



MONTGOMERY COUNTY COUNCIL
ROCKVILLE, MARYLAND

VALERIE ERVIN
COUNCILMEMBER
DISTRICT 5

October 3, 2013

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

Dear Mr. Smith,

I am writing regarding the Purple Line project's Final Environmental Impact Statement and Draft Section 4(f) Evaluation (FEIS). As the district councilmember who represents the Silver Spring area, I would like to identify several issues for the Maryland Transit Administration (MTA) to address.

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

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

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

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

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

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

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

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

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

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

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

Sincerely,



Valerie Ervin
Councilmember – District 5

Attachments

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



MONTGOMERY COUNTY COUNCIL
ROCKVILLE, MARYLAND

ROGER BERLINER
COUNCILMEMBER
DISTRICT I

CHAIRMAN
TRANSPORTATION, INFRASTRUCTURE
ENERGY & ENVIRONMENT COMMITTEE

MEMORANDUM

TO: Isiah Leggett, County Executive

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

DATE: September 13, 2013

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

As you know, the Final Environmental Impact Statement (FEIS) for the Purple Line was recently published. It not only describes how the Purple Line will significantly improve east-west mobility by providing frequent light rail service, it also discusses the Capital Crescent Trail – which, for the first time, provides a paved, separated trail from Bethesda to Silver Spring. Chapter 3, Page 13 of the FEIS reads:

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

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

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

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

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

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

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

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