

APPENDIX G

MD SHA Correspondence to Government Agencies and Elected Officials

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Martin O'Malley, Governor |
Anthony G. Brown, Lt. Governor

State Highway
Administration

John D. Porcari, Secretary
Neil J. Pedersen, Administrator

Maryland Department of Transportation

June 20, 2008

The Honorable James E. DeGrange, Sr.
Senate of Maryland
101 James Senate Office Building
11 Bladen Street
Annapolis MD 21401-1991

Dear ~~Senator DeGrange:~~ Ed

Thank you for your continued coordination and interest in the MD 175 Project Planning Study. In October 2007, we attended a meeting with you and the Jessup Improvement Association. During the meeting, you asked us to coordinate with representatives from Fort Meade about changing the facility's primary access from MD 175 to MD 32. We met with Fort Meade staff in January and discussed your concerns. Following this meeting, we conducted additional traffic analyses. On June 3, we had a meeting with you, and with representatives from the Jessup Improvement Association, Fort Meade, and the Maryland Department of Transportation (MDOT). This letter is a follow-up to that meeting and the additional traffic analyses.

Fort Meade staff indicated that another access point cannot be added to MD 32 for the following reasons:

- Facilities for Fort Meade's employees are located primarily along MD 175.

Fort Meade's employees primarily use the entrances along MD 175 because these entrances are located close to the employees' jobs. Based on the Fort Meade Master Plan and discussions with Fort Meade staff on Base Realignment and Closure (BRAC)-related improvements, the staff has determined that new and relocated facilities will be primarily located closer to the MD 175 gates. In addition, Fort Meade representatives have stated that, because of security issues, including those involving staffing and manpower, an additional gate on MD 32 is not feasible at this time.

- Property along MD 32 consists of Fort Meade's historic district and land owned by the Architect of the Capitol (AOC).

410-545-0400 or 1-800-206-0770

My telephone number/toll-free number is _____

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The Honorable James E. DeGrange, Sr.
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Locating a new gate on MD 32 would impact an area designated as an historic district by officials of Fort Meade. Also, it would impact land on the installation owned by the AOC. The mission of the AOC is to preserve, maintain, and enhance the national treasures entrusted to his care. This area can be seen outlined in pink on the enclosed map ("Fort George G. Meade"). Fort Meade representatives have stated that it would be virtually impossible to obtain right-of-way from this agency. For these reasons, Fort Meade will be maintaining existing usage of its gates and future traffic is anticipated to continue to use the MD 175 gates.

- Analyses of future traffic demands show a minimal decrease in traffic on MD 175 with an additional gate on MD 32. Analyses also show that traffic volumes will minimally decrease with an additional gate on MD 32, because there are many local trips along MD 175. These analyses consisted of two scenarios: 1) future traffic demands (including BRAC) using the current Fort Meade access locations; and 2) future traffic demands (including BRAC) with an additional access point off of MD 32. These two scenarios were then compared to determine the net change in traffic volumes around Fort Meade. Looking at the enclosed map (Figure 1), an additional gate on MD 32 would decrease traffic volumes, between 5 and 10 percent along MD 175, which is a minimal change. This new gate would be primarily expected to serve traffic that would have used the existing Mapes Road gates off MD 32 and MD 175. Also, it should be noted that the impact to total traffic along MD 175 would be minimal, because Fort Meade traffic is only part of the total traffic on MD 175. The MD 175 corridor serves many residents, businesses, and developments not related to Fort Meade.

As stated at the meeting held at Fort Meade on June 3, SHA will continue to coordinate with you on the MD 198 Project Planning Study, which proposes upgrades to the existing Fort Meade gate on MD 32. Thank you again for your interest in the MD 175 Project Planning Study. If you have any additional questions or concerns, please do not hesitate to contact Mr. Douglas H. Simmons, Deputy Administrator/Chief Engineer for Planning and Engineering for the State Highway Administration (SHA) at 410-545-0411 or via email at dsimmons@sha.state.md.us. Of course, you should never hesitate to contact me directly.

