon Ave.	72	71	72
	11*	8405 Seven Locks Rd.	67	66	67
	13*	7706 Cindy La.	70	71	72
	14*	7704 Groton Rd.	69	71	72
	16*	7604 Carteret Rd.	74	73	74
	18*	7605 Dwight Dr.	70	70	71
	19*	8613 Seven Locks Rd.	61	67	68
E	8	7501 Bradley Blvd.	70	73	74

\*These sites were measured as part of the I-495 project between Maryland Route 190 and Virginia Route 193 (in Noise Sensitive Area "A") but incorporated here as part of the barrier analysis for communities along southbound I-495 south of Bradley Boulevard.

However, when comparing Build and No-Build noise levels for all five noise sensitive areas (NSAs) in the design year (one of SHA's reasonability criteria), the Build levels are only 1-3 dBA higher than the No-Build condition, a difference that is hardly discernible to the human ear. This indicates that a substantial increase in noise levels or impacts is not predicted to occur as a direct result of the roadway project. The increase in predicted noise levels over existing levels would not be a result of the proposed project, but rather it would be a function of the normal increase in traffic over time resulting from planned area growth and development. Because most of the roadway widening will be in the median and the noise source is generally not any closer to receptors along the highway, a substantial change in noise levels between the No-Build and Build Alternatives would not occur.

Another reasonability criterion centers on when the noise sensitive areas become exposed to the noise source. It has been determined that a majority of sensitive receptors, in this case residences, were constructed after the initial construction of the I-270 Spur. With the exception of the homes in NSAs B and C, the transportation facility was opened for traffic before the majority of homes were occupied. Individuals purchasing these homes were aware of the I-270 Spur which has always been a major transportation facility intended to carry high volumes of traffic.

The feasibility and cost effectiveness of noise mitigation was also considered in the decision making process. The State Highway Administration designs noise barriers to achieve a 7-10 dBA reduction in noise levels. However, any impacted noise receptor which will receive at least a 5 dBA

reduction is considered when determining the cost effectiveness of a barrier. 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 in noise levels into the total cost of the noise mitigation. The State Highway Administration has established approximately \$40,000 per residence protected as being the maximum cost for a barrier that is considered reasonable. The cost-effectiveness methodology has changed since the Environmental Assessment was circulated. At that time, only first row residences were factored into the cost per residence calculations. Second row receptors can now be included if they meet the two requirements cited above, that is, they are both impacted and receive at least a 5 dBA reduction from a barrier.

The analysis completed shows that the barriers investigated at all noise sensitive areas along the I-270 Spur with the exception of NSA A would exceed \$40,000. Table 3 shows the approximate length and height for a barrier needed to obtain a 7-10 dBA reduction, the total cost of the barrier, the number of impacted sites receiving at least a 5 dBA reduction, and the cost per residence.

Noise barriers in the form of walls would achieve the design goal of reducing noise levels 7-10 dBA for all noise sensitive areas. It would be physically feasible to construct the barriers at these locations. However, all areas with the exception of NSA A would exceed the State Highway Administration's \$40,000 upper limit. Although the cost per residence is less than \$40,000 at NSA A, the difference between the Build and No-Build noise

TABLE 3

## I-270 Spur Noise Abatement Analysis Summary

Noise Sensitive	# of Homes Constructed before I-270 Spur (1963) <sup>2</sup> (w/ a 5 dBA Reduction and Greater than 67 dBA	# of Homes w/ Greater than 5 dBA Reduction and Greater than 67 dBA	Noise Levels Range (Leq)				Barrier			Coat Per Residence (\$)	Coat With Berm <sup>4</sup>	
			Ambient	No-Build (Design Year)	Build (Design Year)	Build W/ Barrier (Design Year)	Length (Ft.)	Average Height (Ft.)	Coat <sup>1</sup> (\$ Mil.)		Total (\$ Mil)	Per Residence
A	5	65	63-69	68-72	71-74	63-65	4,344	16	1.88	28,900	1.90	29,200
B	9	9	67	70	72	63	1,794	16.6	0.80	88,900	2.12	235,600
C	10	19	70-73	75-76	75-77	61-67	2,154	24	1.40	73,700	1.58	83,200
D	4	44	61-74	66-73	67-74	61-65	6,493	19-22	3.85	87,500	---3	---
E	0	6	70	73	74	67	564	20	0.31	51,600	---5	---

## Notes:

1. Based on a square foot coat of \$27.00.
2. Dates roadway opened to traffic 10/63.
3. Berm feasibility performed under previously documented study.
4. Detailed berm analysis includes quantity estimates for cubic yards of fill and surface area of the berm, seeding and mulching, and clearing and grubbing. Existing mature vegetation which serves as a buffer would be lost.
5. Berms not physically feasible.

levels is not substantial and a majority of the impacted receptors were built after the initial construction of the I-270 Spur.

In addition to noise walls, other abatement measures were considered as outlined in the Federal Aid Highway Program Manual 7.7.3. These include:

1. Traffic Management Measures (e.g. traffic control devices and signing for prohibition of certain vehicles [heavy trucks], time use restrictions for certain types of vehicles, modified speed limits and exclusion lane designations).

These types of measures are not appropriate for an interstate highway serving high volumes of through traffic. It is not possible to prohibit heavy trucks from this type of facility.

2. Alternations of Horizontal and Vertical Alignment.

This also is not a reasonable alternate because the project consists of widening the existing facility within the median.

3. Aquisition of Real Property or Property Rights to Establish Buffer Zones.

Existing residential development immediately adjacent to the roadway makes it infeasible to acquire significant amounts of property for buffer areas.

- 4. Earth berms were investigated. The results are also shown in Table 3. This study considered the use of berms to lessen, or in certain cases eliminate, the need of a noise barrier wall. For locations where berm placement is possible, costs were computed.

Areas where berms were not considered feasible (NSAs D and E) consist of locations with limited right-of-way, locations with existing cut slopes equal to or in excess of 2:1 and locations where berm placement would require filling, relocation or major alternations in drainage or wetland areas.

The analysis for berm placement as an alternative to noise barrier walls concludes that berms provide a cost effective system at one of the five areas studied for abatement. NSA A would have a resulting cost-per-residence of \$29,200 for a wall placed on top of a berm.

However, most of the homes that could be protected by the berm were built after the I-270 Spur was opened to traffic in 1963. Also, the difference between projected Build and No-Build levels in the design year varies from 2 to 3 dBA. Additionally, there would be a loss of the existing mature vegetation buffer within the right-of-way. Therefore, noise mitigation is not reasonable and will not be provided for this area as part of the proposed widening.

All other areas have resulting costs for berms or berm-wall combinations that exceed cost effective criteria. Those costs range



from \$83,200 to \$235,600 per residence. Berms are not physically feasible in NSAs D and E. A smaller berm was analyzed for a shorter segment of the Wildwood Hills community fronting I-270. Although the total cost of the berm is much less, the resultant cost per residence for five homes affected and benefitted is \$50,300.

After considering all of the above factors, it has been determined that noise mitigation is not warranted for the current project. The determination has been made based on the following:

- For all the NSAs there is little difference between the future noise levels for the expanded facility and the traffic noise levels for the No-Build condition. It is believed that it would not be reasonable to spend public funds to reduce an indiscernible increase in noise levels.
- With the exception of the receptors at NSAs B and C, a majority of the development occurred after the initial construction of the roadway. Although the communities of Wildwood Hills and Longwood (NSAs B and C) predate the I-270 Spur, the cost per residence for noise barriers exceeds the cost per residence limits established by SHA. In addition, there is little difference between the Build and No-Build condition noise levels.
- All but one area (NSA A) exceeds the State Highway Administration's cost per residence limit for noise mitigation.

42

However, the majority of impacted receptors in NSA A did not predate the I-270 Spur and there is little difference between the Build and No-Build condition noise levels.

During the final design of the project, landscaping and vegetation planting will be incorporated into the plans for the project to screen residential areas from the roadway to the extent reasonable. SHA is also willing to work with area communities bordering the I-270 Spur to provide technical assistance in the construction of noise mitigation utilizing alternative funding sources.

As with any major construction project, areas around the construction site are likely to experience varied periods and degrees of noise impact. This type of project would probably employ the following pieces of equipment that would likely be sources of construction noise:

- o Bulldozers and Earth Movers
- o Graders
- o Front End Loaders
- o Dump and Other Diesel Trucks
- o Compressors

Generally, construction activity would occur during normal working hours on weekdays. Therefore, noise intrusion from construction activities probably would not occur during critical sleep or outdoor recreating periods.

Maintenance of construction equipment will be regular and thorough to minimize noise emissions because of inefficiently tuned engines, poorly lubricated moving parts, poor ineffective muffling systems, etc.

Temporary fencing will be considered in heavy residential areas, where feasible, to screen construction activities.

C. Positions Taken

1. Elected Officials

The elected officials have expressed their opposition to the State Highway Administration's decision not to construct noise barriers as part of the widening project. Thus far, correspondence has been received from Senator Howard Denis, Delegate Gene Counihan, Delegate Brian Frosh, Delegate Jean Roesser, and Councilman Bruce Adams.

2. Citizens and Community Associations

The majority of comments received from citizens and community associations requested that noise barriers be included as part of the roadway project. Comments from individuals and community associations indicated the level of noise impacts which they are experiencing. A few letters were received which stated objections to the noise policy and its application to this project. The community associations which have been represented are the Wildwood Hills Citizens Association and the Devonshire Homeowners Association. Seven letters were received from individuals.

The residents of Cindy Lane also requested noise barriers. This is an area along the outer loop of I-495 between Bradley Boulevard and River Road which overlap with the studies done for the I-495 widening. A meeting was held at the neighborhood to discuss possible mitigation alternatives. A meeting was

also held with residents of the Wildwood Hills Subdivision concerning the provision of various methods of noise abatements for homes on Thomas Branch Drive. Landscaping will be provided where possible without destroying existing vegetation.

One comment was received regarding safety problems along Bradley Boulevard; this comment is being addressed by the SHA District 3 office.

3. Agencies

Comments were received in support of the project from the City of Rockville, Montgomery County Department of Transportation, Office of Planning and Project Development, and from the Maryland National Capital Park and Planning Commission (MNCPPC).

The MNCPPC also requested that aesthetic treatment be carried along the I-270 Spur portion of the project. This will apply to lighting, signing, guardrail, median barrier, retaining walls and bridge abutments and wingwalls. All portions of the I-495 bridge replacement which are visible from the I-270 Spur northbound roadway shall be aesthetically treated. Median plantings will be provided where feasible.

Comments were received from the Montgomery County Department of Environmental Protection requesting that noise barriers be constructed along the I-270 Spur.

V5

#### D. Team Recommendations

The Project Planning Team recommended the selection of Alternate 2. This alternate provides the necessary roadway capacity and is compatible with local master plans. It is supported by Montgomery County and the Maryland National Capital Park and Planning Commission. The estimated cost for this alternate is \$16 million to \$22 million depending on the option constructed.

**IV Public Hearing Comments**

IV. PUBLIC HEARING COMMENTS

A Combined Location/Design Public Hearing was held by the project team on September 21, 1987 in the Seven Locks Elementary School in Bethesda, Maryland. The purpose of the hearing was to present the results of the engineering and environmental studies and to receive public comment on the project. Approximately 46 people attended the hearing and 17 individuals made statements following the presentation by SHA personnel.

One build alternate (identified as Alternate 2) with several options and the No-Build Alternate (Alternate 1) were presented.

The following is a summary of the statements made at the hearing and the responses given by SHA. A complete transcript of the hearing is available for review in the Project Development Division Offices, State Highway Administration, 707 North Calvert Street, Baltimore, Maryland 21202. Written comments received after the hearing are discussed in the Correspondence Section of this document.

1. Mr. Steve Frank, 7710 Cindy Lane, Bethesda:

Comment: Mr. Frank believes that he and his neighbors are being discriminated against (in terms of receiving noise abatement) because they are higher bracket tax-payers and have larger lots. He stated that homes in denser developed neighborhoods are more likely to receive a barrier because the density makes a barrier more cost-effective. He also believes that because they pay higher taxes than in other jurisdictions, they deserve barriers regardless of the higher cost.

SHA Response: Review of the project by our Equal Opportunity Office indicates that this project has been conducted in a non-discriminatory manner. A maximum cost per residence value of \$40,000 was developed as a method of equitably assessing the benefit of public involvement in protecting residences against highway noise. It is SHA's opinion that every home should be counted equally in determining this value because it is the residence and not the property or its value or its size that is being protected. Constructing noise barriers costing more than \$40,000 per residence affected is not a cost effective use of tax-payer money. This figure is applicable to every property across the state. It would not be in the public's best interest to construct a barrier that does not effectively use public funds.

2. Mr. Melvin Blum, 10521 Farnham Drive, Wildwood Manor, Bethesda: .

Comment: He stated that he was at the hearing to relate his past experience with the I-270 (East Segment) project, his understanding of the Type I and II programs and reasons why barriers will not be built. He believes that the reasons for disqualifying noise barriers are unsound.

SHA Response: Noise mitigation for this project has been considered consistent with Federal regulations (23 CFR 771) and SHA's adopted Noise Policy. The difference between the Build and No-Build noise levels in the design year is not large enough to warrant the construction of noise barriers. Noise increases are due to normal traffic increases over time and are not related to this project.



3. Mr. Eric Eisen, President, Wildwood Hills Citizens Association:

Comment: He believes that the Wildwood Hills subdivision is eligible for noise barriers because the neighborhood predates I-270 and future noise levels would exceed the Federal Noise Abatement Criteria. He reviewed what he believed would be the impacts on the community. He disagreed with the conclusion that only nine homes in the community would benefit from a barrier, questioned the cost per residence rule, and expressed concern that a barrier erected on the east side of I-270 will reflect and increase noise on the west side. He also questioned why the Fireside Condominiums near Gaithersburg, which post-date I-270, received noise barriers.

SHA Response: Wildwood Hills is not eligible for noise barriers under the Type I program because the difference in noise levels between the Build and No-Build Alternates in the design year is minor, that is less than 5 dBA. In addition the homes exceed the maximum cost per residence for a barrier that is considered reasonable (less than \$40,000). To be considered under the Type I program, the neighborhood must experience a substantial increase in noise levels as a result of the road project. In addition, although the community does predate I-270 and existing noise levels exceed the noise abatement criteria, it does not qualify for barriers because the cost per residence figure of \$40,000 is exceeded.

The analysis for barrier cost-effectiveness shown in the Environmental Assessment included the houses receiving a benefit from the construction of a barrier, which is defined as all homes receiving at least a 5 dBA noise

40

reduction and having projected noise levels at or above the federal noise abatement criteria of 67 dBA or 10 dBA above ambient conditions. The homes receiving this benefit were the ones identified in the Environmental Assessment and Noise Report. Beyond these homes, which are closest to I-270, no significant benefit is received from a barrier. Generally, second row houses and beyond do not benefit from a noise barrier.

A shorter berm was analyzed for the areas of Wildwood Hills closest to the I-270 Spur. Although this berm is must less costly than the one originally investigated, the resultant cost per residence for the five homes affected and benefited is \$50,300, which is much more than the \$40,000 upset limit.

In addition, communities on the east side of I-270 do not meet the eligibility criteria to be considered for noise barriers under the Type I noise program. Thus, no barrier would be built that would reflect noise across I-270 to Wildwood Hills.

The noise levels at the Fireside Condominiums exceeded the federal noise abatement criteria and the cost per residence was less than \$40,000. Consequently, barriers were warranted in this location.

Also see SHA Response #1.

4. Mr. Wayne Peters, 8405 Seven Locks Road

Comment: He related his experience relative to the I-495 project and

expressed his support for noise barriers along I-495 and I-270. He doesn't believe the SHA is making an honest attempt at protecting citizens against noise. He recommended that political clout be used to get SHA to commit to noise barriers.

SHA Response: See SHA Response #2.

5. Mr. Robert Shouse, West Fernwood Citizen's Association

Comment: He supports widening I-270 to alleviate growing traffic congestion, but that the construction include noise barriers. He also stated that the Democracy Boulevard interchange is a hazard and should be redesigned and improved. He stated that money allotted to Stadium construction in Baltimore should be spent to protect residences along highways from noise--priorities are backwards. He encouraged the legislators to fight for noise barriers to protect communities.

SHA Response: See SHA Response #2.

As part of a separate study, improvements to the Democracy Boulevard interchange are being addressed and investigated to improve safety and capacity at this location.

6. Mr. Richard Bryant, 8815 Seven Locks Road, Bethesda

Comment: He believes that he and his neighbors' homes qualify for and deserve barriers since they were built before I-270. Furthermore, he does

59

not believe a differentiation should be made between those built before or after the highway since all are affected by noise. He says that the cost of barriers could be reduced by redesigning using other materials to make them more economical. He thought that it was possible for a joint SHA/Citizen venture to construct barriers.

SHA Response: See SHA Response #2.

Although Mr. Bryant's home and several others nearby were built before I-270, there are not sufficient numbers to make a barriers cost-effective and reasonable. These homes number among the four homes in NSA D that predate the I-270 Spur, are impacted (greater than 67 dBA), and receive the benefits of a barrier (greater than 5 dBA reduction).

The SHA is open to discussion with individual neighborhoods concerning alternative measures to reduce noise levels in areas where costs were the major reason why a barrier does not qualify. SHA can provide technical assistance in the construction of noise mitigation utilizing alternative funding sources.

Even though noise mitigation through the use of noise walls will not be included as part of this project, SHA will consider landscaping and vegetative screening for residential areas adjacent to I-270.

7. Ms. Joyce Quinlan, 7205 Longwood Drive, Bethesda

Comment: Ms. Quinlan inquired what SHA intended to do with the comments

received at the public hearing and what the next steps were. She summarized that everyone's concern is noise. She stated that her neighborhood is impacted by noise and that SHA should consider the slowly increasing encroachment of noise. The legislative delegation was encouraged to get SHA to address the noise problem.

SHA Response: The purpose of the public hearing was to present the project and solicit oral and written comments from citizens. These comments are analyzed and considered by the project planning team prior to making a recommendation to the State Highway Administrator on what alternate to carry into final design. Once the Administrator makes a decision on how to proceed through the design phase, a final environmental document is prepared and submitted to the Federal Highway Administration for its approval. Citizen comments and responses are part of the text.

The Longwood community does not qualify for noise mitigation under the Type I noise program (See SHA Response #2). Landscaping will be considered to screen this area from the highway.

8. Mr. Pete Downs, 7206 Beacon Terrace, Bethesda.

Comment: Mr. Downs believes that he and his neighbors are being discriminated against for receiving noise barriers because they are affluent and living in less densely developed areas. He stated that the government does not want to spend money to mitigate noise problems, even though they pay more in taxes. He pressured for political intervention.

54

SHA Response: See SHA Responses #1 and #2.

9. Mr. Steve Johnson-Leva, 7712 Beacon Terrace, Bethesda.

Comment: Mr. Johnson-Leva agrees with the statements made by Mr. Downs and believes that noise barriers should be built to protect his neighborhood and quality of life. He stated that neighborhoods shouldn't be disturbed or adversely affected at the expense of moving people from one place to another (I-270). He wanted to validate the figures and review the data generated by SHA's noise study.

