



CARDEROCK SPRINGS
National Register of Historic Places

April 12, 2021

Mr. Steve Archer
Cultural Resources Team Leader
Maryland Department of Transportation
State Highway Administration
Environmental Planning Division
707 North Calvert Street
Baltimore, MD 21202

RE: I-495/I-270 Managed Lane Study Draft Programmatic Agreement

Dear Mr. Archer:

On behalf of the Carderock Springs Citizens Association, a community organization that represents Carderock Springs and Carderock Springs South, we appreciate the opportunity to provide comment on the Draft Programmatic Agreement (PA). Carderock Springs is designated as a National Historic District as a notable example of “situated modernism,” and Carderock Springs South is designated as an eligible historic district.

We note and appreciate the stipulations identified for the Carderock Springs Historic District and recognize the attention that SHA has paid to the concerns that we raised in our previous comments. Based on our review of the initial draft of the Programmatic Agreement, we have identified eight substantive issues for the Carderock Springs Historic District that should be addressed in the next draft. We summarize these concerns below:

- **Effects Determination:** We disagree that a determination of effects cannot be made at this time. As we indicated in our comments last year, the *Cultural Resources Technical Report* acknowledged that the Project “may result in loss of tree and landscape buffer that could create a diminishment of the design and setting of contributing elements of the district” (Pg. 27). We believe that this loss, as well as any associated property impacts, *would* have an adverse effect on the Historic District. Trees are a character-defining feature of the Historic District. Their substantial removal would alter the visual character of the community, in addition to its bucolic setting. In the absence of any clear indication that tree loss or property impacts have been substantively avoided, we believe that a determination of adverse effect is appropriate.
- **Noise Barriers and Limit of Disturbance (LOD):** As the current version of the MDOT I-495 and I-270 Managed Lane Study Interactive Map indicates that the extent of the indicated Limits of Disturbance will be extended to the border of the property lines of many properties in Carderock Springs and Carderock Springs South, and that noise barriers are to be constructed at the edge of the indicated LOD, we are concerned about

whether the final design of the Project will maintain the actual LOD within the public right-of-way and still provide for tree preservation and placement of noise barriers along this right-of-way without encroachment onto private properties. Encroachment onto these properties would be further cause for a finding of an adverse effect. We note that there have been recent alternative proposals advanced on the location of the Project in order to mitigate the impacts on the Moses Hall Cemetery that appear to have the effect of shifting the roadway to the northwest from the location indicated on the interactive map published in June 2020. We believe that the Draft PA should be refined to better address the LOD and associated property impacts as potential mitigation.

- **Avoidance and Minimization:** We appreciate SHA's commitment to working with us to avoid any potential effect, as avoidance and minimization continue to remain the appropriate first steps and our priority. We would benefit from a clear understanding of the timeline of our work together to achieve such avoidance, given the upcoming pre-development work of the P3 Developer.
- **Treatment Plan:** As noted above, we believe that more work can and should be done to avoid and minimize potential effects. We do appreciate the inclusion of the Treatment Plan for potential mitigation, but we need greater clarity on the timing of the Treatment Plan in relation to the further development of the Project. When will the Plan be developed and what process will be available to work with SHA and the P3 Developer to refine and confirm approaches? This information should be included in the PA.
- **Addressing MD 190 and Cabin John Parkway Interchange Design:** We remain very concerned that the Project includes multiple flyover ramps connecting the proposed managed lanes with the MD 190/Cabin John Parkway interchange. These elevated ramps are out of character with the Carderock Springs Historic District and the broader residential (non-commercial) area and are a major driver of the effects to the historic resource. We continue to believe that these ramps are not needed to meet the Project's Purpose and Need as practicable alternatives to providing access exist that SHA is employing elsewhere on I-495. At-grade options, as proposed at Clara Barton Parkway, are most appropriate given the parkland and historic resource context of this area, as well. SHA should advance this modification as a meaningful way to avoid effects to the Historic District.
- **Operational Period Monitoring:** We note that, throughout the document, the Draft PA is largely silent on the operational period of the Project. While the construction period effects are meaningful, operational issues related to noise could have a meaningful long-term effect on Carderock Springs. While noise barriers should ameliorate this issue, ongoing noise monitoring near historic resources like Carderock Springs would be important to ensure that noise mitigation measures are effective and do not disrupt historic resources' bucolic setting.
- **Clarifying and Refining Timing:** As mentioned in part above, different dimensions of the timing of certain activities in the Draft PA should be clarified or refined:



- Meaningful coordination on avoidance, minimization, and potential treatment plans needs to occur during the Project design period, with a focus on the pre-development phase where Project elements can more easily be modified and refined. The Draft PA lacks any commitments related to timing for this coordination. Clear timelines should be provided.
- The frequency of meetings proposed in Section X is insufficient. Particularly during the upcoming pre-development period, SHA should meet with Consulting Parties far more frequently than annually. At a minimum, regular meetings with all Parties, perhaps monthly during the pre-development period and at least quarterly thereafter, in addition to the ad hoc meetings when required between individual Parties and SHA to resolve issues, should be the standard.
- The proposed duration of the PA is too long. While we appreciate SHA's effort to signal a commitment to long-term engagement, we believe that a shorter timeframe would force a focused consideration of the issues and an early evaluation of whether conditions have changed and how a renewed PA might be revised. We understand seven years to be a more traditional duration.
- **Dispute Resolution Procedures:** The Draft PA provides that in the event any disputes arise amongst the parties to the PA, the FHA will be the determining party to resolve such disputes. Given the role of the FHA as an advocate for this Project and the expertise that other parties to the agreement have in historic preservation, we believe that the party that is more appropriately situated to resolve such disputes is the Advisory Council on Historic Preservation. The model template programmatic agreement that the ACHP has posted on its website provides for the ACHP to be the determining party to resolve disputes.

Carderock Springs Citizens Association appreciates your consideration of these comments. We note that we are seeking Concurring Party status to remain an active and engaged participant through Project development. We will engage further with SHA on Concurring Party status during review of subsequent PA drafts.

We appreciate your consideration of these comments and look forward to their incorporation into the next draft of the PA.

Sincerely,


Jack Orrick
CSCA President



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CC:

Governor Lawrence J. Hogan
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Elizabeth Hughes, Maryland Historic Trust
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