Sincerely,



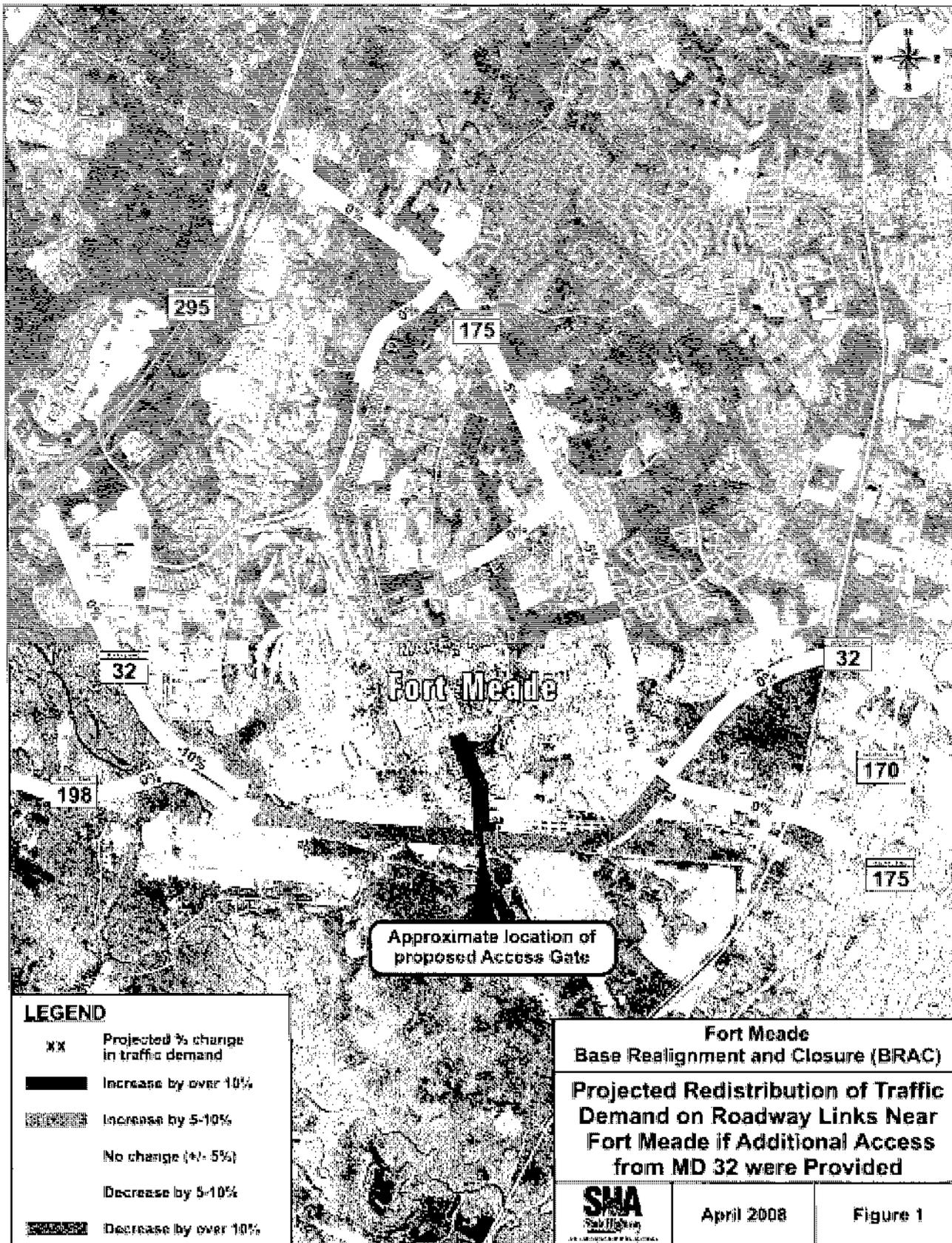
Neil J. Pedersen
Administrator

Enclosures

cc: Ms. Danielle Edmonds, Assistant Project Manager, Project Planning Division, SHA
Mr. Douglas H. Simmons, Deputy Administrator/Chief Engineer for Planning and Engineering, SHA
Mr. Raja Veeramachaneni, Director of Planning and Preliminary Engineering, SHA