SHA Response: See SHA Responses #1 and #2.

The noise policy criteria are applied uniformly across the State. No areas are recommended for noise barriers where the criteria are not met. SHA will consider landscaping and vegetative screening to shield residential areas closest to I-270.

The noise data is available for review in SHA offices. Conversely, residents can have their own consultants generate noise data, run the computer programs and discuss the results with SHA. These comparisons can be a basis for further discussion.

10. Mr. William Ross, President, Devonshire Homeowners Association,

Comment: Mr. Ross questioned the development of the SHA noise policy and whether public comment was solicited on SHA's interpretation of Federal

55

regulations regarding the Type I and Type II programs and the development of the \$40,000 cost standard. He felt that the Devonshire community should have been included as affected homes and in the cost calculations in NSA B which would help make a barrier in this location more cost effective.

SHA Response: The noise policy is an administrative policy developed by SHA and reviewed by the Federal Highway Administration. It has been developed incorporating federal guidelines for the analysis of noise impacts and consideration of noise abatement. In much the same manner, noise impacts and mitigation have been investigated in accordance with federal regulations addressing these concerns.

In the noise analysis, the Devonshire community was not included in the cost calculations for noise abatement. (See SHA Response #3.) Predicted noise levels in the design year did not exceed the Federal Noise Abatement Criteria of 67 dBA. In addition, the homes sit far enough back from the I-270 Spur that noise abatement would not be physically effective, that is, reduce noise levels to a point where a substantial benefit can be realized (at least a 5 dBA reduction). This community was also built much later after the initial construction of the I-270 Spur.

11. Mr. Irv Magan, 8815 Stonehaven Court

Comment: He questioned whether the project was value engineered.

SHA Response: The SHA value engineers many projects. This project will likely be subject to a value engineering analysis to determine if there are more effective and reasonable means to achieve the purpose of this project.

12. Ms. Marilyn Bunn, 10305 Dickens Avenue

Comment: She inquired about the degree to which noise barriers succeed in reducing noise levels. She also wanted to know of the options for concrete noise barriers and whether they are effective.

SHA Response: Noise barriers (regardless of material) are designed to achieve a 7-10 dBA reduction in noise levels. A 10 dBA reduction represents a halving of noise levels. In areas where barriers have been installed, communities have reported that noticeable reductions in noise levels have occurred.

Concrete barriers are the most common type of construction. Exposed aggregate and wood are used, although they are generally more expensive. As an alternative, earth berms and combination berms/walls are also investigated. These options are generally less costly, but, if feasible, require removal of existing vegetation, more right-of-way/easements, and alternations in drainage and wetland areas.

13. Mr. Kenneth McCarthy, 7107 Thomas Branch Drive

Comment: He inquired if noise monitoring equipment could be borrowed from the State. He also wondered about the time of day noise measurements were generally taken. Mr. McCarthy stated that rush hour is generally more quiet due to traffic congestion.

SHA Response: Studies and noise monitoring around the State preclude the loaning of such equipment.



Noise monitoring is generally done between the hours of 9 am and 4 pm. During these off-peak times, traffic noise is generally at higher levels for longer periods due to the absence of traffic slowing congestion. Thus, this monitoring will represent the worst-case noise levels experienced in a given area.

14. Ms. Barbara Halbritter, 8713 Seven Locks Road

Comment: She questioned from where the \$40,000 limit is derived and how it is used. Ms. Halbritter also wondered if wood was as effective as concrete, but less expensive.

SHA Response: See SHA Response #1. The SHA has established approximately \$40,000 per residence protected as being the maximum cost for a barrier that is considered reasonable. SHA has a responsibility to itself, public officials, and the citizens of Maryland to establish a value per home for determining barrier cost effectiveness. This is done to ensure that public funds are being expended wisely. The \$40,000 is based on average home values across the State. Noise barriers constructed of wood are as effective as concrete barriers but, generally, are more expensive.

15. Mr. Bill Brown, Barnett Road

Comment: Mr. Brown questioned what the \$40,000 figure represented and whether it was the cost of putting the barrier in front of his house. He is more concerned about the noise problem than others because his house predates the highway.

58

SHA Response: See SHA Response #1 and #14. In fact, it would cost less than \$40,000 per residence to construct a barrier to protect Mr. Brown's and his neighbors' homes north along I-270. Nonetheless, consideration of other factors, namely the difference between projected No-Build and Build noise levels and construction of the highway in relation to the majority of development in the area, preclude the construction of a noise barrier.

Although Mr. Brown's and several other nearby homes do predate the I-270 Spur, the majority of homes in that area do not predate the highway. It would not be a cost effective and prudent expenditure of public funds to protect only a couple of homes.

16. Mr. Steve Roth, 34 Pepperell Court, Bethesda

Comment: Mr. Roth wanted to know what happens if topography changes since a noise analysis was completed. In his case, a fire had devastated all the trees that buffered his development from I-495. Since the fire, noise levels had increased dramatically. He wondered whether that area would now qualify for barriers and, barring this, whether the trees could be replaced.

SHA Response: This area would still not qualify for noise barriers because the cost per residence exceeds the upset limit of \$40,000 and the difference between project Build and No-Build noise levels in the year 2010 is not substantial, that is, more than 5 dBA.

The District 3 office of the SHA would investigate replacement of the trees, although it will take time for dense growth to be restored.

17. Delegate Gilbert Genn, representing the 16th Legislative District, Bethesda  
Comment: He was interested in knowing what the official record meant as opposed to the submission of informal comments or letters to SHA at a later date. He wanted to know of the significance of the late date by which to submit comments. If comments were submitted after the closing date, would they be a part of the official record, and if legal action were taken, would they be considered part of the record.

SHA Response: The date given to submit comments by was the date in which to have these comments included in the public hearing transcript - the record of that hearing published and placed on display for public review. The official project record is the information on file at SHA throughout the project. It is ongoing, constantly open, and available for review. If comments are submitted after the date of the closing of the public hearing record, they would become part of the project record. If they are received in time, they also become part of the final environmental document (including the SHA response).

**V Correspondence**

61

A. Written Comments Received  
Subsequent to the Combined  
Location/Design Public Hearing  
and Responses

62

STATE HIGHWAY ADMINISTRATION  
QUESTIONS AND/OR COMMENTS

CONTRACT NO. M 401-153-372 P.D.M.S. NO. 151104  
I-270 WEST SPUR  
LOCATION/DESIGN PUBLIC HEARING  
MONDAY, SEPTEMBER 21, 1987 - 7:30 P.M.

NAME LELIA GRUNER DATE \_\_\_\_\_

PLEASE PRINT ADDRESS 8001 BRADLEY BLVD

CITY/TOWN BETH STATE MD ZIP CODE 20817

I/We wish to comment or inquire about the following aspects of this project:

Concern about Bradley Blvd between  
Seven Locks & Holly Oak.

1- Road alignment dangerous  
many accidents happen during last year  
in front of my house.

2. Children ~~live~~ living at home attend  
7 locks Elementary but can't walk to  
school - because no sidewalks &  
no crossing lights

3 - People in my house can't take the  
Bus safely - one side of the road  
has bus stop (across Holly oak) without  
space to stand or walk to my house.

4 - Dangerous to <sup>even</sup> <sup>pick</sup> <sup>up</sup> <sup>mail</sup> ~~pick up~~ mail -  
We need some kind of pedestrian consider  
ation for safety  
& comfort -

Please add my/our name(s) to the Mailing List.\*

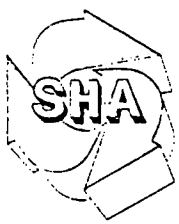
Please delete my/our name(s) from the Mailing List.

\*Persons who have received a copy of this brochure through the mail are already on the project Mailing List.

Office 564-9206 V-2

Lelia Gruner

63



Maryland Department of Transportation  
State Highway Administration

Richard H. Trainor  
Secretary  
Hal Kassoff  
Administrator

October 13, 1987

Re: Contract No. M 401-153-372 N  
Interstate Route 270 Spur  
Interstate Route 270 to Inter-  
state Route 495  
PDMS No. 151104

Ms. Lelia Gruner  
8001 Bradley Boulevard  
Bethesda, Maryland 20817

Dear Ms. Gruner:

I am writing in response to the comments you made at the September 21, 1987 public hearing for the Interstate Route 270 West Spur.

You made four comments regarding Bradley Boulevard. The first comment regarding the poor curve in the alignment on the section between Seven Locks Road and Interstate Route 495. Due to the proximity of houses in the area it would not be possible to relocate Bradley Boulevard to improve this alignment.

This situation as well as the other comments you made regarding safety along Bradley Boulevard at the Seven Locks Elementary School can best be addressed by our District 3 Office. I am forwarding your comments to the District Engineer, Mr. Michael Snyder, who is responsible for providing safety improvements to state highways in Montgomery and Prince George's Counties. Mr. Snyder will look into your concern and let you know if anything can be done to improve the situation.

Mr. Snyder can be reached at (301) 220-7313 if you would like to discuss this with him personally. Also, please let me know if I can be of further assistance. My telephone number is (301) 333-1191.

Very truly yours,

Louis H. Ege, Jr.  
Deputy Director  
Project Development Division

by: *Catherine Pecora*  
Catherine Pecora  
Project Manager

LHE/CP/ih

cc: Mr. Michael Snyder w/incoming  
My telephone number is (301) 333-1191

04

**STATE HIGHWAY ADMINISTRATION  
QUESTIONS AND/OR COMMENTS**

CONTRACT NO. M 401-153-372 P.D.M.S. NO. 151104  
I-270 WEST SPUR  
LOCATION/DESIGN PUBLIC HEARING  
MONDAY, SEPTEMBER 21, 1987 - 7:30 P.M.

NAME GERARD M. KEELEY DATE 9-9-87

PLEASE PRINT

ADDRESS 7430 ARROWOOD ROAD

CITY/TOWN BETHESDA STATE MD ZIP CODE 20817

I/We wish to comment or inquire about the following aspects of this project:

1) How long will the project take to complete?

2) What is the estimated cost of the completed project?

3) What will be the effect of this project on my taxes?

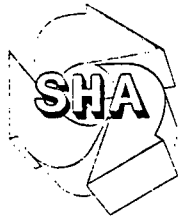
Please add my/our name(s) to the Mailing List.\*

Please delete my/our name(s) from the Mailing List.

\*Persons who have received a copy of this brochure through the mail are already on the project Mailing List.



65



Maryland Department of Transportation  
State Highway Administration

Richard H. Trainor  
Secretary  
Hal Kassoff  
Administrator

October 15, 1987

Re: Contract No. M 401-153-372 N  
Interstate Route 270 Spur  
Interstate Route 270 to Inter-  
state Route 495  
PDMS No. 151104

Mr. Gerard M. Keeley  
7430 Arrowood Road  
Bethesda, Maryland 20817

Dear Mr. Keeley:

I am writing in response to the questions you sent in regarding the study of the widening of Interstate Route 270 Spur and a portion of Interstate Route 495.

The proposed widening shown in the green brochure and presented at the September 21, 1987 public hearing would require approximately 18 months to construct. The bridge reconstruction shown in Option B would take approximately two years to complete. This project is currently not funded for construction but it is a candidate for funding in future years.

The project is estimated to cost approximately \$12.4 million dollars if Option A (no replacement of Interstate Route 495 bridge over Interstate Route 270 Spur) is selected of \$17 million if Option B (full replacement of this bridge) is selected.

The proposed project is not anticipated to have a direct impact on property taxes in the area. This is because property taxes in the vicinity already take into account the existence of the highway and this project is not of significant magnitude to change the character of the area.

If you have additional questions regarding this project, please contact me at (301) 333-1191.

Very truly yours,

Louis H. Ege, Jr.  
Deputy Director  
Project Development Division

by:

Catherine Pecora  
Project Manager

LHE/CP/ih

My telephone number is (301) 333-1191

66

**STATE HIGHWAY ADMINISTRATION  
QUESTIONS AND/OR COMMENTS**

CONTRACT NO. M 401-153-372 P.D.M.S. NO. 151104  
I-270 WEST SPUR  
LOCATION/DESIGN PUBLIC HEARING  
MONDAY, SEPTEMBER 21, 1987 - 7:30 P.M.

PROJECT DEVELOPMENT  
SEP 22 2 11 PM '87

NAME BURT MURRAY DATE 9/10/87

PLEASE PRINT ADDRESS 7223 BARNETT RD

CITY/TOWN Bethesda STATE MD ZIP CODE 20817

I/We wish to comment or inquire about the following aspects of this project:

Noise Level is already too high, & will be worse with proposed plan.

I would like to request a Decibel Reading be done from my yard ~~be~~ soon.

Barriers are needed, just come & check it out, the noise level in my yard in ~~my~~ yard, & inside also

*[Handwritten signature]*

Please add my/our name(s) to the Mailing List.\*

Please delete my/our name(s) from the Mailing List.

\*Persons who have received a copy of this brochure through the mail are already on the project Mailing List.



Maryland Department of Transportation  
State Highway Administration

Richard H. Trainor  
Secretary  
Hal Kassoff  
Administrator

October 28, 1987

Re: Contract No. M 401-153-372 N  
Interstate Route 270 West Spur  
Interstate Route 270 to Inter-  
state Route 495  
PDMS No. 151104

Mr. Burt Murray  
7223 Barnett Road  
Bethesda, Maryland 20817

Dear Mr. Murray:

I am writing in response to your comments regarding noise abatement along Interstate Route 270 and Interstate Route 495 at your neighborhood.

Noise level readings were taken in your neighborhood as part of the Environmental Assessment which was published for this project.

The noise level here is 69 dBA which makes this area eligible to be examined for noise barrier feasibility under the Maryland State Highway Administration Type II noise abatement program. The Type II program provides abatement when the highway improvement came after the residential development, when the barrier can provide a reduction in noise and when a barrier is cost-effective. Since the houses on Barnett Road pre-date the highway, a barrier which would effectively reduce the noise level is being investigated. Your neighborhood will be contacted if a cost-effective noise barrier can be designed.

If you would like to arrange a meeting to discuss this, please call me at (301) 333-1191.

Very truly yours,

Louis H. Ege, Jr., Deputy Director  
Project Development Division

LHE/CP/ih

cc: Mr. N. J. Pedersen  
Mr. C. Adams  
Mr. D. Sparklin

by:

Catherine Pecora  
Project Manager

My telephone number is (301) 333-1191

68

**STATE HIGHWAY ADMINISTRATION  
QUESTIONS AND/OR COMMENTS**

CONTRACT NO. M 401-153-372 P.D.M.S. NO. 151104  
I-270 WEST SPUR  
LOCATION/DESIGN PUBLIC HEARING  
MONDAY, SEPTEMBER 21, 1987 - 7:30 P.M.

SEP 16 10 15 AM '87  
DEVELOPMENT  
PROJECTS

NAME CATHERINE C. JOHNSON DATE 9-12-87

PLEASE PRINT

ADDRESS 7308 GREENTREE Rd. (STRATTON COMMONS)

CITY/TOWN BETHESDA STATE MD ZIP CODE 20817

I/We wish to comment or inquire about the following aspects of this project:

*Will there be a sound wall erected when completed? Stratton Commons ~~is~~ is a community of townhouses parallel w/ route 270.*

Please add my/our name(s) to the Mailing List.\*

Please delete my/our name(s) from the Mailing List.

\*Persons who have received a copy of this brochure through the mail are already on the project Mailing List.



*Maryland Department of Transportation*  
*State Highway Administration*

69  
Richard H. Trainor  
Secretary  
Hal Kassoff  
Administrator

November 4, 1987

Re: Contract No. M 401-153-372 N  
Interstate Route 270 Spur and  
Interstate Route 495  
Interstate Route 270 to south of  
Bradley Boulevard  
PDMS No. 151104

Ms. Catherine C. Johnson  
7308 Greentree Road  
Bethesda, Maryland 20817

Dear Ms. Johnson:

I am writing in response to your comments requesting information on sound barriers associated with the Interstate Route 270 Spur and Interstate Route 495 widening. This area was examined for eligibility for noise barriers under guidelines of the Maryland State Highway Administration noise policy and was found not to qualify for either our Type I or Type II noise abatement programs.

The Type I noise abatement program examines barriers if the proposed roadway project will cause a significant increase in noise level. The noise analysis done for this project indicated that the increase in future noise levels between the build and no-build alternates was not significant and, therefore, barriers can not be provided as part of the widening project. This is because the increase in noise level is projected to occur over time regardless of whether the road is widened.

Mitigation of noise resulting from the existing highway was also investigated. This area was checked for eligibility within our Type II noise abatement program which allows mitigation to be provided when a highway was constructed through a neighborhood and potential impacts were never addressed. In order to qualify for this program, a neighborhood must have been in existence prior to the construction of the highway. The townhouses along Greentree Road were constructed after the roadway and, therefore, do not qualify for this program.

My telephone number is (301) 333-1191

Telet  
383-7555 Baltimore Metro - 56  
707 North Calv

V-9

Impaired Hearing or Speech  
Metro - 1-800-492-5062 Statewide Toll Free  
Baltimore, Maryland 21203-0717

70

Ms. Catherine C. Jackson  
Page 2

I have verified your name and address on the project mailing list so you will receive notification of the final approval for the proposed widening. If you have any questions in the meantime, please call me at (301) 333-1191.

Very truly yours,

Louis H. Ege, Jr.  
Deputy Director  
Project Development Division

by:

  
\_\_\_\_\_  
Catherine Pecora  
Project Manager

LHE/CP/ih

STATE HIGHWAY ADMINISTRATION  
QUESTIONS AND/OR COMMENTS

CONTRACT NO. M 401-153-372 P.D.M.S. NO. 151104  
I-270 WEST SPUR  
LOCATION/DESIGN PUBLIC HEARING  
MONDAY, SEPTEMBER 21, 1987 - 7:30 P.M.

NAME Kenneth Mc Carthy DATE Sept 21, 1987

PLEASE PRINT ADDRESS 7107 Thomas Branch Drive

CITY/TOWN Bethesda STATE MD ZIP CODE 20814

I/We wish to comment or inquire about the following aspects of this project:

The noise on I-270 spur has been louder this year than in past years. This may be a result of the Cabin John Bridge resurfacing being finished earlier in the year. Therefore, we request that you take new noise readings especially in October when the noise is at it's worse. Also, the vegetation in front of our house - and between our house and I-270 - was sprayed with defoliant once again. And once again, no one seems to know who did it. We would appreciate it if this practice would cease. We would also appreciate it if this mess would be cleaned up.

Also, is it possible to pave I-270 spur with sound deadening material or asphalt?

Please add my/our name(s) to the Mailing List.\*

Please delete my/our name(s) from the Mailing List.

\*Persons who have received a copy of this brochure through the mail are already on the project Mailing List.



**Maryland Department of Transportation  
State Highway Administration**

72

Richard H. Trainor  
Secretary  
Hal Kassoff  
Administrator

November 5, 1987

Re: Contract No. M 401-153-372 N  
Interstate Route 270 West Spur  
Interstate Route 270 to  
Interstate Route 495  
PDMS No. 151104

Mr. Kenneth McCarthy  
7107 Thomas Branch Drive  
Bethesda, Maryland 20817

Dear Mr. McCarthy:

I am writing in response to your comments regarding the proposed widening of the Interstate Route 270 West Spur. The area near your home was monitored for noise levels as part of the impact analysis of the proposed widening. The area does not qualify for a noise barrier as part of the widening under the Maryland State Highway Administration (MSHA) criteria. However, in order to adequately address the impact and mitigation possibilities, a barrier was investigated and presented in the Environmental Assessment.