Block	Parcel No.	Area (sq. ft.)	Owner Name	Legal Description	Map No.	Map Date
1	101	101
1	102	102
1	103	103
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Martin O'Malley, *Governor*
Anthony G. Brown, *Lt. Governor*

John D. Porcari, *Secretary*
Neil J. Pedersen, *Administrator*

Maryland Department of Transportation

August 8, 2008

Mr. Roger B. White
President
P.O. Box 282
Odenton MD 21113

Dear Mr. White:

Thank you for your recent letter regarding the MD 175 Project Planning Study, as well as for your testimony at the project's Public Hearing held on June 26, 2008. SHA appreciates the Odenton Heritage Society's (OHS) active participation in our project and we look forward to partnering with your organization as we seek ways to protect and enhance the historic qualities of your community, while meeting the overall goals of the transportation improvements project.

The MD 175 Project Planning Study will continue to look to improve the existing capacity, traffic operations and safety of MD 175 between MD 170 and MD 295 while addressing environmental, community and cultural resource issues. The project schedule calls for the selection of a Preferred Alternative later this year and for Location/Design Approval in Spring of 2009. This last step represents the conclusion of the Project Planning process.

As you know, SHA coordinated with the Maryland Historical Trust (MHT) regarding the National Register of Historic Places (NRHP) eligibility of historic standing structures located within the project's Area of Potential Effects (APE). As a result of that coordination, it has been determined that the Baltimore-Washington Parkway (AA-5), Trusty Friend (AA-123), the Odenton Historic District (AA-869), and the Jones House (AA-743) are the only NRHP listed or eligible architectural properties within the APE for this project.

SHA acknowledges your advocacy of an alternative that does not adversely impact or displace the Nichols-Bethel Methodist Cemetery, and will take your concerns into consideration in our selection of an alternative. The Nichols Bethel Cemetery has been determined not eligible for the NRHP by MHT. Due to the relatively recent age of the cemetery, and general lack of information potential, the cemetery has not been assigned an archeological site number. Since it is not a NRHP listed or eligible resource, the Nichols-Bethel Cemetery will not be considered under Section 106 of the National Historic Preservation Act. This does not mean that SHA considers the cemetery unimportant. The Nichols-Bethel Cemetery is expected to have marked and possible unmarked graves that could be impacted by project alternatives. Additional work to be performed once impacts are better defined may involve remote sensing. In light of the importance of the cemetery, the MD 175 Study team is currently evaluating options for MD 175 between MD 32 and MD 170 that could further reduce the impacts to this property.

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Mr. Roger B. White
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The Whittle Store has not yet been evaluated for the NRHP, because it did not appear to be a resource that was older than fifty years, due to heavy alterations. We appreciate the information that the OHS has provided to us regarding the property, and we acknowledge that portions of the building date to about 1940 and once housed a grocery store. Furthermore, MHT has informed us that this property has been documented in the Maryland Inventory of Historic Properties (MIHP), where it is known as the James Temple Property (AA-2289). SHA will evaluate this resource for its NRHP eligibility in the next stage of the project, but it is anticipated that this resource will not meet NRHP criteria of significance and integrity, due to its heavily altered condition.

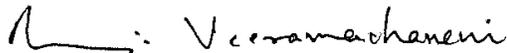
SHA also consulted with the Maryland Historical Trust regarding the project's impacts to NRHP eligible or listed properties. On May 2, 2008, the MHT concurred with the following regarding resources in the Odenton vicinity. The only contributing element to the Odenton Historic District that would be adversely impacted by the build alternatives is the Jones House. The Jones House would be impacted and displaced by both Alternatives 3 and 6, but would not be displaced by Alternative 2 or Alternative 6A. Because they involve minor grading impacts to the edges of the property and would not alter characteristics that qualify the house for eligible for listing in the NRHP, Alternative 2 and Alternative 6A would have no adverse impacts to the Jones House. Due to the physical destruction of the house, Alternatives 3 and 6 would adversely impact the Jones House. Since the Jones House is a contributing element, this assessment of impacts also applies to the Odenton Historic District.

SHA acknowledges your advocacy for an alternative that does not adversely impact or displace the Jones House, and will take your concerns into consideration in our selection of an alternative. If an alternative has to be selected that adversely impacts the Jones House and the Odenton Historic District, SHA would like to work closely with your organization to develop appropriate strategies to mitigate for such an impact. With the exceptions of Alternative 1 (No Build) and Alternative 2 (TSM), all the alternatives developed for the MD 175 project would have adverse effects on historic properties. Once an alternative is selected, SHA will consult with MHT, the OHS, and other consulting parties to resolve adverse effects pursuant to the implementing regulation of Section 106 of the National Historic Preservation Act (36 CFR 800).

Mr. Roger B. White
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Again, SHA thanks you for comments at this important stage of the MD 175 Project Planning Study. If you have additional questions, please do not hesitate to contact me or SHA's Assistant Project Manager, Ms. Danielle Edmonds at 410-545-8516 or via email at dedmonds@sha.state.md.us.

Sincerely,



Raja Veeramachaneni, Director
Office of Planning and
Preliminary Engineering

cc: The Honorable Pamela Beidle, Maryland State Delegate
The Honorable Jamie Benoit, Anne Arundel County Council
Ms. Melissa Blair, Architectural Historian, SHA
The Honorable James E. DeGrange, Sr., Maryland State Senator
Ms. Carol Ebright, Archeologist, SHA
Ms. Danielle Edmonds, Assistant Project Manager, SHA
Mr. Bruce M. Grey, Deputy Director, SHA
The Honorable John Leopold, Anne Arundel County Executive
The Honorable Daryl Jones, Anne Arundel County Executive
Mr. J. Rodney Little, Maryland Historical Trust
The Honorable Mary Ann Love, Maryland State Delegate
Dr. Al Luckenbach, Anne Arundel County Planning and Zoning
Dr. Julie Schablitsky, Assistant Division Chief, SHA
Ms. Darian Schwab, Anne Arundel County Planning and Zoning
Mr. Bradley Smith, Environmental Manager, SHA
The Honorable Ted Sophocleus, Maryland State Delegate
Ms. Nicole Washington, Acting Assistant Division Chief, SHA



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State Highway
Administration

John D. Porcari, Secretary
Neil J. Pedersen, Administrator

Maryland Department of Transportation

December 3, 2008

Mr. Kevin Fields, Vice President
Jessup Improvement Association, Inc.
Post Office Box 183
Jessup MD 20794

Dear Mr. Fields:

Thank you for your letter concerning the Maryland State Highway Administration's (SHA) MD 175 Project Planning Study. We appreciate your continued coordination on this study.

In your letter you submitted a proposal on behalf of the Jessup Improvement Association Inc. (JIA) for an a double roundabout design to accommodate the various traffic movements corresponding to the MD 175/MD 295 interchange and several of the adjacent intersecting roads, such as Max Blobs Park Road, Clark Road and Race/Selner Road. The SHA Project Planning team has evaluated the feasibility of the interchange design concept submitted by JIA from numerous standpoints, including traffic operations (both capacity and safety), property impacts and environmental impacts. As a baseline for comparison, previous analysis for MD 175/MD 295 Option F, presented at the Location/Design Public Hearing in June 2008, indicate that two intersections would operate at a Level of Service (LOS) E: MD 175 at Clark/Max Blob's Park Road (AM and PM Peak Hours), and MD 175 at MD 295 NB Ramps (PM Peak Hour). LOS E indicates that volumes are near or at capacity. All remaining intersections would operate at level of service D or better during the peak periods.