This analysis showed that the barrier would cost approximately \$90,000 per residence protected. This cost is above the \$40,000 per residence considered reasonable by the MSHA. Because the cost prevents us from providing noise barriers for this area, we feel that additional monitoring would not be useful.

We will be using "sound deadening" asphalt as the final course of pavement with this project. This type of pavement is called plant-mix-seal and is designed to improve drainage on the road which reduces skidding in wet weather. It has been found that this type of paving provides some reduction in tire noise.

I have also investigated the destruction of foliage between your home and the highway. While it is necessary to destroy certain types of weeds, others are desirable to maintain. Since noise barriers can not be provided in this area, we would like to provide the best possible visual barrier. Mr. Carter Wilson, Assistant District Engineer for maintenance will investigate the situation at your home and provide you with an answer directly. If you have any questions or problems in the meantime, you can reach him at (301) 220-7304 or his assistant, Mr. Fran McGrath at (301) 220-7307.

My telephone number is (301) 333-1191

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 ore, Maryland 21203-0717



73-


Mr. Kenneth McCarthy  
Page 2

We will also be reviewing this area for additional landscaping as part of the widening project. Mr. Charles Adams, Chief, Bureau of Landscape Architecture will be determining the possible landscaping. He can be reached at (301) 321-3521 if you would like to discuss this.

Thank you for expressing your concerns regarding this project. Please call me at (301) 333-1191 if you have any additional questions or if I can offer further assistance.

Very truly yours,

Louis H. Ege, Jr.  
Deputy Director  
Project Development Division

by:   
Catherine Pecora  
Project Manager

LHE/CP/ih

cc: Mr. Michael Snyder  
Mr. Charles Adams  
Mr. Carter Wilson  
Mr. Fran McGrath

STATE HIGHWAY ADMINISTRATION  
QUESTIONS AND/OR COMMENTS

74  
PROJECT DEVELOPMENT DIVISION  
OCT 2 10 22 AM '87

CONTRACT NO. M 401-153-372 P.D.M.S. NO. 151104  
I-270 WEST SPUR  
LOCATION/DESIGN PUBLIC HEARING  
MONDAY, SEPTEMBER 21, 1987 - 7:30 P.M.

NAME MIKE KLEIN DATE 9/28/87

PLEASE PRINT

ADDRESS 7226 GREENTREE RD

CITY/TOWN BETHESDA STATE MD ZIP CODE 20817

I/We wish to comment or inquire about the following aspects of this project:

- \* I STRONGLY SUPPORT THE BUILDING OF SOUND BARRIERS IN ALL RESIDENTIAL AREAS WHERE THE BELTWAY IS TO BE EXTENDED.
- \* YOUR COST-PER-DOMICILE FOR THE BARRIER IS RIDICULOUS. THE FORMULA FOR COST EFFECTIVENESS SHOULD INCLUDE THE TAX AMOUNT PAID BY THE AFFECTED HOMES AND NOT THE DENSITY OF THE HOMES.
- \* YOU CANNOT ELIMINATE HOUSES THAT HAVE BEEN BUILT AFTER THE BELTWAY. TO DO SO, IS TO DENY REALITY. THESE HOUSES AND PEOPLE ARE THERE AND ARE SUBJECT TO HEARDBLIND NOISE LEVELS
- \* DID YOU COUNT ALL THE FUTURE DEVELOPMENT THAT WILL BE BUILT ALONG THE BELTWAY
- \* PLEASE LOOK INTO CHEAPER ALTERNATIVES FOR SOUND BARRIERS. YOU DON'T HAVE TO MAKE THESE CONTRACTORS RICH WITH TAXPAYERS MONEY.

Please add my/our name(s) to the Mailing List.\*

Please delete my/our name(s) from the Mailing List.

\*Persons who have received a copy of this brochure through the mail are already on the project Mailing List.



*Maryland Department of Transportation*  
*State Highway Administration*

Richard H. Trainor  
Secretary  
Hal Kassoff  
Administrator

October 28, 1987

Re: Contract No. M 401-153-372 N  
Interstate route 270 Spur  
and Interstate Route 495  
Interstate Route 270 to  
south of Bradley Boulevard  
PDMS No. 151104

Mr. Mike Klein  
7226 Greentree Road  
Bethesda, Maryland 20817

Dear Mr. Klein:

I am writing in response to your comments regarding noise abatement associated with the proposed widening of the Interstate Route 270 Spur.

The Maryland State Highway Administration (MSHA) has established an extensive noise abatement program and are committed to providing noise protection where it is feasible and can be provided for a reasonable cost. As you have pointed out the Type II noise abatement program examines the cost-per-residence and the date of the construction of the homes relative to the construction of the highway as two key criteria for qualification.

MDSHA has established a maximum of \$40,000/residence to be spent on noise protection. We believe this is a reasonable cost figure. The barriers are designed to protect the individuals living in the affected area. The amount of taxes paid does not increase or decrease ones sensitivity to noise.

The Type II program is geared towards providing protection for those neighborhoods where a highway was constructed through the neighborhood and noise impacts were not addressed. Homes which were constructed after the highway are not eligible for this noise abatement program. This is because the properties were developed as residential with full knowledge of existence of the highway.

My telephone number is (301) 333-1191

76

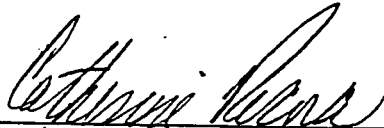
Mr. Mike Klein  
Page 2

I have verified your name and address on our project mailing list so that you will be notified when the final approval is received on the proposed widening. If you have any questions in the meantime, please call me at (301) 333-1191.

Very truly yours,

Louis H. Ege, Jr.  
Deputy Director  
project Development Division

by:

  
\_\_\_\_\_  
Catherine Pecora  
Project Manager

LHE/CP/ih

77

WILDWOOD HILLS CITIZENS ASSOCIATION  
10028 Woodhill Road  
Bethesda, Maryland 20817

PROJECT DEVELOPMENT DIVISION  
SEP 25 11 09 AM '81

Mr. Louis H. Ege, Jr.  
Deputy Director  
Project Development Division  
State Highway Administration  
Room 310  
707 North Calvert Street  
Baltimore, Maryland 21202

Dear Mr. Ege:

The following comments regarding the environmental assessment for contract No. M401-153-372 are submitted on behalf of the residents of the Wildwood Hills subdivision and the Wildwood Hills Citizens Association. In previous comments regarding the proposed widening of the roadbed of the west spur of I-270, I have noted that the Wildwood Hills subdivision, built in the early 1950s, is among the oldest in suburban Montgomery County, and predates by over a decade any form of the road now known as I-270. I have said that, in keeping with its age, the subdivision is characterized by mature treed large (1/2 to 1 acres) lots containing single family dwellings. Finally, I have noted that the subsequent development of I-270, Democracy Boulevard, and adjacent commercial areas has taken a toll on what was once essentially a rural enclave, and that noise, light and air pollution are ever increasing problems, noted particularly by the subdivision residents who have lived their lives here over the past 35 years.

While all the residents of Wildwood Hills, old and new, recognize that communities do change with time, they also unanimously agree that the bulk of change in this community has been due to forces without. Whatever the source of change, the community has successfully retained much of its early character. For example, new arrivals are welcomed by old neighbors, there is a neighborhood directory, we all know each other by sight, our children play in the streets, which are pressed gravel, we share community duties such as clean-ups, we have annual picnics, we help each other on house repairs and yard problems, we remove our own trash and do not use county trash service, our neighbors plow our streets days before the county gets around to this in large snows, etc. We are helped in retaining this sense of community in an impersonal suburban society by our size (less than forty houses), our natural borders, and the fact that access to the community is by one road only, a road that no one other than

Mr. Louis H. Ege, Jr.  
September 23, 1987  
Page 2

those needing access has any reason to use, for it serves only to afford access and egress to Wildwood Hills. And, finally, the small size of our subdivision and our strong sense of community means that what affects our neighbor affects us, not only because it affects our neighbor, but because by proximity it is bound to affect each of us directly. With this in mind, we wish to make the following points relative to increasing sound pollution anticipated from an expanded I-270 road bed. We understand no decision has been made regarding whether this problem merits a mitigative response.

(1) The method for testing sound pollution in Wildwood Hills is flawed, and the test results are therefore unreliable. We invite a retesting at an appropriate time to establish reliable evidence of noise levels.

(a) Sound measurements were taken at a non-representative time of day that biased the result towards the low end. Table 5 of the environmental assessment reports the measure ambient leq at the Wildwood Hills test site to be 64. A description of the testing situation, contained on page I-12 of the environmental assessment, indicates that the site was monitored from approximately 7:50 a.m. to approximately 8:10 a.m., or at the height of rush hour. On this same page it is stated that "the most typical noise conditions occur during the non-rush hour period (9:00 a.m. - 4:00 p.m.). During this time, the highest noise levels are experienced for the greatest length of time." Thus, the level recorded during rush hour is indisputably low and unrepresentative of the typical noise level.

(b) Sound measurements were taken during a season where heavy foliage blocks off a good portion of the sound. The environmental assessment indicates that the sound measurements were taken in August, the area between I-270 and the measurement sight is densely foliated at this time. We submit that similar measurements taken in February would be substantially higher.

2. The environmental assessment's conclusion that only nine homes in Wildwood Hills are to be taken into

Mr. Louis H. Ege, Jr.  
September 23, 1987  
Page 3

account in calculating the cost/benefits of a sound barrier is flawed.

- (a) No basis is stated for the conclusion that only nine homes will benefit from a sound barrier, and logic demands that a larger number of homes will enjoy the benefit of reduced noise, even if not equivalent in magnitude to those of the nine homes identified.
- (b) We walk and use our streets, and people outside the community also use the streets to stroll, jog, etc., because of the pastoral setting. A sound barrier will enhance these qualities for the entire community as well as for those who enter to enjoy our setting.
- (c) One empty lot in the area closet to I-270 was recently sold and is soon to be constructed upon. This means ten houses are actually on the "front line," however this is determined.
- (d) Most importantly, the environmental assessment appears to confuse the criteria regarding pre-existing homes for purposes of assessing impact with the cost effectiveness criteria for purposes of evaluating mitigative measures. Assuming for the sake of argument that only impacts on communities that pre-exist the I-270 corridor are to be evaluated for sound pollution impacts (i.e., that communities constructed thereafter have assumed the risk of the sound pollution nuisance), Wildwood Hills is undoubtedly a community that merits evaluation, as was done (albeit defectively). If sound pollution is a problem, as we maintain (and it appears) is the case, neither your regulations nor those of the Federal Highway Administration indicate that the economics of mitigative measures are to be tested only with reference to the pre-existing community. At best, the environmental assessment says that noise barriers "are considered effective if the cost-per-residence is less than \$35,000 to \$40,000." In evaluating this cost per residence, the environmental assessment fails to take into account the newer residences that would enjoy a greater than 5dba reduction in

80

Mr. Louis H. Ege, Jr.  
September 23, 1987  
Page 4

sound level, because it fails to count the Wildwood Hills townhomes clustered next to the affected Wildwood Hills residences evaluated. If only a portion of these townhomes are taken into account, the cost per residence of the mitigative barrier drops well below \$35,000.

3. In any event, the arbitrary cost-per-house rule of thumb for sound barrier construction fails to take into account the special nature and values of the community.
  - (a) It strikes us as simply bizarre to conclude that a denser community containing apartments and paved parking lots is entitled to a level of quiet by virtue of that density that is denied to more rural and private communities containing lawns and gardens.
  - (b) The cost-per-home rule fails to account for the fact that the homes here pre-exist the road network whose expansion only promises further infringement on the quality of life intended by the design of our community. When I-270 was first built, there were no noise pollution standards, nor were mitigative measures called for to address noise pollution. So noise pollution wasn't addressed. Now it is proposed that a noise pollution nuisance be exacerbated without appropriate mitigative measures. The result may amount to a partial taking of the property of our residents, for which just compensation would be appropriate. But also now there are mitigative measures that are conventionally employed. So we ask that they be employed to protect this established neighborhood.
  - (c) The cost-per-home rule will result in reduced property values where it permits sound pollution to remain unchecked. This in turn means lower taxes on the property which in our view is a false economy.


\* \* \*



Mr. Louis H. Ege, Jr.  
September 23, 1987  
Page 5

In conclusion, the Wildwood Hills Citizens Association and the residents of Wildwood Hills strongly urge that the environmental assessment contains methodological flaws in measuring sound impact on Wildwood Hills that impeach the accuracy of its conclusions regarding impacts, that the rules applied to evaluate the propriety of mitigative measures are either inappropriate or misapplied, and that, finally, a sound barrier is a necessary, appropriate and reasonable mitigative response to increased sound pollution occasioned by the expansion of the west spur of I-270 and the resultant increased traffic thereon.

Sincerely,



Eric A. Eisen  
President  
Wildwood Hills Citizens Association

EAE:mkg  
7:EAE1



*Maryland Department of Transportation  
State Highway Administration*

82

Richard H. Trainor  
Secretary  
Hal Kassoff  
Administrator

RE: Contract No. M 401-153-372N  
Interstate Route 270 Spur  
Y-Split to Interstate Route 495  
PDMS No. 151104

Mr. Eric A. Eisen, President  
Wildwood Hills Citizens Association  
10028 Woodhill Road  
Bethesda, Maryland 20817

Dear Mr. Eisen:

I am writing in response to your comments regarding the Environmental Assessment for the proposed widening of the Interstate Route 270 Spur.

The noise analysis presented in this document was done to assess the impact resulting from the proposed widening, which is the basis for qualifying for our Type I noise abatement program. To be considered under this program, a noise sensitive area must experience a significant increase in noise levels as a result of the road project, a barrier must be feasible and be able to reduce noise levels by 7 to 10 decibels, and the barrier must be cost-effective.

The Maryland State Highway Administration has also voluntarily undertaken a Type II noise abatement program to address situations where highways were constructed near established neighborhoods and noise impacts were never evaluated. To qualify for this program, an area must have been constructed before the highway, the existing noise level must approach 67 dBA, a protective barrier must be feasible, and the barrier must be cost-effective.

As you have discussed with Ms. Catherine Pecora, the Bureau of Landscape Architecture will be conducting new noise level measurements as you have requested. Mr. Charles Adams or Mr. Gene Miller can be contacted at 321-3521 to coordinate this monitoring and to check on eligibility within the Type II noise abatement program.

The analysis for barrier cost-effectiveness shown in the Environmental Assessment included the houses receiving a benefit from the construction of the barrier which is defined as all homes receiving at least a 5 dBA reduction in noise level and having projected noise levels at or above 67 decibels. A reduction of less than 5 dBA approaches the level shown to be undetectable by the human ear and is, therefore, not considered beneficial.

My telephone number is (301) 333-1110

83  
Mr. Eric A. Eisen

Page 2

In addition, there is a point beyond which no benefit is incurred by a noise barrier. This is usually beyond the second row of houses, which is the majority of the homes in your neighborhood, as well as the Wildwood Hills Townhomes.

The cost-per-residence computed in the Environmental Assessment did not eliminate homes because of the date they were constructed because this is not a relevant factor for the Type I analysis that was done. Construction dates are important for the Type II program. Your neighborhood is being analyzed for eligibility in the Type II program because the homes were constructed before the highway.

The cost-per-residence was developed as a method for equitably assessing the benefit of the public investment in protecting residences against highway noise. It is our opinion that every home should be counted equally in determining this value because it is the residence, not the property, that is being protected.

Although your area currently does not qualify for consideration under the Type I program, we are investigating whether the Wildwood area qualifies under the Type II program. In the meantime, we will be evaluating the potential to provide landscaping or privacy fencing to reduce the visual impact of the highway on your neighborhood. Please call Ms. Catherine Pecora at (301) 333-1191 if you would like to discuss this further.

Very truly yours,

NEIL J. PEDERSEN

Neil J. Pedersen, Director  
Office of Planning and  
Preliminary Engineering

NJP:bh

cc: Mr. Louis H. Ege, Jr.  
Mr. Charles B. Adams  
Ms. Catherine Pecora  
Mr. Donald Sparklin

RECEIVED

# 804  
OCT 21 1987

DEVONSHIRE HOMEOWNERS ASSOCIATION  
7201 Taveshire Way  
Bethesda, MD 20817

October 16, 1987

DIRECTOR, OFFICE OF  
PLANNING & PRELIMINARY ENGINEERING

Mr. Neil Pedersen  
Director, Office of Planning and  
Preliminary Engineering  
State Highway Administration  
707 N. Calvert Street  
Baltimore, Maryland 21202

Dear Mr. Pedersen:

Re: Project Planning Study for the Interstate Route 270  
West Spur

The September 21, 1987, Public Hearing provided me with my first opportunity to ask questions about the above referenced project. I am gravely concerned by the answers provided by the State Highway Administration representatives. My concerns are in two areas: 1) the extent to which the procedures to be followed in evaluating mitigation measures comport with Federal statute and regulations; and 2) the the reasonableness of the State Highway Administration Noise Policy and whether the process used in developing that policy complies with the spirit of the State policy on open government.

#### I-270 and Federal Requirements

The Procedures For Abatement of Highway Traffic Noise and Construction Noise (23 CFR Part 772) defines a Type I Project as follows:

Type I Projects - a proposed Federal or Federal-aid highway project for the construction of a highway on new location or the physical alteration of an existing highway which significantly changes either the horizontal or vertical alignment or increases the number of through-traffic lanes.

By this definition, the subject project, the feasibility of improving the West Spur of I-270 (i.e., consideration of the addition of one lane in each direction), is a Type I project under the Federal regulation.

The Regulation states that consideration of noise abatement as part of the highway construction project (i.e., as a feature of a given alternative) is mandatory if Federal-aid funds are to be used and if a noise impact is expected to occur. The State

highway agency is thus required to determine and analyze expected traffic impacts and alternative noise abatement measures to mitigate noise impacts for the proposed project. Further, Federal policy would require that if potential noise impacts are identified, noise abatement is considered and implemented if it is found to be both reasonable and feasible.

It would appear as if the State contemplates the evaluation of noise abatement measures separate and distinct from its consideration of a given build alternative. By my reading of the Regulation, the analysis is required for all Type I projects, the I-270 project is a Type I project by virtue of the addition of two lanes, and, finally, as a result, Alternative 2: Inside Widening must have options revolving around alternative means to address identified noise impacts (one such option would be 'no action').

The Federal Regulation states the traffic noise analysis shall include the following for each alternative under detailed study:

- (1) identification of existing activities, developed lands, and undeveloped lands for which development is planned, designed and programmed, which may be affected by noise from the highway;
- (2) prediction of traffic noise levels;
- (3) determination of existing noise levels;
- (4) determination of traffic noise impacts; and
- (5) examination and evaluation of alternative noise abatement measures for reducing or eliminating the noise impacts.

I believe my argument in favor of evaluating noise abatement as an integral part of the evaluation of each alternative is squarely rooted in Federal policy and regulation. In addition, it is a rational approach to such planning. My reasoning is that a given alternative (e.g., construction of a new I-495 bridge) may provide unique opportunities when evaluated in conjunction with noise abatement measures. The relocation or divergence of a road (for reasons of safety or capacity) may provide sufficient space for the location of earthen berms, thus reducing the costs of noise abatement below that of a fabricated barrier. (Note: the costs of a small earthen berm ranges from \$0 to \$10 per square foot, compared to \$10 to \$20 for a fabricated barrier.) Similarly such a relocation could result in the need to recontour large areas and the construction of such a berm could reduce overall construction costs as a result of the creation of a depository for that earth and reduced transportation costs.

My point, from a management standpoint, is that the State may not have constructed the alternatives and options in the

gk

most rational manner. From a technical standpoint, the soon to be released noise analysis may be flawed.

While the technical noise analysis has been completed, the report is not available for public review. It is my understanding, based on a conversation with a member of your staff, that the report, and to a limited extent the Environmental Assessment, will contain the following data for listening area B (I-270 at Democracy Blvd.):

	<u>Noise Level</u>
Existing	64 dBA
Projected* "No Build"	70 dBA
Projected* "Build"	72 dBA

3

\*Design Year 2010

It is my understanding that the State Highway Administration plans to base its finding of 'no significant impact' on the projected increase between the build and no build numbers (70 dBA vs. 72 dBA). The Federal Regulation contains the following definition:

Traffic Noise Impacts - impacts which occur when the predicted traffic noise levels approach or exceed the noise abatement criteria (Table 1), or when the predicted traffic noise levels exceed the existing noise levels. (emphasis supplied)

The noise abatement criteria referred to in the definition for residential areas (activity category B) is 67 dBA. The existing level (64 dBA) is below the impact level and the projected level (72 dBA) would "exceed the noise abatement criteria." The second determinant of a noise impact, a predicted level exceeding the existing, by the State's own projections, is a significant 8 dBA (72 dBA minus 64 dBA). Therefore, under both criteria in the Federal Regulation the I-270 project will have a traffic noise impact.

4

The Federal Regulation does not define the measures which must be implemented based upon a determination of a noise impact. The Regulation does however provide an orderly process for this consideration. The Regulation requires that "before adoption of a final environmental impact statement, the highway agency shall identify:

- (1) noise abatement measures which are reasonable and feasible and which are likely to be incorporated in the project, and
- (2) noise impacts for which no apparent solution is available."

I look forward to inspecting the State's analysis and any rationale which may be used to rule out abatement measures. You should note that Federal guidelines provide that a substantial noise reduction is typically within the range of 5 to 10 dBA. Since such a reduction

is technically possible and because achieving this goal would reduce the noise level below the acceptable Federal standard for residential communities (i.e., below 67 dBA), measures to abate noise must be included in each alternative.

With regard to the State Highway Administration's preliminary determination that noise barriers may only be considered as a Type II project, it should be clear from the above discussion that the Federal statute and regulation do not require a "substantial increase" in noise to mandate the evaluation of noise abatement measures as an integral part of construction alternatives, merely "a noise impact." Notwithstanding this fact, several States have developed definitions of "substantial increase" ranging from 0-5 dBA for "no impact" to greater than 15 dBA for "serious impact." Any attempt by the State Highway Administration to shift noise abatement from mandatory to voluntary by either a flawed noise analysis (i.e., a 2 dBA increase), or utilization of one of the varied State definitions would indeed conflict with the Regulatory requirement that:

5

The views of impacted residents will be a major consideration in reaching a decision on the abatement measures to be provided. (emphasis supplied)

As expressed by many homeowners and their representatives during the Hearing of September 21, 1987, measures to mitigate increases in noise levels are essential. Whether based upon the Federal standard of noise impact, a States' standard for substantial impact, the pervasive continuing deterioration of our residential communities as a result of noise will not be permitted.

State Highway Administration Noise Policy

The State Highway Administration Noise Policy, approved and effective April 27, 1987, appears to be based on questionable logic, was developed without an opportunity for public review and comment, and may soon be used to deny residents of the State of Maryland equal protection from noise pollution afforded by Federal law.

The recently adopted State Noise Policy is an effort to implement the Federal Regulation for Type I projects and also contains considerations for Type II projects. I have summarized the factors for Type I below and my assessment of the facts regarding the I-270 project:

6

- a) Exceeds Federal criteria -- Yes, the projection of 72 dBA exceeds the 67 dBA criteria.
- b) Substantial noise "would result from project" -- Federal Regulations do not support this interpretation (i.e., projected 'build' vs. 'no build' levels). The State is

required to compare projected levels with existing. Further, the projected increase above existing level is "substantial" even under most State definitions.

- c) Feasible method available -- As stated above, engineering is available for a "substantial reduction" in noise level (i.e., 5 to 10 dBA according to Federal guidelines), and such a reduction would result in a projected level below the Federal criteria.
- d) Cost effectiveness -- Undefined in the policy and not specifically addressed by Federal Regulation (see discussion below of \$40,000 costs per residence).
- e) Mitigation acceptable to people -- Federal Regulation provides for much stronger consideration of views of impacted residents (see above). In addition, the views at the Hearing established the public view in favor of noise abatement.
- f) Funds are available -- Undefined in the policy, but a consideration which should be evaluated in determining if the alternative (including abatement measures) can be funded.
- g) Other key site specific issues -- Undefined in the policy.

In summary, the State noise policy for Type I projects does not comport with the Federal Regulation and contains many undefined terms which are likely to create confusion among residents of the State who may wish to understand the rationale of State official's decision.

The Type II project considerations are more brief, but suffer from circular and faulty logic. The first consideration of such voluntary State activities is that a majority of the affected noise receptors were there before the highway. The effect of this consideration is to forever disenfranchise the owners of homes (noise receptors) which were built after construction of the road. This is not logical nor is it equitable. Further, if for example a home was constructed near a two lane road which over ten years is expanded to a six lane highway, the State would never consider such owners or the noise impacts on such owners. While the Federal Regulation does not speak to Type II projects, the parallel consideration for Type I is "impacted residents." That is the noise analysis will consider the impact on any resident. The State policy, however, could be read to create a dual standard: under Type I, all "impacted residents" will be considered; under Type II, only certain "impacted residents" will be considered.

The second consideration, feasible method to reduce noise, is rooted in the Federal Regulation and is a necessary consideration. The third, cost effectiveness, is not defined by the policy. It is my understanding, based on the State Highway Administration's briefing, that abatement measures costing greater than \$40,000 per



affected noise receptor are not cost effective. The reason why the \$40,000 figure was chosen is unclear (e.g., the Statewide average cost of a home). The relationship of such a figure to any relevant indicator is unspecified (e.g., average cost per mile of construction/reconstruction). Equally unclear is how this number relates to the build/no build issue. That is, what does the average cost of a home in the State of Maryland have to do with the cost effectiveness of noise abatement measures?

Reading consideration one (pre-road residents) together with consideration three (cost effectiveness) has the effect of gaming both the denominator and the solution to the equation. By forever eliminating the all receptors constructed after initial construction of the road, the denominator remains constant (e.g., 30 year old Wildwood Hills has 40 homes) and the numerator (e.g., costs of the barrier) continues to rise with inflation. If the 116 homes in Devonshire (Wildwood Hills Townhomes) were not summarily excluded, though some would be excluded as non-receptors, the denominator would increase substantially. For example, the average cost per home under the current policy for a barrier costing \$4.8 million is \$120,000. If all of the Devonshire homes are included the average cost would drop to below \$31,000 -- well within the "limit" on cost effective measures.

7

In my conversations with the U.S. Department of Transportation, I was advised that Maryland's \$40,000 figure is higher than the measure used in some States. I was, however, cautioned to look behind the basis for computation of total construction costs. As I stated above, the cost of barriers may range from \$0 to \$20 per square foot. The estimated cost of a barrier can be altered by a decision to credit to the cost of the barrier any savings created by a reduction in general construction cost (e.g., a reduction in the cost for disposal of earth moved or the reduction in transportation costs for such earth). Similarly, the design costs for alternatives which take into consideration the requirement for noise abatement and use the existing land contours to reduce barrier costs will result in a reduction in total design costs over an approach to noise abatement which considers barrier design as an adjunct to the project.

My final concern centers on the method utilized by the State of Maryland in developing its noise policy and the impact of this action on the spirit of the State's law regarding the conduct of public business in an open and public manner. While §10-502 State Government Article may not require the State Highway Administration to advise citizens of the development of public policies which may alter their way of life and provide an opportunity for involvement in the deliberations and discussions in the formulation of public policy, perhaps the spirit of the State's goal of open government has been violated.

8

Had the State Highway Administration provided a forum for debate in the formulation of the Noise Policy more learned minds

than mine could have focused on the need for clarity and definition in the Policy and potential conflicts with Federal regulations. The engineering community could have debated the merits of my arguments on integrated design versus adjunct design and appropriate items for consideration in estimating construction costs. Citizens would be aware that what started out as an average or rule of thumb will be applied as an absolute determinate of their right to protection from the intrusion of noise into their lives and homes. Politicians could have weighed the merits of such policies and any need for legislative initiatives to protect the rights of citizens of Maryland. Community organizations would have a better understanding of their potential role and financial opportunities in influencing what is referred to in the Policy as "alternative measures to provide partial mitigation" when all else fails.

8

Remedies Sought

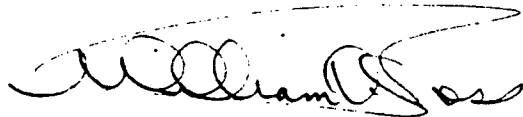
I propose that the State Highway Administration review its draft noise analysis for compliance with Federal regulations and revise its tentative finding of no significant impact. I would have the State consider, as required by regulation, abatement measures as an integral part of its Type I alternatives. The State must consider the noise impact on all affected receptors.

I strongly recommend that you urge the State Highway Administrator to reconsider applying the Noise Policy which he recommended on April 21, 1987. I propose instead a reliance on the Federal Regulation until such time as the State of Maryland can adopt a policy which has provided an adequate opportunity for citizen review and discussion.

9

I know that you have not received this letter within the deadline established for inclusion in the Hearing Record, but hope that the deadline may have been extended. My only excuse is the time required to research this matter and to develop a cogent presentation. My only regret is the length of this letter. While I made every effort at brevity, I am sure that your staff will experience some difficulty in responding to this letter.

Sincerely,



William O. Ross  
President

cc: State Senator Howard A. Denis

Response to Mr. William Ross:

1. The widening of the I-270 Spur was considered to be a Type I project for noise analysis purposes. Noise abatement was evaluated and considered. Abatement of noise along this project is not considered reasonable (see Page III-13) for a discussion of the noise analysis and abatement measures considered).
2. All of the information listed was gathered and included in the noise analysis. Alternative abatement measures were investigated. It is not possible to significantly relocate I-270 because of the development immediately adjacent to the roadway.
3. The technical noise analysis has been completed and made available for public review since Mr. Ross prepared his letter.
4. The State Highway Administration is not denying that there are existing high noise levels along the I-270 Spur. Nor is it saying that future levels will not be high; however, examination of the chart on Page III-15 shows that there is a maximum of 3 dBA difference between the Build and No-Build noise levels in the design year of this project. In the majority of areas, noise levels will increase with or without the project. The widening of the I-270 Spur will not result in a significant increase in noise levels.

The State Highway Administration designs noise barriers to reduce noise levels by 7 to 10 dBA. It is technically possible to achieve this reduction along the project; however, noise abatement is not considered to be reasonable. The rationale for this determination is provided in the noise analysis section of this document, beginning on Page III-13.

5. The noise analysis and abatement evaluations were completed in accordance with the Type I program.

The views of the adjacent property owners were considered in the decision that noise abatement is not reasonable. While the views of the impacted residents are a major consideration, they are not the only consideration. The criteria used to determine whether noise abatement is reasonable or feasible is discussed in the noise section of this document, beginning on Page III-13.

6. The State Highway Administration developed noise guidelines to ensure that decisions on noise abatement were made on a consistent and equitable basis throughout the state. The guidelines incorporate and supplement the Federal regulations. The federal guidelines do not prohibit the states from developing additional criteria in determining the reasonability and feasibility of noise abatement. The State Highway Administration guidelines provide specific criteria that must be "considered" before noise abatement is determined to be both reasonable and feasible. The noise analysis in this document clearly explains the process the State Highway Administration has gone through to conclude that noise abatement is not reasonable.
7. The Type II noise program is not mandated by any federal directive or

regulation. Participation in the program and the construction of Type II noise barriers is left completely up to the discretion of each state. As the State Highway Administration decided to participate in the program, it was necessary to develop guidelines to implement the program in a consistent and equitable manner. Since the Type II program was established to provide noise abatement retroactively to sensitive receptors which were not considered at the time the highway was originally built, it is logical to only protect homes that existed before the roadway was constructed. It is illogical to protect an individual from noise levels when a home was purchased with the full knowledge that it was adjacent to a source of noise. While the federal regulations for Type I projects address "impacted residences," the State Highway Administration has, through their reasonableness criteria, reserved the right to consider greater mitigation measures for homes built after a roadway when improvements have been made to a facility which result in a truly consequential increase in noise.

In order to keep the cost of the State Highway Administration's noise program at a reasonable and manageable level, a cost per residence for noise abatement had to be established. Also, in order to make noise abatement decisions throughout the State equitable, it was decided, at the time, to use the average statewide cost of a home. The premise of the Type II program is to protect people from noise without deference to personal income level. Setting a \$40,000 level eliminates any discrimination which would occur if the cost per residence were indexed to property value.

- 8. The State Highway Administration noise guidelines were developed to have consistent guidelines on noise analysis and abatement criteria throughout the state. The policy was developed in an objective manner with the interest of all citizens of the State in mind. Those citizens living close to highway facilities as well as those living in rural areas of the State will be served by the guidelines. It would have been extremely difficult, if not impossible, to reach a consensus on when noise abatement should be implemented or the appropriate costs if an attempt was made to equally satisfy the concerns of all areas of the State.
- 9. The noise analysis for the I-270 Spur project was completed under the Type I program and is in compliance with federal regulations.

93



**Maryland Department of Transportation  
State Highway Administration**

Richard H. Trainor  
Secretary  
Hal Kassoff  
Administrator

August 9, 1988

RE Contract No. M 401-153-372 N  
I-270 Spur (west) from  
I-270 to I-495 including I-495  
from I-270 Spur  
to north of River Road  
PDMS No. 151104

Mr. Kenneth McCarthy  
7107 Thomas Branch Drive  
Bethesda, Maryland 20817

Dear Mr. McCarthy:

I am writing to send you the results of the earth berm/noise barriers study you requested from Ms. Catherine Pecora at your May 23rd meeting. Thank you for your patience in waiting for these results.

As you asked, she had our consultant evaluate a noise wall/earth berm combination that was 10 feet high. The noise wall was used in the area where an earth berm was not feasible due to the steep slopes.

The combination provides the minimum protection of a 5 dBA reduction in noise level to the five houses along Thomas Branch Drive between Coventry Way and Bells Mill Road. This is in contrast to the wall we previously evaluated which was 16 to 18 feet high and protected 9 houses.

A break-down of the cost estimate for the wall/berm combination is shown on the back of the map. These costs are preliminary. For example, they do not include the extension of the culvert near Coventry Way that we agreed would be needed if a berm were built. In addition, costs for overhead or engineering have not been added.

Despite these omissions, the cost-per-residence is more than \$40,000. Although the overall cost was reduced by this design, the number of houses protected is also less. The cost is \$50,000/residence. Although this is lower than the original cost, it is not low enough to meet our criterion. It is also not a preferred design because it only provides minimum protection to the neighborhood.

My telephone number is (301) \_\_\_\_\_

94

Page 2

Mr. Kenneth McCarthy

I understand from your recent phone conversation with Ms. Pecora that you are still not comfortable with our unit cost for noise barriers and you have not been able to get a detailed estimate from any of the noise barrier contractors. If you would like to discuss the origin of the unit cost, you can call Mr. Charles Adams the Chief of our Bureau of Landscape Architecture at (301) 321-3521. Feel free to call Ms. Pecora at 1-800-548-5026 or (301) 333-1191 if you wish to discuss this further.

Very truly yours,

**Original Signed By:**

**LOUIS H. EGE, JR.**

Louis H. Ege, Jr.

Deputy Director

Project Development Division

LHE:CP:vw  
Attachment

cc: Mr. Charles Adams  
Mr. Eric Eisen

bcc: Mr. Neil J. Pedersen  
Ms. Cynthia Simpson

B. Elected Officials

96

GENE W. COUNIHAN  
15TH LEGISLATIVE DISTRICT  
MONTGOMERY COUNTY

VICE CHAIRMAN  
WAYS & MEANS COMMITTEE



HOUSE OF DELEGATES  
ANNAPOLIS, MARYLAND 21401-1991

August 4, 1987

ANNAPOLIS OFFICE:  
100 HOUSE OFFICE BUILDING  
1-800-492-7132 EXT. 352 (TOLL FREE)  
858-3521 (WASHINGTON METRO)

COPY	
No	FOP
1	on
ORIGINAL TO FILE 86	
DATE	

DISTRICT OFFICE:  
9901 DELLCASTLE ROAD  
GAITHERSBURG, MARYLAND 20879  
(301) 977-5045

PROJECT  
1000 AM '87

RE: Contract No. M 401-153-372N  
Interstate Route 270, West Spur  
Y Split to Interstate Route 495  
PDMS Number 151104

Mr. Louis H. Ege, Jr.  
Deputy Director  
Maryland Department of  
Transportation  
Post Office Box 717  
Baltimore, Maryland 21203-0717

Dear Mr. Ege,

A number of my constituents have requested Type II noise abatement along the West Spur of 270 between Bradley Boulevard and River Road. I support their interest in this matter and hope you will be able to support their request.

Sincerely,

*Gene Counihan*  
Gene W. Counihan

GWC/ea





Maryland Department of Transportation  
State Highway Administration

97  
RICHARD H. TRAINOR  
Secretary

HAL KASSOFF  
Administrator

AUG 27 1987

COPY	
NO	FOR
1	18a
ORIGINAL TO FILE 18b	
DATE	

PROJECT DEVELOPMENT DIVISION  
AUG 20 9 33 AM '87

The Honorable Gene W. Counihan  
Maryland House of Delegates  
9901 Dellcastle Road  
Gaithersburg, Maryland 20879

Dear Delegate Counihan:

Thank you for your recent letter to Mr. Louis H. Ege, Jr. requesting Type II noise barriers along the Interstate Route 270 West Spur.

We have completed a noise analysis for the Interstate Route 270 West Spur project. Unfortunately, none of the areas qualify for a noise barrier under our current policy where noise barriers can be built. In some areas the existing noise levels do not exceed the federal noise abatement standard of 67 dBA. In other areas, the houses were built after the highway and are, therefore, not considered eligible under our Type II noise abatement program.

Thank you for your input on this project. If I can be of further assistance please feel free to contact me or Mr. Neil J. Pedersen, Director of the Office of Planning and Preliminary Engineering at (301) 333-1110

Sincerely,

ORIGINAL SIGNED BY:  
HAL KASSOFF

Hal Kassoff  
Administrator

HK/ih

cc: Mr. Neil J. Pedersen  
Mr. Michael Snyder  
Mr. Louis H. Ege, Jr.