For purposes of analysis for the roundabout study, the same 2030 peak hour volumes used to analyze MD 175/MD 295 Option F, were reassigned based on the proposed design plan provided by the Jessup Improvement Association. The analysis of roundabouts was based on the Federal Highway Administration's (FHWA) 2000 edition "Roundabouts: An Informational Guide", publication FHWA-RD-00-067, Chapter 17C of the 2000 Highway Capacity Manual as well as SHA's 1995 Roundabout Design Guidelines.

According to SHA's 1995 Roundabout Design Guidelines, the number of circulating lanes required should be determined based on the number of entering vehicles versus the number of circulating vehicles. During either peak hour, the projected entering volume at either of the proposed MD 175/ MD 295 ramp roundabouts would be in excess of 5,000 vehicles - more than double the minimum threshold for a three-lane roundabout. It would be impractical, and is not recommended, to develop approach and receiving roadways with three lanes for roundabouts in a rural setting such as the MD 175/MD 295 interchange area.

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Mr. Kevin Fields
Page Two

A capacity analysis was performed for the proposed roundabout locations at the interchange using SIDRA, a micro-analytical traffic evaluation software program. The results of the capacity analysis indicated that under Design Year 2030 conditions, both east and west end roundabouts would operate at failing conditions, level of service F. LOS F represents conditions where demand exceeds capacity. Operational breakdowns with stop and go traffic and extremely long delays would occur. In addition, traffic simulation software (SimTraffic) was used to observe traffic flow at the proposed roundabouts. The simulation indicated that excessively long queues would result at both roundabouts, in excess of ¼ mile in length.

The roundabouts were analyzed geometrically using the AASHTO (American Association of State Highway and Transportation Officials) Highways and Streets Geometric Design as well as SHA Roundabout Guidelines. The roundabouts proposed in your design could possibly require anywhere from a minimum 200-foot inscribed circle diameter with four roadway/ramp approaches (west side roundabout) up to a 492-foot diameter with six roadway/ramp approaches (east side roundabout). Because of overall roundabout size, vehicle design accommodations, design speed, and spacing requirements, there would be additional property and environmental impacts, as opposed to traditional style intersections. Based on these design parameters, additional displacements over and above those proposed in project planning study from the Sellner/Race Road intersection to the Clark/Max Blob's Park Road intersection could include the St. Lawrence Catholic Church and Parish Center, the Jessup Volunteer Fire Department, as well as an additional residential dwelling. Although much of the right-of-way requirements would be on State of Maryland property, a substantial amount would still be required from various private properties. The additional roundabout "footprint" area could also impact additional stream, wetland and forest areas. In addition, the roundabouts would likely have additional property and visual impacts beyond MD 175/MD 295 Option F for National Park Service property. The costs for your proposal were not evaluated in detail, but it appears that the roundabouts would also be more expensive than a traditional style signalized intersection, primarily due to the additional grading required, additional pavement area, and greater right-of-way requirements.

Based on our results, specifically regarding the failing traffic operations associated with the roundabouts, the excessive footprint area required to give the roundabouts the proper geometrics, as well as the lack of precedent for such large roundabouts, our project planning team will not evaluate this roundabout configuration further as we work toward a Selected Alternative for the project.

Mr. Kevin Fields
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We remain extremely cognizant of the concerns registered by the Jessup Improvement Association, particularly those related to the safety, capacity, property impacts and roadway width transitions in the segment of MD 175 from the MD 295 interchange to west of Brock Bridge Road. We invite your continued input as we work together to develop the proper solution for this segment, balancing the traffic operations, safety, land access, environmental, property and other concerns pertaining to this area at the western terminus of the MD 175 Project Planning Study.

Thank you again for your input. If you have any questions, please contact Ms. Mulowa Kajoba, Project Engineer, State Highway Administration (SHA) at 410-545-8039, toll-free 888-963-0307 or via email at mkajoba@sha.state.md.us. SHA will be please to assist you. Of course, you should never hesitate to contact me directly.

Sincerely,

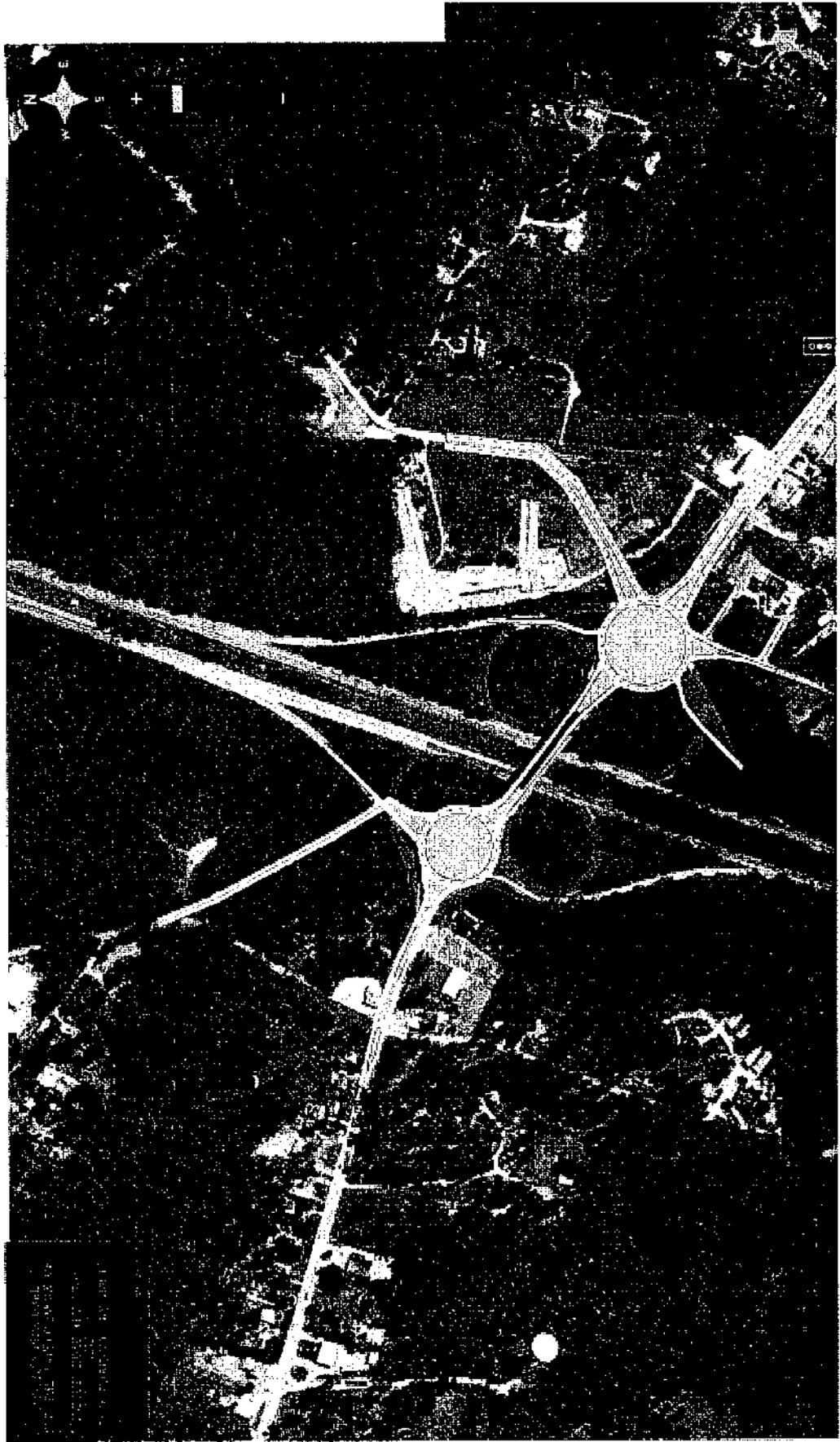


Gregory Slater, Director
Office of Planning and
Preliminary Engineering

cc: Mr. George Cardwell, Planner Administrator, Anne Arundel County
Mr. Gregory Welker, Chief Engineer, State Highway Administration

Mr. Kevin Fields
Page Four

bcc: Mr. Mark Lotz, Consultant Manager, Wilson T. Ballard Co.
Ms. Nicole Washington, Assistant Division Chief, State Highway Administration