Additional Information:

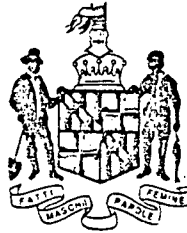
Alternate 2 is the selected alternate for addressing traffic capacity and safety problems on the I-270 Spur. Noise barriers will not be constructed as part of this project.

My telephone number is 333-1111

Teletype  
383-7555 Baltimore Metro - 565-1  
707 North Calvert

V-36

Equal Hearing or Speech  
Metro - 1-800-492-5062 Statewide Toll Free  
Baltimore, Maryland 21203-0717



SENATE OF MARYLAND

HOWARD A. DENIS  
STATE SENATOR  
MONTGOMERY COUNTY

ROOM 402B  
SENATE OFFICE BUILDING  
ANNAPOLIS, MARYLAND 21401-1991

WASHINGTON AREA 858-3124  
BALTIMORE AREA 841-3124  
OTHER AREAS 301-841-3124

September 25, 1987

**RECEIVED**  
#759  
SEP 29 1987

Mr. Neil Pedersen  
Director, Office of Planning and  
Preliminary Engineering  
State Highway Administration  
707 N. Calvert Street  
Baltimore, Maryland 21202

**DIRECTOR, OFFICE OF  
PLANNING & PRELIMINARY ENGINEERING**

Dear Mr. Pedersen:

Re: Project planning study of the Interstate Route 270  
West Spur (Contract #M401-153-372N).

I attended the public hearing on September 21, 1987, and was very distressed to learn that the State Highway Administration has thus far rejected noise barriers for the I-270 West Spur project. I urge that this position be modified and that noise barriers be included as a necessary environmental safeguard.

At a time when the Department of Transportation is contemplating the expenditure of an extra \$28 million in anticipation of the two new sports complexes in Baltimore City, I respectfully suggest that a greater priority be given to noise barriers when major highways are expanded. For over ten years, noise has been considered a proper environmental concern, both for vehicular and air traffic. We've funded a sufficient amount as part of our consolidated transportation budget, and we have substantially increased the gas tax twice in the last five years in order to fund that budget.

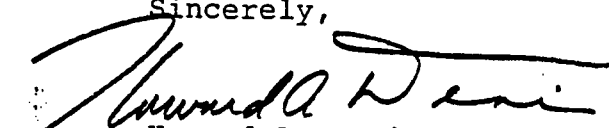
Beyond the fact that noise levels will be increased as a result of the project, my concern is that the federal standards are not correctly applied, and that the state standards do not fully take into account the correct data base of persons affected. I also believe that the SHA could play a greater role in working out an acceptable financing package with the Montgomery County Department of Transportation.

Mr. Neil Pedersen  
Page 2  
September 25, 1987

Therefore, I urge reconsideration and adoption of a policy that would include the construction of noise barriers as part of the I-270 West Spur project.

Thank you.

Sincerely,



Howard A. Denis  
State Senator

HAD/dlm

100

# 759

RICHARD H. TRAINOR  
Secretary

HAL KASSOFF  
Administrator



**Maryland Department of Transportation  
State Highway Administration**

19 1987

No.	FOR
1	Don
ORIGINAL TO FILE 186	
DATE	

PROJECT DEVELOPMENT DIVISION  
Oct 21 9 07 AM '87

The Honorable Howard A. Denis  
Maryland State Senate  
402-B James Senate Office Building  
110 College Avenue  
Annapolis, Maryland 21401-1991

Dear Senator Denis:

Thank you for your recent letter to Mr. Neil Pedersen concerning noise impacts along the Interstate Route 270 West Spur. I agree with your position that noise impacts are valid and important environmental concerns. It is for this reason that we have undertaken an extensive statewide noise abatement program. Our research indicates that Maryland's noise mitigation program is the largest in the United States.

We have recently developed a noise policy that we apply uniformly throughout the State. Our objective was to develop a policy that would provide noise mitigation when significant increases in noise levels occurred as a result of one of our projects, considered Federal Highway Administration regulations, but also resulted in a manageable program in terms of expenditures. Without adoption of this policy, our noise barrier program could easily have grown to several hundred million dollars.

Our noise policy has two separate programs. These are known as Type I and Type II. The Type I program addresses significant noise impacts created by new construction or reconstruction projects. If there is a significant increase in noise levels as a result of the project, additional criteria must also be satisfied before a determination is made on the reasonability and feasibility of barriers. These include effectiveness of the barriers, cost-effectiveness, acceptance by majority of impacted property owners and availability of funds.

The Type I analysis completed for the Interstate Route 270 West Spur indicates the difference between the projected build levels and projected no-build levels is only 0 to 3 dBA. Since 3 dBA has been shown to be the minimum difference in noise level perceptible to the human ear, we do not consider this range of noise increase to be significant.

My telephone number is 333-1111

(01)

The Honorable Howard A. Denis

Page Two

The Type II program addresses noise abatement as a special project for noise-sensitive land uses along existing highways. Existing noise levels at a majority of receptors within a defined project area must exceed federal noise abatement criteria, for that land use, and a majority of the receptors experiencing those noise levels must have existed prior to the construction of the highway.

If these two criteria are satisfied, the criteria of effectiveness of barrier, costs, availability of funds and acceptability to the majority of property owners are applied.

The communities along the Interstate Route 270 West Spur were considered under the Type II program. The communities did not qualify under the Type II program because of one or more of the following reasons:

- noise levels are currently not at or above the federal criteria of 67 dBA;
- the majority of homes were built after the roadway; and
- noise mitigation was not cost-effective.

Unfortunately, the communities along this section of Interstate Route 270 do not qualify under either program at this time.

The State Highway Administration would welcome the participation of Montgomery County in our noise abatement program. We have offered, and will continue to offer, whatever assistance we can in a program the County or private individuals wish to undertake. We are also able to provide supplemental landscaping as an alternative to noise abatement.

I look forward to working with you on this sensitive issue. If I can answer any further questions, please give me a call, or call Mr. Neil J. Pedersen, at (301) 333-1110.

Sincerely,  
ORIGINAL SIGNED BY:  
HAL KASSOFF

Hal Kassoff  
Administrator

HK:tn

cc: Mr. Neil J. Pedersen  
Mr. Louis H. Ege, Jr.  
Mr. Charles Adams

102

Denis

Additional Information:

Alternate 2 is the selected alternate for addressing traffic capacity and safety problems on the I-270 Spur. Noise barriers will not be constructed as part of this project.



103

BRIAN E. FROSH  
MONTGOMERY COUNTY  
16TH LEGISLATIVE DISTRICT

HOUSE OF DELEGATES  
ANNAPOLIS, MARYLAND 21401-1991

COMMITTEE ON ENVIRONMENTAL MATTERS

October 7, 1987

2208 HOUSE OFFICE BUILDING  
ANNAPOLIS, MARYLAND 21401-1991  
TOLL FREE  
858 3045 (WASHINGTON AREA)  
841 3045 (BALTIMORE AREA)  
HOME OFFICE  
4916 GREENWAY DRIVE  
BETHESDA, MARYLAND 20814  
(301) 657-1000

PROJECT  
ENVIRONMENT  
OCT 11 PM '87

Neil Pedersen, Director  
Office of Planning and Preliminary Engineering  
State Highway Administration  
707 N. Calvert Street  
Baltimore, Maryland 21202

Dear Mr. Pedersen:

I am writing in connection with the project planning study of Interstate Route 270, West Spur (Contract #M401-153-372N). At the public hearing on this project on September 21st the State Highway Administration indicated that it does not plan to construct noise barriers along the side of this new construction. I believe that noise barriers are warranted for this area, and I urge the Administration to reconsider its position.

It seems obvious that the widening of I-270 is the precursor of substantially increased levels of traffic. It also seems obvious that additional traffic will bring with it additional noise. I am enclosing copies of letters I have received from several of my constituents concerning the existing noise level. These letters seem to indicate that the noise from I-270 is already at environmentally unacceptable levels. Construction of the proposed project without noise barriers will subject those living adjacent to it to unhealthy and stressful levels of noise.

I urge the Administration to modify its position and to include the construction of noise barriers in the I-270 West Spur project.

Sincerely,

Brian E. Frosh

BEF/jh

Enclosures

RECEIVED

#787  
OCT 9 1987

DIRECTOR, OFFICE OF  
PLANNING & PRELIMINARY EN

104  
7718 Cindy Lane  
Bethesda, Md 20817  
September 29, 1987

Mr. Brian E. Frosh  
State House Delegate  
7315 Wisconsin Avenue  
Suite 800  
Bethesda, Md. 20814

Dear Mr. Frosh:

My neighbors and I have just recently learned of plans to reconstruct Cindy Lane and Seven Locks Road in Bethesda in a manner which would seriously effect our quality of life, the local environment in terms of the natural landscape, traffic noise levels, and property values. At the same time the county seems intent on spending important sums of the taxpayers money to do extensive work on Seven Locks and Cindy Lane which seems to be excessive in scope and not even desired by the residents of the local area.

It is a cause of serious concern to us that the county authorities are embarking on these projects without adequate consultation and notification of the residents most immediately affected. We have heard that the intersection of Seven Locks and Cindy Lane is to be raised six and a half feet. This elevation of the roads would distort the natural environment, involve the destruction of a large number of trees, and result in important changes in the disposition of the land on which our houses are located. Such significant changes must be studied and reviewed urgently by the local residents.

It should be noted that the residents of this area are already vulnerable to the planned effects of the widening of the Beltway (Route 270 & 495) in terms of increased noise levels beyond 67dbs. It seems that no noise barriers will be erected adjacent to the Beltway near our properties. With the additional burden of the reported plans to reconstruct Seven Locks and Cindy Lane along the lines described above, natural sound barriers such as trees would be eliminated, thereby exacerbating the level of noise pollution in our neighborhood.

The negative implications of these projects are a cause of great concern to me and my neighbors. While Government has a responsibility to expand services, it should not be done at the undue expense of the quality of life of the citizens. This is a political issue also which the County, State and Federal Governments should take notice of. Accordingly, I request that the county take the initiative immediately to inform us of current and proposed plans for these roadways.

I, respectfully, await your reply.

Sincerely,



Edward Djerejian



105

September 28, 1987

Delegate Brian E. Frosh  
7315 Wisconsin Avenue #800  
Bethesda, Maryland 20814

Dear Delegate Frosh:

As residents of 7706 Cindy Lane in Bethesda since August of 1986, we were shocked to hear that the Beltway(495) was going to be widened, thereby adding to the present noise level.

On purchasing our home we assumed that sound barriers would be placed near our homes to muffle the sound of the beltway traffic. We were not informed of a proposed widening of the beltway when we purchased our home. Considering the present noise level is over 72 decibels, we cannot conceive of a level above the environmental criteria for the area.

As taxpayers of the State of Maryland, we find this situation intolerable. To compound the issue Montgomery County has also decided to widen our small lane and create an unnecessary cul de sac; thereby removing the present trees which help somewhat to combat the beltway noise and create an attractive landscape.

We feel we are being unfairly treated since all this construction at both ends will cause an unhealthy and stressful environment. In addition, we fear our home values will decrease accordingly.

We hope you will give this your prompt attention.

Sincerely,

*Roberto Donna*  
Roberto Donna  
7706 Cindy Lane  
Bethesda, Md. 20817



**Maryland Department of Transportation  
State Highway Administration**

# 787 104  
RICHARD H. TRAINOR  
Secretary

HAL KASSOFF  
Administrator

NOV 03 1987

The Honorable Brian E. Frosh  
Maryland House of Delegates  
Suite 800 West  
7315 Wisconsin Avenue  
Bethesda, Maryland 20814

Dear Delegate Frosh:

Thank you for your recent letter to Mr. Neil J. Pedersen concerning noise impacts along the Interstate Route 270 West Spur. I agree with your position that noise impacts are valid and important environmental concerns. It is for this reason that we have undertaken an extensive statewide noise abatement program. Our research indicates that Maryland's noise mitigation program is the largest in the United States.

We have recently developed a noise policy that we apply uniformly throughout the State. Our noise policy has two separate programs. These are known as Type I and Type II. The Type I program addresses significant noise impacts created by new construction or reconstruction projects. If there is a significant increase in noise levels as a result of the project, additional criteria must also be satisfied before a determination is made on the reasonability and feasibility of barriers. These include cost-effectiveness, acceptance by majority of impacted property owners, and availability of funds.

The Type I analysis completed for the Interstate Route 270 West Spur indicates the difference between the projected build levels and projected no-build levels is only 0 to 3 dBA. Since 3 dBA has been shown to be the minimum difference in noise level perceptible to the human ear, we do not consider this range of noise increase to be significant.

V-45

My telephone number is 333-1111

NOV 03 1987

107

The Honorable Brian E. Frosh

Page Two

The Type II program addresses noise abatement for noise sensitive land uses along existing highways. Existing noise levels at a majority of receptors within a defined project area must exceed federal noise abatement criteria, for that land use, and a majority of the receptors experiencing those noise levels must have existed prior to the construction of the highway.

If these two criteria are satisfied, the criteria of cost-effectiveness of barrier, availability of funds, and acceptability to the majority of property owners are applied.

The communities along the Interstate Route 270 West Spur were considered under the Type II program. The communities did not qualify under the Type II program because of one or more of the following reasons:

- noise levels are currently not at or above the federal criteria of 67 dBA;
- the majority of homes were built after the roadway; and
- noise mitigation was not cost-effective.

The homes along Cindy Lane do not qualify due to cost-effectiveness. My staff has met with a number of the residents in this area to discuss the noise studies and investigate other mitigation possibilities. I have attached a copy of the minutes from this meeting. We have offered, and will continue to offer, whatever assistance we can in an abatement program that private individuals wish to undertake. We are also able to provide supplemental landscaping as an alternative to noise abatement as is stated in the attached memo.

I look forward to working with you on this sensitive issue. If I can answer any further questions, please give me a call or Mr. Neil J. Pedersen, at (301) 333-1110.

Sincerely,

ORIGINAL SIGNED BY:  
HAL KASSOFF  
Hal Kassoff  
Administrator

HK:tn

Attachment

cc: Mr. Neil J. Pedersen  
Mr. Louis H. Ege, Jr.  
Mr. Charles B. Adams

108

Frosh

Additional Information:

Alternate 2 is the selected alternate for addressing traffic capacity and safety problems on the I-270 Spur. Noise barriers will not be constructed as part of this project.

109



GENE W. COUNIHAN  
15TH LEGISLATIVE DISTRICT  
MONTGOMERY COUNTY

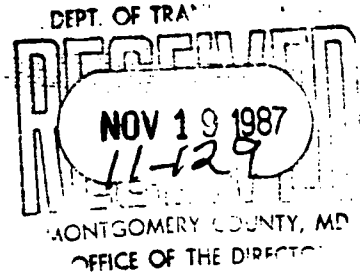
VICE-CHAIRMAN  
WAYS & MEANS COMMITTEE

HOUSE OF DELEGATES  
ANNAPOLIS, MARYLAND 21401-1991

ANNAPOLIS OFFICE:  
100 HOUSE OFFICE BUILDING  
1-800-492-7122 EXT. 3521 (TOLL FREE)  
858-3521 (WASHINGTON METRO)

DISTRICT OFFICE:  
9901 DELLCASTLE ROAD  
GAITHERSBURG, MARYLAND 20879  
(301) 977-5045

November 16, 1987



Mr. Robert McGarry, Director  
Department of Transportation  
Executive Office Building  
51 Monroe Street  
Rockville, Maryland 20850

Dear Mr. McGarry,

This letter is a follow-up of our recent discussion of planned improvement to Seven Locks Road and the area of Cindy Lane.

I have attached copies of letters from two homeowners who live on Cindy Lane. Both express concern about the impact of improvements to Seven Locks, as well as the need for noise abatement on Routes #270 and #495. Please review the concerns expressed in the letters, and advise me of what measures are planned to deal with the environmental issues along Seven Locks Road.

Bob, as we discussed previously, I have some serious reservations about the expense and wisdom of the Seven Locks Road project and hope you will carefully review this project before committing resources. I, further hope that you will take action necessary to advise this community of the December hearing on the project.

Sincerely,

*Gene*  
Gene W. Counihan

GWC/ea

cc: Roberto Donna  
Edward Djerjian

110

7718 Cindy Lane  
Bethesda, Md 20817  
September 29, 1987

Mr. Gene Counihan  
State House Delegate  
9901 Dellcastle Road  
Gaitheysburg, Md. 20879

Dear Mr. Counihan:

My neighbors and I have just recently learned of plans to reconstruct Cindy Lane and Seven Locks Road in Bethesda in a manner which would seriously effect our quality of life, the local environment in terms of the natural landscape, traffic noise levels, and property values. At the same time the county seems intent on spending important sums of the taxpayers money to do extensive work on Seven Locks and Cindy Lane which seems to be excessive in scope and not even desired by the residents of the local area.

It is a cause of serious concern to us that the county authorities are embarking on these projects without adequate consultation and notification of the residents most immediately affected. We have heard that the intersection of Seven Locks and Cindy Lane is to be raised six and a half feet. This elevation of the roads would distort the natural environment, involve the destruction of a large number of trees, and result in important changes in the disposition of the land on which our houses are located. Such significant changes must be studied and reviewed urgently by the local residents.

It should be noted that the residents of this area are already vulnerable to the planned effects of the widening of the Beltway (Route 270 & 495) in terms of increased noise levels beyond 67dbs. It seems that no noise barriers will be erected adjacent to the Beltway near our properties. With the additional burden of the reported plans to reconstruct Seven Locks and Cindy Lane along the lines described above, natural sound barriers such as trees would be eliminated, thereby exacerbating the level of noise pollution in our neighborhood.

The negative implications of these projects are a cause of great concern to me and my neighbors. While Government has a responsibility to expand services, it should not be done at the undue expense of the quality of life of the citizens. This is a political issue also which the County, State and Federal Governments should take notice of. Accordingly, I request that the county take the initiative immediately to inform us of current and proposed plans for these roadways.

I, respectfully, await your reply.

Sincerely,



Edward Djerejian

111

September 28, 1987

Delegate Gene W. Counihan  
9901 Dellcastle Road  
Gaithersburg, Maryland 20879

Dear Delegate Counihan:

As residents of 7706 Cindy Lane in Bethesda since August of 1986, we were shocked to hear that the Beltway(495) was going to be widened, thereby adding to the present noise level.

On purchasing our home we assumed that sound barriers would be placed near our homes to muffle the sound of the beltway traffic. We were not informed of a proposed widening of the beltway when we purchased our home. Considering the present noise level is over 72 decibels, we cannot conceive of a level above the environmental criteria for the area.

As taxpayers of the State of Maryland, we find this situation intolerable. To compound the issue Montgomery County has also decided to widen our small lane and create an unnecessary cul de sac; thereby removing the present trees which help somewhat to combat the beltway noise and create an attractive landscape.

We feel we are being unfairly treated since all this construction at both ends will cause an unhealthy and stressful environment. In addition, we fear our home values will decrease accordingly.

We hope you will give this your prompt attention.