Maryland Department of Transportation
The Secretary's Office

Martin O'Malley
Governor
Anthony G. Brown
Lt. Governor
Beverley K. Swaim-Staley
Secretary
Harold M. Bartlett
Deputy Secretary

April 27, 2010

Ms. Patricia Goucher
Maryland Department of Planning
Attn: Ms. Bihui Xu
301 West Preston Street
11th Floor
Baltimore MD 21202

RE: Maryland Economic, Growth, Resource Protection and Planning Act of 1992
Consistency Request for Project No. AA436B11

Dear Ms. Goucher: *Pat*

This letter is to provide you with Priority Funding Areas Act compliance information regarding Project No. AA436B11 for MD 175 in Anne Arundel County and to solicit the concurrence of the Maryland Department of Planning on this issue.

As shown on the attached maps, the project consists of interchange modifications and lane additions to MD 175 for the segment between MD 295 to MD 175, as we find are needed to improve traffic operations. The State Highway Administration has analyzed this project relative to criteria established in the Linear Features Regulation (COMAR 11.04.13) and determined that because only 2.6% of the total proposed future lane miles will be located outside of the PFA the project can be considered to be "within a PFA" as defined by this regulation. The particular conditions that are applicable in this case are explained in further detail in the memorandum and appendix attached to this letter.

This project is currently in the final stage of Project Planning, so we would appreciate your timely review of our findings. If you should have any questions or concerns, please do not hesitate to contact Ms. Marty Baker at 410-865-1294, or via email at mbaker1@mdot.state.md.us.

Sincerely,

Donald A. Halligan, Director
Office of Planning and Capital Programming

My telephone number is
Toll Free Number 1-888-713-1414, TTY Users Call Via MD Relay
7201 Corporate Center Drive, Hanover, Maryland 21076



Maryland Department of Planning

Martin O'Malley
Governor
Anthony G. Brown
Lt. Governor

Richard Eberhart Hall
Secretary
Matthew J. Power
Deputy Secretary

May 26, 2010

Mr. Donald A. Halligan, Director
Office of Planning & Capital Programming
Maryland Department of Transportation
7201 Corporate Center Drive
Hanover, MD 21076

Attention: Dr. Marty Baker

**Re: COMAR 11.04.13- Smart Growth Regulations Concurrence for the MD 175 Project
from MD 295 to MD 170 in Anne Arundel County, Maryland**

Dear Mr. Halligan,

This letter is in response to your April 27, 2010 letter requesting for concurrence from the Maryland Department of Planning (MDP) on the COMAR 11.04.13 - Smart Growth Regulations for the MD 175 Project from MD 295 to MD 170 in Anne Arundel County, Maryland.

We coordinated with MDOT/SHA on the review of the Linear Features Regulations (COMAR 11.04.13) compliance for the project; and we agree that the segment of the project outside the Priority Funding Area east of the MD 295/MD 175 Interchange is less than 5% of the total project lane miles. This condition meets the COMAR 11.04.13 - Smart Growth criteria:

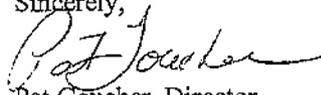
- (1) (e) Comprises less than 5 percent of the lane mileage of the total project length; and
- (2) The total lane mileage of segments described in §A (1) (a), (b), (c), and (e) of this regulation, does not exceed 20 percent of the total lane mileage of the project.

Therefore, MDP concurs that the MD 175 Project locates inside the PFAs; it complies with COMAR 11.04.13 – Smart Growth Regulations and the 1997 Priority Funding Area law.

Should you have any concerns with regard to this concurrence, please do not hesitate to contact Ms. Bihui Xu at 410-767-4567 or by email at bxu@mdp.state.md.us.