Sincerely,

*Roberto Donna*

Roberto Donna  
7706 Cindy Lane  
Bethesda, Md. 20817



# Montgomery County Government

November 30, 1987

112  
# 1017

Honorable Gene W. Counihan  
9901 Delcastle Road  
Gaithersburg, Maryland 20879

PROJECT DEVELOPMENT DIVISION  
DEC 11 11 51 AM '87

Dear Delegate Counihan:

This is in response to your letter of November 16, 1987. The plans for Seven Locks Road are in the preliminary stage. We have scheduled a public hearing for December 1, 1987 at 4:00 p.m. in the Lobby Level Auditorium of the Executive Office Building. All affected property owners have received notification of this hearing.

The improvements to Seven Locks Road are proposed to improve safety along a sub-standard portion of the roadway. Cars coming over the hill crest pose a danger to cars and pedestrians entering or exiting Cindy Lane. Raising the grade of Seven Locks Road will make it safer for residents and the general traveling public.

The existing Cindy Lane is currently not constructed to a standard section. We do not maintain such private roadways. The proposed cul-de-sac will comply with the County Code for subdivisions. It will allow the County to provide maintenance including plowing the snow. It will also comply with the Fire Marshall's requirement to provide space for a fire truck to turn around on all dead end streets.

With regard to the concern about noise from the Beltway, I have forwarded a copy of your letter to the State Highway Administration. They have jurisdiction over Interstate Highways in Maryland and are the appropriate authority to deal with this question.

We hope that you will attend the public hearing and express your concerns and provide input for the record.

Sincerely,

*Robert S. McGarry*  
Robert S. McGarry, Director  
Department of Transportation

RSM:mp

cc: Edward Djerejian  
Roberto Donna

~~William J. Pederson, SEA~~

V-51

**RECEIVED**

DEC 7 1987

DIRECTOR, OFFICE OF  
PLANNING & PRELIMINARY ENGINEERING

Office of the Director, Department of Transportation

101 Monroe Street, 10th Floor, Rockville, Maryland 20850, 301/251-2170





**Maryland Department of Transportation  
State Highway Administration**

113  
Richard H. Trainor  
Secretary  
Hal Kassoff  
Administrator

JAN 04 1988

PROJECT  
DEVELOPMENT  
DIVISION  
JAN 0 2 1988

The Honorable Gene W. Counihan  
Member, House of Delegates  
9901 Delcastle Road  
Gaithersburg, Maryland 20879

Dear Delegate Counihan:

Mr. Robert McGarry, Director of the Department of Transportation for Montgomery County, has requested that I respond to your November 16, 1987 letter to him concerning noise along Interstate Route 495.

The State Highway Administration has completed a noise analysis for the Interstate Route 495 project. The project corridor was separated into four noise sensitive areas (shown on the attached map) for the purpose of this noise analysis. Your constituents, Mr. Edward Djerejian and Mr. Roberto Donna, live on Cindy Lane, which is included in noise sensitive area 'A'.

Noise sensitive area 'A' was analyzed under the State Highway Administration's Type I and Type II noise programs. As you know, the Type I program addresses noise impacts created by new construction or reconstruction projects. Noise mitigation is considered under this program when significant noise impacts result from the proposed project. If there is a significant increase in noise levels as a result of the project, additional criteria must also be satisfied before a determination is made on the reasonability and feasibility of barriers. These include effectiveness of the barriers, cost effectiveness, acceptance by a majority of impacted property owners, and availability of funds.

The Type II program addresses noise abatement for noise sensitive land uses along existing highways. Existing noise levels at a majority of receptors within a defined project area must exceed Federal Noise Abatement Criteria, for that land use, and a majority of the receptors experiencing those noise levels must have existed prior to the construction of the highway. If these two criteria are satisfied, the criteria of effectiveness of barrier, costs, availability of funds, and acceptability to the majority of property owners are applied.

My telephone number is (301) 333-1111

Teletyp  
383-7555 Baltimore Metro - 565  
707 North Calve

V-52

mpaired Hearing or Speech  
Metro - 1-800-492-5062 Statewide Toll Free  
more, Maryland 21203-0717

The Honorable Gene W. Counihan

Page 2

Noise sensitive area 'A' was analyzed under both programs. It did not qualify for construction of noise barriers under the Type I program because the results of the analysis failed to meet two of the Type I criteria. The difference between the projected design year noise levels for the no-build and build condition is only 1 decibel. (The design year is considered to be 20 years after the improvement is open to traffic.) This small difference, which is imperceptible to the human ear, indicates that the proposed improvement to Interstate Route 495 would not result in a significant increase in noise levels. The increase is due instead to the normal growth in traffic, which occurs with the planned growth and development of the surrounding area. In addition, the preliminary noise barrier analysis completed indicated that the construction of a noise wall would not be cost-effective. The State Highway Administration has established an upper limit of approximately \$40,000 per home for a noise barrier to be considered reasonable. The cost per residence is determined by dividing the number of impacted homes which will receive a 5 decibel reduction by a noise barrier into the total cost of the barrier. We design noise barriers to achieve a 7-10 decibel reduction in noise levels; however, any impacted home that will experience a 5 decibel reduction and experience levels at 67 decibels or above is considered in the determination of cost-effectiveness. Noise sensitive area 'A' exceeds the \$40,000 per residence figure.

This section of Interstate Route 495 did not qualify under the Type II program because a majority of the homes adjacent to Interstate Route 495 were constructed after the roadway and, as explained previously, the noise barriers are not considered to be cost-effective.

While it is unfortunate that noise walls cannot be provided in this area, members of my staff have met with some of the residents along Cindy Lane. We have agreed to include all reasonable landscaping and vegetation into the design of the project to provide a visual screen.

I hope this information addresses your concerns. If you have additional questions, please contact me or Mr. Neil J. Pedersen, Director of the Office of Planning and Preliminary Engineering. Mr. Pedersen's phone number is 333-1110.

Sincerely,

**ORIGINAL SIGNED BY:**  
**HAL KASSOFF**

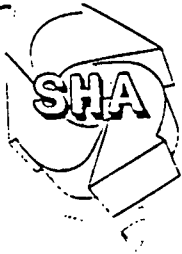
Hal Kassoff  
 Administrator

HK:bh  
 Attachment

cc: Mr. Robert McGarry  
 Mr. Neil J. Pedersen

bcc: Mr. L. H. Ege, Jr.  
 Mr. C. B. Adams

Ms. C. D. Simpson  
 Ms. C. Pecora



Maryland Department of Transportation  
State Highway Administration

Mark 145  
Richard H. Trainor  
Secretary  
Hal Kassoff  
Administrator

DEC 04 1987

PROJECT DEVELOPMENT DIVISION  
DEC 11 09 AM '87

The Honorable Bruce Adams  
Montgomery County Council  
Stella B. Werner Council Office Building  
100 Maryland Avenue  
Rockville, Maryland 20850

Dear Councilman Adams:

The State Highway Administration has completed a noise analysis for Interstate Route 495 between Persimmon Tree Road and Bradley Boulevard. Unfortunately, none of the areas along that section of Interstate Route 495 meet the State Highway Administration's criteria for the consideration of noise barriers. The east and west spurs of Interstate Route 270 have also been analyzed and also do not meet the criteria for the consideration of noise barriers.

I would like to take this opportunity to briefly explain the State Highway Administration's noise program and why Interstate Route 495 and the two spurs of Interstate Route 270 do not qualify for noise mitigation.

The State of Maryland currently has the largest noise barrier program for the country. However, it has been necessary for us to adopt a noise policy so that the size of the program does not get to the point of being unmanageable. Our noise policy consists of two types of noise mitigation programs. These are known as Type I and Type II. The Type I program addresses noise impacts created by new construction or reconstruction projects. Noise mitigation is considered under this program when significant noise impacts result from the proposed project. If there is a significant increase in noise levels as a result of the project, additional criteria must also be satisfied before a determination is made on the reasonability and feasibility of barriers. These include effectiveness of the barriers, cost effectiveness, acceptance by a majority of impacted property owners, and availability of funds.

The Type II program addresses noise abatement for noise sensitive land uses along existing highways. Existing noise levels at a majority of receptors within a defined project area must exceed Federal Noise Abatement Criteria, for that land use, and a majority of the receptors experiencing those noise levels must have existed prior to the construction of the highway.

My tele \_\_\_\_\_ or is (301) 333-1111

The Honorable Bruce Adams

Page 2

If these two criteria are satisfied, the criteria of effectiveness of barrier, costs, availability of funds, and acceptability to the majority of property owners are applied.

The Interstate Route 495 project was analyzed under both programs. It did not qualify for consideration of noise barriers under the Type I program because the results of the analysis failed to meet two of the Type I criteria. The difference between the projected design year noise levels for the no-build and build condition is only 1 decibel. The design year is considered to be 20 years after the improvement is open to traffic. This small difference, which is imperceptible to the human ear, indicates that the proposed improvement to Interstate Route 495 would not result in a significant increase in noise levels. The increase is due instead to the normal growth in traffic, which occurs with the planned growth and development of the surrounding area. In addition, the preliminary noise barrier analysis completed indicated that the construction of noise walls would not be cost-effective. We have established an upper limit of approximately \$40,000 per home for a noise barrier to be reasonable. The cost per residence is determined by dividing the number of impacted homes which will receive a 5 decibel reduction by a noise barrier into the total cost of the barrier. We design noise barriers to achieve a 7-10 decibel reduction in noise levels; however, any impacted home that will experience a 5 decibel reduction is considered in the determination of cost-effectiveness. All the areas along Interstate Route 495 exceed the \$40,000 per residence figure. I have attached a chart showing the existing and projected noise levels along Interstate Route 495 and the costs of noise barriers. A map is also attached showing the noise sensitive areas.

This section of Interstate Route 495 did not qualify under the Type II program because a majority of the homes adjacent to Interstate Route 495 were constructed after the roadway and, as explained previously, the noise barriers are not considered to be cost-effective.

The noise analysis completed for the east and west spurs of Interstate Route 270 had similar results. The difference between the projected noise levels under the build and no-build conditions was very small. The maximum difference was 3 decibels, with the build alternate being higher. Anything less than 5 decibels is barely discernible to the human ear. The areas along the east and west spurs did not qualify because of the small difference in noise levels and/or the noise barriers were not considered cost-effective. In addition, the majority of homes along both the east and west spurs were constructed after the roadways. A table and map is attached for each spur. The table

117  
The Honorable Bruce Adams

Page 3

provides information on existing and projected noise levels, and the cost of the barriers. The maps show the noise sensitive areas. A final decision has not been made on noise sensitive area 'B' on the west spur. We are investigating if these homes were built prior to the roadway to determine if they would be eligible for Type II barriers. We expect to have the information by the end of this year.

I regret that a more positive response could not be provided. During the final design of all of the projects, landscaping will be incorporated, where practical, to provide a visual screen. If you desire additional information, please contact me or Mr. Neil J. Pedersen, Director of the Office of Planning and Preliminary Engineering. Mr. Pedersen's phone number is 333-1110.

Sincerely,

ORIGINAL SIGNED BY:  
**HAL KASSOFF**

Hal Kassoff  
Administrator

HK:bn  
Attachment

cc: Mr. Neil J. Pedersen

bcc: Mr. Louis H. Ege, Jr.  
Mr. Charles B. Adams  
Ms. Cynthia D. Simpson  
Mr. John M. Contestabile  
Ms. Catherine Pecora

C. Agency Coordination

119

# BETHESDA FIRE DEPARTMENT

(INCORPORATED)

P. O. BOX 30384  
BETHESDA, MARYLAND 20814

BUSINESS PHONE  
654-0654

November 15, 1986

Mr. Neil J. Pedersen, Director  
Office of Planning and Preliminary Engineering  
State Highway Administration  
707 North Calvert Street  
Baltimore, Maryland 21202

PROJECT  
DEVELOPMENT  
DIVISION  
NOV 24 10 07 AM '86

Dear Mr. Pedersen:

This letter serves to state the concerns of the Bethesda Fire Department for providing emergency services to incidents occurring on the west leg of I-270.

At the present time, we have no turnarounds on the I-270 Spur (west leg) and one turnaround on I-495 in the study area. It is located just south of Bradley Boulevard and is known to us as the "Bradley Boulevard turnaround."

Our major problem north of Democracy Boulevard is access to the southbound lane. We can hear and almost see the southbound lane from the front yard of the fire station, but to get to it one must travel 5 to 6 miles to Montrose Road and back to reach the incident. While doing this, traffic backs up behind the incident making our response very slow. Since our business is providing emergency fire and rescue services, time is often the most crucial factor in determining the outcome of the incident. We need a safe turnaround as far north on I-270 Spur as possible.

South of Democracy Boulevard is not quite as bad for two reasons. First, we can physically see all of the northbound lanes from the southbound lane and can easily walk across to many incidents. Second, we can continue down to the Bradley Boulevard turnaround and come back up to an incident in the northbound lanes. We have, when the ground is firm, used the grass median just south of Democracy to cross over.

RECEIVED

#48  
NOV 24 1986

DIRECTOR, OFFICE OF  
PLANNING & PRELIMINARY ENGINEERING

V-58

SMOKE DETECTORS

AN INVESTMENT IN FIRE SAFETY FOR THE HOME

Our major concern with the widening of the I-270 Spur is that it will continue on to I-495 and may seriously affect the Bradley Boulevard turnaround. This is probably the most frequently utilized turnaround in the area. We use it for every incident on the inner-loop of I-495 from Bradley Boulevard to east of Fernwood Road and for incidents on the northbound I-270 Spur from I-495 to Democracy Boulevard. If it is not maintained as a safe turnaround and becomes like the turnaround south of Montrose Road it will be almost useless to the fire service. If it is too unsafe to use it will seriously affect our response to incidents in the areas mentioned above.

To be useful to the fire service a turnaround must be safe. Currently at the Bradley Boulevard turnaround we must pull onto the shoulder of the road before we make the turn, come to a full stop before we enter the northbound lanes and be completely out of the southbound lanes, and pull into only one lane when it is safe to do so. At Montrose Road all we have is a break in the jersey barrier, with no room to get off of the northbound lanes before making our turn and having to swing into 2 1/2 lanes of oncoming traffic. It can rarely be used safely so we just go on to Montrose Road and exit, using the bridge and coming back onto the southbound lanes.

Another concern of both the fire/rescue service and the County and State police is that we spend far too much time responding to the wrong location. These are not isolated incidents but regular occurrences. For instance, where would one go for an accident at I-270 and I-495. As one comes southbound on I-270 heading toward Virginia, all signs read "To I-495." We refer to the west leg as "I-270 Spur" but the public does not know where they are. There is more confusion by motorists about where they saw an accident or fire than you can imagine. Couple this confusion of where they are with the excitement of having just witnessed an accident or fire and the result is a very real problem for the response of emergency service units.



121

Page 3 of 3  
November 15, 1986

Something needs to be done in the way of highway marking to correct this problem. Years ago, I-270 Spur was called I-470. Before that it was I-270 and the east leg was referred to as I-70S. Many of us feel that we should go back to a different and distinct name or number such as I-670, I-770 or I-870. Both legs need to be clearly marked so that anyone can tell which highway they are on.

One final problem which requires immediate attention, and which has been previously identified, is water supply for the Interstate Highway System in the areas of the County which have experienced significant construction growth. There is no planned water supply available to fight any type of fire on the Interstate Highway System.

The way it works now is that we bring 500 to 750 gallons of water with us. If more water is needed, additional engine companies are dispatched. If we still need more water, engine companies are directed to nearby subdivisions to find a hydrant and lay hose lines through yards, around dog houses with mean dogs, over fences, over noise barriers and out to the interstate highway. By this time, there is often nothing left to save from destruction by the fire.

It is past time to do something about water supply on I-270 and now is a good time to plan to do it.

Thank you for the opportunity to have input regarding this study. I am forwarding under separate cover a twelve page print out of all fire and rescue calls in the study area during the last 34 months. This, along with maps, will be sent to Ms. Cathy Pecora.

Sincerely,

*Douglas H. Callan*

Douglas H. Callan  
Lieutenant/Station Commander

cc: Ms. Cathy Pecora

I270/Pathl  
DHC/rjf

122



# Maryland Department of Transportation

State Highway Administration

William K. Hallmann  
Secretary

Hai Kassoff  
Administrator

January 27, 1987

RE: Contract No. M 401-154-372 N  
Interstate Route 270 East Segment  
Y-Split to I-495  
PDMS No. 151105

Contract No. M 401-154-372 N  
Interstate Route 270 West Spur  
Y-Split to I-495  
PDMS No. 151104

Lieutenant Douglas H. Callan  
Bethesda Fire Department  
P.O. Box 30384  
Bethesda, Maryland 20814

I-270E  
I-270W

COPY	
No.	FOF

ORIGINAL TO FILE *YUe*  
DATE *2/13/87*

Dear Lieutenant Callan:

Thank you for your letters of November 15, 1986 describing the impact that the proposed widening of the Interstate Route 270 East Segment and the Interstate Route 270 West Spur will have on your ability to provide emergency services to the interstate.

The difficulty of providing emergency services to an interstate roadway is a problem inherent of this type of facility in that limited access is one of the key features that increases the safety of this roadway over other types of highways.

Your discussion of the East Segment of Interstate Route 270 indicates that, while the widening will not significantly reduce the access you are currently utilizing, the opportunity exists for improving the services that can be provided. We are currently reviewing the suggestions you have made and will reach a decision on the feasibility of providing an emergency service turnaround during the Final Design Phase of this study.

The study for the west spur of Interstate Route 270 is currently in the beginning of the Project Planning Phase. We will explore alternatives for an emergency turnaround to replace the one you use just south of Bradley Boulevard. This will be done after the January Informational Meeting as part of the preparation of the Environmental Assessment. Ms. Pecora will be available in late February to discuss the possible alternatives that we will be investigating.

My telephone number

333-1110

Teletypewriter for

V-61

Teletypewriter or Speech

383-7555 Baltimore Metro - 565-0451

1-800-492-5082 Statewide Toll Free

P.O. Box 717 / 707 North Calvert St., Baltimore, Maryland 21203 - 0717

Lieutenant Douglas H. Callan  
January 27, 1987  
Page 2

I would also like to address your concern regarding the confusion created by existence of two Interstate Route 270 roadways between the Y-Split and Interstate Route 495. We will be making changes to the signing in the Y-Split of Interstate Route 270 to provide clarification of these roadway designations. This will be done as part of the Interstate Route 270 corridor reconstruction contract which includes the Y-Split area. We feel that this will significantly reduce the confusion that the drivers are experiencing.

Thank you for your input into these studies. We look forward to working with you to improve emergency services on these roadways. Contact the Project Manager, Ms. Catherine Pecora, at 333-1191, or me if you have any additional comments.

Very truly yours,

*Neil J Pedersen*

Neil J. Pedersen, Director  
Office of Planning and  
Preliminary Engineering

NJP:sh

Callan

Additional Information:

Alternate 2 is the selected alternate for improving traffic safety, service, and capacity on the I-270 spur and portion of I-495. Widening in this area will necessitate closure of the emergency vehicle turnaround on I-495 south of Bradey Boulevard. Due to the future, narrower median width in this area (30 feet between inside roadway edges), safe turning radius cannot be provided for many emergency vehicles. Alternative locations for a new turnaround were investigated, but none were determined to be feasible or safe. Consequently, those portions of the I-270 Spur and I-495 currently served by Bethesda Fire Department, Station No. 26 from this turnaround could be more safely served by Cabin John Fire Department, Station No. 10 (and to a lesser degree by Bethesda Fire Department, Station No. 20) with only a minor change and perhaps an improvement in response times.

The Administration will, however, request approval from the Federal Highway Administration for a new turnaround at the Y-split to provide quicker access from the northbound I-270 Spur roadway to the I-270 Spur southbound roadway between the Y-split and Democracy Boulevard.

In addition, the southern legs of I-270 below the Y-split have been renamed and resigned as I-270 (formerly I-270 east) and I-270 Spur (formerly I-270 west) to alleviate driver confusion and error.

125

# BETHESDA FIRE DEPARTMENT

(INCORPORATED)

P. O. BOX 30384  
BETHESDA, MARYLAND 20814

BUSINESS PHONE  
654-0654

March 10, 1988

Mr. Neil J. Pedersen  
Director, Office of Planning and  
Preliminary Engineering  
State Highway Administration  
Maryland Department of Transportation  
707 North Calvert Street  
Baltimore, Maryland 21203-0717

Dear Mr. Pedersen:

I would like to take this opportunity to respond to your letter of March 2, 1988, addressed to Captain Richard Foster of the Bethesda Fire Department.

We concur with the elimination of the turnaround south of Bradley Boulevard. It is our belief that the information that we provided to you about the affected areas of the Interstate would be more safely served by Station No. 10 on River Road.

Sincerely,



William D. Cameron  
Fire Chief

WDC:mpo

#00463WDC

APR 1988

126



# Montgomery County Government

July 28, 1987

COPY	
NO	FOR
1	Don
ORIGINAL TO FILE	
DATE	

PROJECT DEVELOPMENT DEPARTMENT  
 DIVISION  
 AUG 6 10 48 AM '87  
 AUG 6 11 08 AM '87

Louis H. Ege, Jr., Deputy Director  
 State Highway Administration  
 Maryland Department of Transportation  
 707 North Calvert Street  
 Baltimore, Maryland 21203-0717

Re: MDOT Contract No. M 401-153-372 N  
 Interstate Route 270 West Spur Y-Split  
 to Interstate Route 495 PDMS No. 151104

Dear Mr. Ege:

A number of County residents have expressed concern that the increase in average traffic speeds which will result from widening the I-270 West Spur Y-Split to Interstate Route 495 will cause a major increase in highway sound levels at existing residences adjacent to this highway improvement project. I support their requests for an early consideration of installing highway noise barriers in this area in order to provide adequate noise reduction for the residents of the existing houses.

I strongly urge you to consider installation of these barriers in the Type I program. However, if this is not possible, I recommend that you consider placement of this project high enough in the Type II highway sound barrier projects for Maryland to enable installation within the next few years.

Sincerely,

*John L. Menke*  
 John L. Menke  
 Director

JLM/REL:bbe

cc: Lynn Frank  
 Robert McGarry



Maryland Department of Transportation  
State Highway Administration

127 Cathy  
RICHARD H. TRAINOR  
Secretary

HAL KASSOFF  
Administrator

August 12, 1987

Re: Contract No. M 401-153-372 N  
Interstate Route 270 West Spur  
Bradley Boulevard to Y-Split  
PDMS No. 151104

COPY	
No.	FOR
1	Don
ORIGINAL TO FILE / Da	
DATE	

Mr. John L. Menke, Director  
Department of Environmental Protection  
101 Monroe Street, Room 627  
Rockville, Maryland 20850

Dear Mr. Menke:

I am writing in response to your request to consider noise barriers along Interstate Route 270 West Spur. This is being done as part of the project planning study which is currently underway. This study includes an analysis of noise impacts and noise barrier feasibility. The results of these studies will be presented in the Environmental Assessment which is being prepared for this project and will be available for public review in late August. The decision regarding eligibility within the Type I noise abatement program will be made in the winter when the final environmental document is prepared for this project.

The noise study results have already been reviewed for eligibility in the Type II program by the Bureau of Landscape Architecture. None of the areas are eligible at the present time. This has occurred for two reasons. In some areas the existing noise levels do not meet the Federal Highway Administration criteria of 67 dBA. In other areas the houses were not built before the highway and are, therefore, ineligible for the Type II noise abatement program.

Thank you for your input on this project. Let me know if I can be of further assistance or contact the Project Manager, Ms. Catherine Pecora at (301) 333-1191.

Very truly yours,

Louis H. Ege, Jr.  
Deputy Director  
Project Development Division

LHE/ih  
cc: Mr. Frank Lynn  
Mr. Robert McGarry  
Ms. Cynthia D. Simpson  
Mr. Charles Adams

My telephone number is 333-1130



# Montgomery County Government

September 11, 1987

Mr. Louis H. Ege, Jr., Deputy Director  
State Highway Administration  
Maryland Department of Transportation  
707 North Calvert Street  
Baltimore, Maryland 21203-0717

RE: MDOT Contract M 401-153-372 N  
Interstate Route 270 West Spur Y-Split  
to Interstate Route 495 PDMS 151104

Dear Mr. Ege:

In your letter to me of August 12, 1987, you indicated that noise barrier feasibility would be included in the Environmental Assessment which will be published in late August and that a decision concerning the installation of Type I noise abatement barriers on this highway construction project would be made this winter. The Montgomery County residents living next to the Interstate 270 West spur Y-split have stated that they want noise barriers installed adjacent to their properties.

There is a contradiction in your letter to me which stated that the decision on Type I highway noise barriers would be decided in the winter and the letter from you to Ms. Lynn Frank signed by Catherine Pecora of May 22, 1987, which stated that none of the residences were eligible under the Type I highway noise barrier program.

A telephone inquiry to Catherine Pecora on this discrepancy indicated that you have been negotiating with the Federal Highway Administration to establish more objective criteria for selecting residences for highway noise barrier protection. As a result, the State position which was reported to the Montgomery Noise Control Advisory Board by Mr. Neil Peterson of the State Highway Administration evidently has been changed. I would appreciate receiving a copy of the present official criteria which is being used by the State Highway Administration in both the Type I and Type II programs. I would also appreciate being informed on the resolution of the apparent contradiction between the two letters.

If you could, please send me one to three copies of the August 1987 issue of the Environmental Assessment so that the document can be made available to interested residents and so that it may be studied by my noise control staff. I believe that Montgomery County should consider comment on

V-67

Department of Environmental Protection, Office of the Director

101 Monroe Street, Room 627, Rockville, Maryland 20850, 301/251-2400



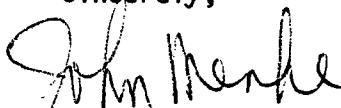
129

Mr. Louis H. Ege, Jr.  
September 11, 1987  
Page 2

the Environmental Assessment in order to express to you both the concerns of the citizens who are resident adjacent to this project and those of the Department of Environmental Protection.

Thank you for your assistance on these issues.

Sincerely,

  
John L. Menke  
Director

JLM/REL:jm

cc: Lynn Frank  
Robert McGarry

130  
C. K. K.



Maryland Department of Transportation  
State Highway Administration

Richard H. Trainor  
Secretary  
Hal Kassoff  
Administrator

September 24, 1987

Mr. John L. Menke, Director  
Montgomery County  
Department of Environmental Protection  
101 Monroe Street, Room 627  
Rockville, Maryland 20850

COPY	
No.	FILE
1	10a
ORIGINAL TO FILE	
DATE	

Dear Mr. Menke:

Thank you for your September 11, 1987 letter requesting clarification of the status of noise barriers along the Interstate Route 270 Spur and Interstate Route 495. This issue is quite complicated and I hope the following explanation helps.

First, the neighborhood in which Ms. Frank resides is located near the dividing line between two separate projects under consideration at the State Highway Administration. These projects are the widening of the Interstate Route 270 Spur, which includes Interstate Route 495 to north of Maryland Route 190, and the widening of Interstate Route 495 from north of Maryland Route 190 to the Cabin John Bridge.

An analysis for noise abatement under the Type I criteria was done for both of these projects as part of the project planning studies. It was found that the widening project did not create a substantial increase in noise levels, that is, the difference between the projected no-build and build noise levels was minimal. Therefore, barriers would not be provided as part of the other widening project under the Type I criteria.

This neighborhood was also evaluated for inclusion in the Type II Noise Abatement Program. The results indicate that a barrier would not be cost-effective even if the entire area (encompassing both widening projects) between Bradley Boulevard and River Road were included.

However, due to commitments made during the Interstate Route 495 project planning study and before our current noise policy was approved, special consideration is being given to this area. Administrator Kassoff will not have a decision on this issue until this coming winter.

My telephone number

333-1130

V-69

Teletypewriter  
383-7555 Baltimore Metro - 565-045

Deaf Hearing or Speech  
- 1-800-492-5062 Statewide Toll Free

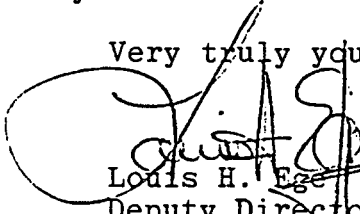
707 North Calvert St., Baltimore, Maryland 21203-0717

Mr. John L. Menke  
September 24, 1987  
Page 2

A copy of the current Maryland State Highway Administration noise policy is enclosed. The guidelines which will be applied to implement this policy are still being formulated. I will forward them to you when they are available. I am also enclosing two copies of the Environmental Assessment for the Interstate Route 270 West Spur.

The State of Maryland, having the largest noise abatement program in the country, is the first to develop such a comprehensive program. We appreciate your patience and understanding while we are developing what we believe is an equitable solution to this sensitive issue. Please call me if you would like to discuss this personally.

Very truly yours,



Louis H. Ege Jr.  
Deputy Director  
Project Development Division

LHE:CP:bh  
Enclosures

cc: ✓ Mr. Neil J. Pedersen  
      ✓ Ms. Catherine Pecora



# ROCKVILLE

City of Rockville □ Maryland Avenue at Vinson □ Rockville, Maryland 20850-2364 □ (301) 424-8000

132

October 16, 1987

PROJECT  
DEVELOPMENT  
DIVISION  
Oct 19 12 44 PM '87

Mr. Louis H. Ege, Jr.  
Deputy Director  
Project Development Division  
State Highway Administration  
Room 310  
707 North Calvert Street  
Baltimore, MD 21202

Re: M-401-153-372(N)  
I-270, West Spur, Y Split to I-495  
Including I-494 to North of MD 190

Dear Mr. Ege:

You have requested comments on the documentation of the Environmental Assessment prepared for the referenced project.

The City of Rockville has examined this document and wishes to go on record in support of the project.

Sincerely yours,

Richard V. Robinson  
City Manager

djs

133

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

8787 Georgia Avenue • Silver Spring Maryland 20910-3760

(301) 278-1000  
495-4525

November 16, 1987

RECEIVED

L-37

NOV 19 1987

#905

DIRECTOR, OFFICE OF  
PLANNING & PLANNING ENGINEERING

Mr. Hal Kassoff  
Administrator  
State Highway Administration  
707 North Calvert Street  
Baltimore, Maryland 21202

Re: I-270 West Spur  
SHA Project Planning Study

Dear Mr. Kassoff:

The Planning Board reviewed the referenced project and supports this SHA project with the following recommendations:

1. The visual corridor elements developed and planned for the I-270 project should be extended along the I-270 Spur as far as its junction with the Capital Beltway (I-495).
2. The median areas wider than five (5) feet should be planted.

The Planning Board reserves the right to comment later regarding the noise issue. It is our understanding that guidelines to be used to implement your noise policy are not yet finalized and that you do not have noise recommendations for this project at this time. Staff has advised us that it appears the project will not qualify for noise barriers under either the Type I or the Type II program.

We look forward to a continued good working relationship with you as this project progresses.

Sincerely,

*Norman L. Christeller*

Norman L. Christeller  
Chairman, MCPB

NLC:PBW:ss/Kassoff.pw

NOV 19 3 58 PM '87  
PROJECT DEVELOPMENT DIVISION



**Maryland Department of Transportation  
State Highway Administration**

134  
Richard H. Trainor  
Secretary  
Hal Kassoff  
Administrator

DEC 30 1987

Mr. Norman L. Christeller  
Maryland-National Capital Park  
and Planning Commission  
8787 Georgia Avenue  
Silver Spring, Maryland 20910-3760

Dear Mr. Christeller:

Thank you for your comments regarding the project planning study on the west spur of Interstate Route 270.

We agree with you that the visual elements proposed along Interstate Route 270 down to the Capital Beltway should be retained along the spur.

We will plant the median, where opportunities exist. It appears that there are areas within the project where median landscaping can be provided. As our studies are developed, we will coordinate with your staff concerning this issue.

The issue of noise barriers for this project has been addressed in accordance with our noise policy. The project is being evaluated under both our Type I and Type II programs.

The project does not qualify under the Type I program because the proposed widening will not cause a significant increase in noise levels. There is only a 3 decibel difference between the build and no-build condition in the design year of the project.

The Type II analysis is being done by our Bureau of Landscape Architecture. The date the houses were built in relationship to the highway and the cost of the barriers will be considered in the study. We expect to have an answer regarding the Type II barriers by sometime in February, 1988.

During the final design of the project, we will be investigating landscaping to provide a vegetative screen between the residential areas and the roadway.

PROJECT  
DEVELOPMENT  
DIVISION

JAN 4 9 33 AM '88

My telephone number is (301) \_\_\_\_\_

Teletypew  
383-7555 Baltimore Metro - 565-0  
707 North Calvert

V-73

alred Hearing or Speech  
etro - 1-800-492-5062 Statewide Toll Free  
ore, Maryland 21203-0717

135

Mr. Norman L. Christeller

Page 2

If you would like to discuss any of the issues further, please contact me, Mr. Neil J. Pedersen at (301) 333-1110 or Charlie B. Adams at (301) 321-3521.

Sincerely,  
ORIGINAL SIGNED BY:  
**HAL KASSOFF**

Hal Kassoff  
Administrator

HK/sl

cc: Mr. Neil J. Pedersen  
Mr. Mike Snyder  
Mr. Louis H. Ege, Jr.  
Mr. Charles B. Adams  
Mr. Anthony M. Capizzi



Montgomery County Government

PROJECT  
DEVELOPMENT  
DIVISION

FEB 16 8 08 AM '88

136

February 10, 1988

Catherine Pecora, Project Manager  
State Highway Administration  
Project Development Division  
707 N. Calvert Street  
Baltimore, MD, 21203-0717

*Cathy*  
Dear Ms. Pecora:

The Montgomery County Department of Transportation, Office of Planning and Project Development has completed its review of the Team Recommendation report for the I-270 spur and supports its findings. We concur with the recommended alternate, Alternate 2, which proposes to add one 12-foot lane in each direction within the existing median. This alternate would provide much needed capacity with the least right-of-way and environmental impact. We also favor Option B, which would reconstruct the bridge carrying I-495 over I-270 on the south side of the existing bridge and realign a portion of the I-495 westbound roadway.

Thank you for the opportunity to review this report.

Sincerely,  
*[Signature]*

John J. Clark, Director  
Office of Planning and Project  
Development

JJC:d1g





Maryland Historical Trust

131  
PROJECT  
DEVELOPMENT  
DIVISION

Apr 8 12 12 PM '86

April 4, 1986

Ms. Cynthia D. Simpson, Chief  
Environmental Management  
MDOT-SHA  
707 N. Calvert Street  
P. O. Box 717  
Baltimore, MD 21203

RE: Interstate Route 270  
Y-Split to I-495  
Contract M 401-154-372

Dear Ms. Simpson:

Thank you for your letter of Oct. 25, 1985 concerning the above-referenced project.

This office concurs with the opinion that both the Davis Farm (M 30/19) and Wild Acres, the Grosvenor Estate (M 30/15) are inventory quality properties, not eligible for National Register inclusion.

We appreciate your cooperation.

Sincerely,

George J. Andreve  
Environmental Review Administrator

GA/AL/mc

CC: Ms. Mary Ann Kephart  
Ms. Roberta Hahn  
Mr. Mark Walston

V-76

138



BUREAU OF  
PROJECT PLANNING

JAN 17 9 28 AM '86

TORREY C. BROWN, M.D.  
SECRETARY

JOHN R. GRIFFIN  
DEPUTY SECRETARY

STATE OF MARYLAND  
DEPARTMENT OF NATURAL RESOURCES  
MARYLAND GEOLOGICAL SURVEY  
THE ROTUNDA  
711 W. 40TH STREET, SUITE 440  
BALTIMORE, MARYLAND 21211

KENNETH N. WEAVER  
DIRECTOR  
MARYLAND GEOLOGICAL SURVEY  
EMERY T. CLEAVES  
DEPUTY DIRECTOR

Division of Archeology  
338-7236

16 January 1986

Mr. Louis H. Ege, Jr.  
Bureau of Project Planning  
State Highway Administration  
P.O. Box 717/707 North Calvert Street  
Baltimore, Maryland 21203-0717

RE: I-270 - Montgomery County

Dear Mr. Ege:

I have reviewed the subject project relative to archeological resources. There is one reported site near the project area as depicted on the attached map. Site 18M063 is represented by five Late Archaic/Early Woodland quartz projectile points collected from the site by a previous owner.

Three transects surveyed during the MDOT study include portions of the present study area. All three (Transects #12-005, 12-010, 12-011) failed to locate any archeological resources. In general, the archeological potential of this area is considered moderate. However, extensive land-disturbing operations (road and housing construction, primarily) have effectively diminished the potential for intact sites in most of the project area.

If I can be of further assistance on this matter, please let me know.

Sincerely yours,

*Dennis C. Curry*  
Dennis C. Curry  
Archeologist

DCC:lw

cc: Cynthia Simpson  
Rita Suffness

Attachment

139



Maryland Historical Trust

January 16, 1987

Mr. Louis H. Ege, Jr.  
Deputy Director  
Project Development Division  
State Highway Administration  
P O Box 717  
707 North Calvert Street  
Baltimore, Maryland 21203-0717

RE: Contract No. M401-154-372  
I-270 West Segment from the Y-Split  
to I-495  
PDMS No. 151104  
Montgomery County, Maryland

Dear Mr. Ege:

Construction of the above-referenced project will have no effect upon significant archeological resources.

Sincerely,

Richard B. Hughes  
State Administrator of Archeology

RBH/BCB/mmc

cc: Mr. Tyler Bastian  
Ms. Rita Suffness  
Ms. Mary Ann Kephart  
Ms. Roberta Hahn

140



TORREY C. BROWN, M.D.  
SECRETARY  
JOHN R. GRIFFIN  
DEPUTY SECRETARY

STATE OF MARYLAND  
DEPARTMENT OF NATURAL RESOURCES  
**CAPITAL PROGRAMS ADMINISTRATION**  
TAWES STATE OFFICE BUILDING  
ANNAPOLIS, MARYLAND 21401

FRED L. ESKEW  
ASSISTANT SECRETARY  
FOR CAPITAL PROGRAMS

February 20, 1986

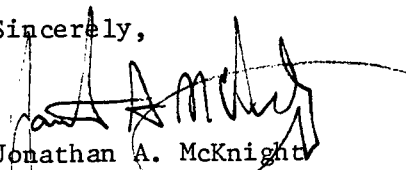
Mr. Louis H. Ege, Jr.  
Maryland Dept. of Transportation  
State Highway Administration  
P.O. Box 717  
707 North Calvert Street  
Baltimore, MD 21203-0717

BUREAU OF  
PROJECT PLANNING  
FEB 24 1 54 PM 1986

Dear Mr. Ege:

The Heritage Program's data base indicates that no rare species, unusual community, or other significant natural feature has been reported from the site of planned highway expansion on I-270 as delineated in your letter of January 31, 1986.

Species and habitats of special concern to the State are listed and discussed in the following 1984 Department of Natural Resources publication: Threatened and Endangered Plants and Animals of Maryland, available through this office. A site evaluation should include a consideration of these species and their habitats.

Sincerely,  
  
Jonathan A. McKnight  
Maryland Natural Heritage Program

JAM:mcs

V-79

141



DEPARTMENT OF NATURAL RESOURCES  
Maryland Forest, Park & Wildlife Service  
TAWES OFFICE BUILDING  
ANNAPOLIS, MARYLAND 21401

TORREY C. BROWN, M.D.  
SECRETARY

DONALD E. MacLAUCHLAN  
DIRECTOR

February 20, 1986

Ms. Cynthia D. Simpson, Chief  
Environmental Management  
Department of Transportation  
P.O. Box 717  
707 North Calvert Street  
Baltimore, Maryland 21203-0717

BUREAU OF  
PROJECT PLANNING  
FEB 24 9 49 AM '86

RE: Contract No. M401-102-372  
I-270 West Segment from Y-Split  
to South of Maryland Route 191  
and I-495 between I-270 east and  
west Segments in Montgomery Co.  
P.D.M.S. NO. 151104

Dear Ms. Simpson:

Your request for any information we may have concerning threatened or endangered species was reviewed by Gary J. Taylor.

There are no known populations of threatened or endangered species within the area of project influence in Montgomery County.

Sincerely,

James Burtis, Jr.  
Assistant Director

JB:emp

cc: G. Taylor  
C. Brunori

V-80

Telephone 269-3776

TTY FOR DEAF: STATEWIDE 1-800-492-5062; BALTIMORE 269-2609

142



United States Department of the Interior **BUREAU OF PROJECT PLANNING**

FISH AND WILDLIFE SERVICE  
DIVISION OF ECOLOGICAL SERVICES  
1825B VIRGINIA STREET  
ANNAPOLIS, MARYLAND 21401

FEB 19 7 38 AM '86

February 13, 1986

Ms. Cynthia D. Simpson, Chief  
Environmental Management  
Maryland Department of Transportation  
P.O. Box 717  
707 North Calvert Street  
Baltimore, Maryland 21203-0717

Dear Ms. Simpson:

This responds to your February 3, 1986 request for information on the presence of Federally listed endangered or threatened species within the area of the proposed improvements to I-270 and I-495, Montgomery County, Maryland (P.D.M.S. No. 151104).

Except for occasional transient individuals, no Federally listed or proposed endangered or threatened species are known to exist in the project impact area. Therefore, no Biological Assessment or further Section 7 Consultation is required with the Fish and Wildlife Service (FWS). Should project plans change, or if additional information on the distribution of listed or proposed species becomes available, this determination may be reconsidered.

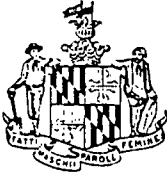
This response relates only to endangered species under our jurisdiction. It does not address other FWS concerns under the Fish and Wildlife Coordination Act or other legislation.

Thank you for your interest in endangered species. If you have any questions or need further assistance, please contact Judy Jacobs of our Endangered Species staff at (301) 269-6324.

Sincerely yours,

*G. A. Moore*

for Glenn Kinser  
Supervisor  
Annapolis Field Office



143

MARYLAND  
DEPARTMENT OF STATE PLANNING  
301 W. PRESTON STREET  
BALTIMORE, MARYLAND 21201-2365

WILLIAM DONALD SCHAEFER  
GOVERNOR

September 9, 1987

CONSTANCE LIEDER  
SECRETARY  
PROJECT DEVELOPMENT  
DIVISION  
SEPT 5 9 52 AM '87

Mr. Neil J. Pedersen  
Department of Transportation  
State Highway Administration  
707 N. Calvert Street  
Baltimore, Md., 21203-0717

State Application Identifier: MD870904-0747

State Clearinghouse Contact: Samuel Baker

RE: EA - I270 West Spur From Y-Split to I-475 Including I-495 to North of  
Rte. 190

Dear Mr. Pedersen:

This is to acknowledge receipt of the referenced subject. We are providing notice of the subject to State and local public officials via the Intergovernmental Monitor for their information.

Please be assured that all intergovernmental review requirements have been met in accordance with the Maryland Intergovernmental Review and Coordination Process (COMAR 16.02.03).

Sincerely,

*for Samuel Baker*  
Guy W. Hager, Director  
Maryland State Clearinghouse  
for Intergovernmental Assistance

COPY	
NO	FOR
1	<i>Don</i>
ORIGINAL TO FILE <i>10a</i>	
DATE	

GWH:SB:mk

144

MEMORANDUM

September 29, 1987

PROJECT DEVELOPMENT DIVISION  
OCT 5 9 53 AM '87

TO: Neil Pedersen  
MD Department of Transportation  
State Highway Administration

FROM: Bobbi Hahn *BH*  
Montgomery County Historic Preservation Commission

SUBJECT: I-270 West spur

I have reviewed plans for the proposed improvements and found them not to involve any identified historic resources.

BH: gk: 0389E

COPY	
NO	FILED
1	Don
ORIGINAL TO FILE <i>100</i>	
DATE	

RECEIVED

OCT 2 1987

DIRECTOR, OFFICE OF  
PLANNING & PRELIMINARY ENGINEERING





metropolitan washington  
**COUNCIL OF GOVERNMENTS**

1875 Eye Street, N.W., Suite 200, Washington, D.C. 20006 223-6800

145

COG 23 (10/83)

**METROPOLITAN CLEARINGHOUSE MEMORANDUM**

**TO:** Mr. Neil J. Pedersen, Director  
Office of Planning and Preliminary Engineering  
Maryland Department of Transportation  
State Highway Administration  
707 North Calvert Street  
Baltimore, MD 21203-0717

**DATE:** 9/29/87

PROJECT DEVELOPMENT DIVISION  
OCT 13 9 17 AM '87

**SUBJECT:** PROJECT NOTIFICATION AND REVIEW FOR

**PROJECT:** Interstate Route 270 West Spur--  
Environmental Assessment  
**COG NO.:** 004-02-88  
**APPLICANT:** Maryland Department of Transportation

The project title, COG number, and applicant's name should be used in all correspondence with COG concerning this project. Correspondence should be addressed to Mr. Walter A. Scheiber, Executive Director. The staff may be reached by telephone at 223-6800.

**FINAL DISPOSITION**

We have concluded review of the above item and have determined that its nature does not warrant metropolitan comments. A copy of this memorandum and any attachments should accompany your application to indicate that the Metropolitan Clearinghouse review has been completed.

A copy of the above item has been sent to \_\_\_\_\_ for review and comment, with direct response to be made by \_\_\_\_\_. Copies of any local agency comments which you receive should also accompany your application to the Federal agency.

We have concluded review of the above item and have determined that it is in general accord with the metropolitan planning process and COG's adopted policies. A copy of this memorandum and any attachments should accompany your application to indicate that the Metropolitan Clearinghouse review has been completed.

We have concluded review of the above item and submit herewith, the attached Metropolitan Clearinghouse Review Comments. A copy of this memorandum and the attached comments should accompany your application when submitted to the Federal agency to indicate that the Metropolitan Clearinghouse review has been completed.

**RECEIVED**

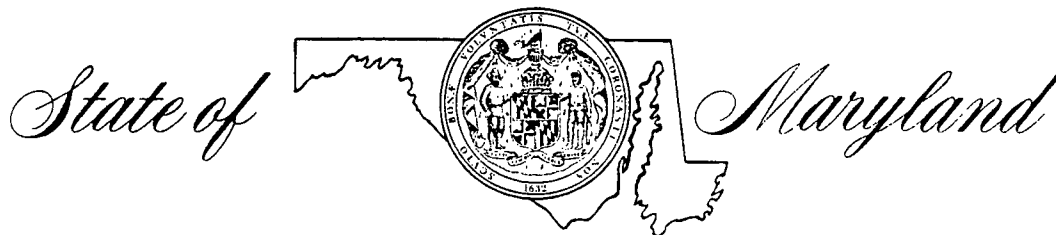
OCT 5 1987

DIRECTOR, OFFICE OF  
PLANNING & PRELIMINARY ENGINEERING

*AJ Langford for*  
EXECUTIVE DIRECTOR

WE APPRECIATE YOUR COOPERATION

V-84



**DEPARTMENT OF THE ENVIRONMENT**

201 WEST PRESTON STREET • BALTIMORE, MARYLAND 21201

AREA CODE 301 • 225-

**William Donald Schaefer**  
Governor

**Martin W. Walsh, Jr.**  
Secretary

December 21, 1987

Ms. Cynthia D. Simpson, Chief  
Environmental Management  
Project Development Division  
Maryland Department of Transportation  
State Highway Administration  
707 North Calvert Street, Room 310  
Baltimore, Maryland 21202

PROJECT DEVELOPMENT DIVISION  
 DEPT. OF TRANSPORTATION  
 BALTIMORE, MD  
 DEC 23 10 18 AM '87

Dear Ms. Simpson:

RE: Interstate Route 270 West Sqr  
Y-Split to Interstate 495  
M 401-153-372

I have reviewed the air quality analysis performed for the improvements of the Interstate Route 270 West Sqr between the Y Split and Interstate Route 495 and concur with its conclusions.

Given the expected increase in traffic predicted for the region, the Department believes that any build alternate will yield the best air quality for the area by minimizing traffic congestion.

The proposed project is consistent with the transportation control portion of the State Implementation Plan for the Metropolitan Washington Interstate Air Quality Control Region. Furthermore, adherence with the provisions of COMAR 10.18.06.03D will ensure that the impact from the construction phase of this project will be minimal.

Thank you for the opportunity to review this analysis.

Very truly yours,

Mario E. Jorquera, Chief  
Division of Air Quality Planning  
Air Management Administration



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION III

841 Chestnut Building  
Philadelphia, Pennsylvania 19107

DEC 24 1987

Ms. Cynthia D. Simpson, Chief  
Environmental Management  
Project Development Division (Room 310)  
State Highway Administration  
707 North Calvert Street  
Baltimore, Maryland 21203-0717

Re: Interstate Route 270 West Spur  
Y-Split to Interstate Route 495 (88-12-208)

Dear Ms. Simpson:

In accordance with the National Environmental Policy Act (NEPA) and Section 309 of the Clean Air Act, EPA has reviewed the Draft Air Quality Analysis for the above referenced project. We are satisfied with the approach, and the assumptions used, for analyzing the air quality impacts of the project. Although the affected area for the proposed project is located in a carbon monoxide (CO) nonattainment area, the predicted ambient CO levels seem to be well below standards. Therefore, we do not object to this project on the basis of air quality impacts.

Thank you for including EPA in the early coordination of this report. Should you have any questions or if we can be of further assistance, please contact Lynn F. Rothman or Harold A. Frankford at 215/597-7336 or 597-1325 respectively.

Sincerely,

Jeffrey M. Alper, Chief  
NEPA Compliance Section

147  
PROJECT  
DEVELOPMENT  
DIVISION  
JAN 11 10 44 AM '88



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
 REGION III  
 841 Chestnut Building  
 Philadelphia, Pennsylvania 19107

148

OCT 14 11 51 AM '87  
 PROJECT DEVELOPMENT DIVISION

OCT

Mr. Louis H. Ege, Jr.  
 Deputy Director  
 Project Development Division  
 State Highway Administration  
 Room 310  
 707 North Calvert Street  
 Baltimore, Maryland 21202

Re: Interstate Route 270, West Spur  
 from the Y-Split to I-495  
 including I-495 to north of  
 Maryland Route 190

Dear Mr. Ege:

In accordance with the National Environmental Policy Act (NEPA) and Section 309 of the Clean Air Act, EPA has reviewed the Environmental Assessment (EA) for the above referenced project. As you are aware, the purpose of an EA is to determine the need for the development of either an Environmental Impact Statement (EIS) or a Finding of No Significant Impact (FONSI). The EA for this project is well written, demonstrates project need and satisfactorily addresses many issues of concern to EPA. Therefore, EPA does not feel that an EIS is necessary for this project. There are several areas, however, that should be given special consideration and addressed in the final document.

Consideration of Alternatives:

The EA states that Alternate 2 (Build) is the preferred alternate, although it does not indicate whether Option A or B is favored. Option A involves a stream relocation and impacts 0.3 acres of wetlands, whereas Option B does not. Consequently, Option B is favorable from an environmental standpoint. } 1

In addition, Alternative 2 is not described consistently; it is referred to as both "inside widening" and "inside/outside widening." Furthermore, the EA is vague about the amount of outside widening necessitated by each option. It is also stated that a design exception will be requested from the Federal Highway Administration for Option A. The reason for this may be noteworthy. } 2

The Build Alternatives will also cause the emergency vehicle turnaround on I-495 to be closed. Once the remedial action for this is decided upon, it should be made public.

} 3

Wetlands:

Wetlands are located along the periphery of the roadway and at the base of slopes (page I-9). If these wetlands will be impacted by the construction of retaining walls or noise barriers, this should be stated, as well as any effect this will have on flooding. As noted, a Section 404 Permit is required from the Army Corps of Engineers for any impacted wetlands. Furthermore, it is EPA's policy that any affected wetlands be replaced on at least a 1:1 basis.

} 4

Surface Water:

Alternate 2 will cross several tributaries of Thomas Branch (page IV-4). (Note: Page I-7 states that Thomas Branch is the only stream in the study area.) Although these streams are currently channeled through culverts and pipes, the aquatic ecosystem still deserves careful evaluation and all measures should be taken to ensure its protection. Such measures should address both short term construction impacts and long term project impacts. Construction measures that may be implemented include:

- time of year restrictions on construction to accommodate aquatic life cycles and recreation activities;
- disposal of construction debris at an approved upland site to reduce the risk of contamination to surface water;
- use of barriers and depressions to slow and impound precipitation;
- straw bale barriers, brush barriers or filter berms to trap sediment.

} 5

The area should be revegetated immediately after construction. Vegetated swales, treatment systems and other stormwater management controls should be implemented as necessary.

If Option A is selected, the stream relocation should be designed to simulate the original stream as closely as possible. This will require the construction of riffles, pools, meanders, natural stream bank vegetation and provisions for low flow in times of drought.

The Summary of Impacts (page S-2) states that during the final design stage some minor right-of-way may be needed to accommodate stormwater management areas. Whether or not additional right-of-way will be needed (and an approximation of the acreage) should be ascertained as early as possible in the evaluation process. In addition, the final document should discuss the effect of replacing the natural median, with a continuous jersey-type concrete median, on stormwater management.

} 5

Noise:

Appropriate measures should be taken to reduce noise during construction. Noise mitigation measures include:

- maintenance of construction equipment and installation of mufflers to reduce noise;
- time of day restrictions on construction and maintenance activities to eliminate noise during those times of day when it is considered to be most objectionable.

} 6

Subsequent to construction, noise barriers should be constructed wherever possible. Examination of Table 6 reveals that noise barriers are feasible in Noise Area A.

Table 6 also presents the range of noise levels (Leq) for eight noise sensitive areas. Representative sites for noise sensitive areas 1-7 were measured for 20 minute periods, from 7:45 A.M. to 12:25 P.M. The 8th site was measured from 10:40 A.M. to 11:40 A.M., which excludes the rush hour. The rationale for selecting these time frames should be given.

Thank you for including EPA in the early coordination of this project. Should you have any questions, or if we can be of further assistance please contact Lynn Rothman at 215/597-7336.

Sincerely,

*Jeffrey M. Alper*  
 Jeffrey M. Alper, Chief  
 NEPA Compliance Section

EPA Response:

1. Alternate 2 is the selected alternate for improving traffic capacity, service and safety on the I-270 Spur and portion of I-495. Both Option A and Option B will be constructed as staged improvements (see Section III-B.2). The construction of Option A will require a relocation of a portion of Thomas Branch and impacts to approximately 0.25 acre of palustrine, forested wetlands near the I-270 Spur/I-495 interchange. Appropriate coordination with the Army Corps of Engineers and Department of Natural Resources will be completed. The appropriate permits will be obtained and mitigation developed, if required. The initial construction and Option B will not result in any additional wetland or stream impacts in this area. Regardless of the option constructed, approximately 0.05 acre of wetlands would be affected along the northbound I-270 Spur roadway south of Democracy Boulevard.
  
2. For the most part, widening would be to the inside of the existing roadways. Some outside widening along the I-270 Spur northbound roadway is required to meet the proposed design criteria for sight distance and shoulder widths. This will occur on the vicinity of the Y-split where the project will gradually transition to outside widening to match the I-270 mainline widening. Other outside widening would be required along I-495 south of MD Route 191 and at the bridge carrying I-270 northbound under I-495.
  
3. The emergency vehicle turnaround on I-495 will be closed due to the inability to provide safe turning radius for many emergency vehicles.

Alternative locations for this turnaround were investigated, but none were determined to be feasible or safe. Areas of the interstate served from this turnaround could be more safely served by other neighboring fire stations with only a minor change, and possibly an improvement in response times. The SHA is coordinating with the area fire stations and local police agencies to provide safe and effective service to the Interstate.

- 4. The selected alternate would affect up to approximately 0.3 acre of wetlands along the I-270 Spur (0.05 acre south of Democracy Boulevard and 0.25 acre near the I-270 Spur/I-495 interchange - Option A only). The appropriate permit would be obtained from the Army Corps of Engineers and a mitigation plan would be developed, if required. No 100-year floodplains would be significantly affected by the project.
  
- 5. Appropriate stormwater management practices, grading plans, and sediment and erosion control measures, approved by the Department of the Environment, would be implemented to reduce the potential for water quality impacts. These stormwater management practices would also compensate for the loss of pervious surfaces in the median. SHA will also coordinate with the Department of Natural Resources, Fisheries Division to determine if time of year restrictions would be imposed for in-stream construction during the modification of existing hydraulic structures and stream relocation to construct Option A. SHA will coordinate with the Department of Natural Resources for the plan to relocate a portion of Thomas Branch closest to I-270.



- 6. Appropriate measures would be identified that limit noise impacts resulting from construction activities. This would typically include proper vehicle maintenance and limits on night time construction. Controls on construction noise will comply with Montgomery County regulations.

Noise barriers, however, will not be constructed as part of this project because neighborhoods along the I-270 Spur do not qualify for noise barriers based on SHA's Noise Policy. SHA will consider landscaping and vegetative screening to shield residential areas closest to I-270. See the discussion in Section III-4C for additional information.

The time period from 9 am to 4 pm generally represents the time when noise levels are at their highest levels (off-peak hours). With this project, though, it was determined that there was no variation in noise levels between the peak and off-peak periods. Thus, an appropriate sampling of ambient noise conditions was taken for this project.