Mr. Don Halligan
Page 2

Sincerely,

A handwritten signature in black ink, appearing to read "Pat Goucher". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Pat Goucher, Director
Infrastructure Planning

CC: Dr. Marty Baker, Community Planner, MDOT-OPCP
Mr. Joe Kresslein, Assistant Division Chief, SHA-OPPE
Mr. Bradley Smith, Environmental Manager, SHA-OPPE



Martin O'Malley, Governor
Anthony G. Brown, Lt. Governor

Beverley K. Swaim-Staley, Secretary
Neil I. Pedersen, Administrator

Maryland Department of Transportation

November 5, 2010

Re: Project No. AA436B11
MD 175: MD 295 to MD 170 (Brock Bridge
Road to MD 170) Project Planning Study
Anne Arundel County, Maryland
USGS Laurel and Odenton 7.5' Quadrangles

Mr. J. Rodney Little
State Historic Preservation Officer
Maryland Historical Trust
100 Community Place
Crownsville MD 21032-2023

Dear Mr. Little:

Introduction and Project Description

This letter serves to inform the Maryland Historical Trust (MHT) of the Maryland State Highway Administration's (SHA) finding that proposed Project No. AA436B11 would have an adverse effect on historic properties. SHA has identified a Preferred Alternative for the MD 175: MD 295 to MD 170 (Brock Bridge Road to MD 170) Project Planning Study in Anne Arundel County. SHA has taken in to account comments received at the June 26, 2008 Public Hearing, as well as agency comments received throughout the project planning process when compiling the Preferred Alternative. In order to satisfy the different goals of the corridor, multiple alternatives have been combined to create the SHA Preferred Alternative. The SHA Preferred Alternative consists of Alternative 4 Modified from Brock Bridge Road to MD 295, Alternative 6 with the 21-1/2 Street Option from MD 295 to MD 32, and Alternative 2 (Enhanced TSM) from MD 32 to MD 170. Also, the MD 175/MD 295 Interchange Option F has been selected.

Alternative 4 Modified includes widening existing MD 175 to two lanes in each direction separated by an 18-foot concrete median and adding a five-foot sidewalk on the north side of the roadway and an eight-foot hiker/biker trail on the south side of the roadway. Alternative 6 with the 21-1/2 Street Option includes widening the existing MD 175 to six lanes and adds a five-foot sidewalk on the north side of the roadway and an eight-foot hiker/biker trail on the south side of the roadway between MD 295 and MD 32. The MD 175 Alternative 2 (Enhanced TSM) in Odenton between MD 32 and MD 170 would add a five-foot sidewalk on the north side of the roadway and an eight-foot

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Mr. J. Rodney Little
MD 175: MD 295 to MD 170
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hiker/biker trail on the south side of the roadway to the existing typical section. At the MD 175/MD 295 interchange, Option F has been selected, which is a cloverleaf interchange option that holds the existing southern edge of roadway in the interchange area and eliminates the loop ramps in northeast and northwest quadrants. Traffic movements provided by these loop ramps would be relocated onto left turns at signalized intersections with MD 175 in the southeast and southwest quadrants, respectively. This alternative best satisfies the different goals present along the corridor. Project plans are included as Attachment 1.

SHA is in consultation with MHT regarding this project. Our agencies agreed about eligibility of standing and archeological historic properties in 2007 (SHA to MHT letter dated March 28, 2007 and MHT's Concurrence dated July 13, 2007) and also agreed about project effects (SHA to MHT letter dated April 22, 2008 and MHT's Concurrence dated May 2, 2008). This letter provides SHA's Preferred Alternative for MD 175: Brock Bridge Road to MD 170, and addresses the adverse impacts to one standing historic property.

Funding

Federal funds are anticipated for this project.

Area of Potential Effects

In determining the Area of Potential Effects (APE) for this project, SHA considered possible visual, audible, atmospheric and/or physical impacts to historic properties, both archeological sites and standing structures that would diminish any National Register of Historic Places (NRHP) qualifying characteristic of the historic property's integrity. The widening project will require 93.31 acres of right-of-way from tax parcels adjacent to MD 175 within the project limits, and the APE for standing historic properties is limited to these tax parcels. The archeology study area within the APE is defined as the limits of construction where ground disturbance would occur. The APE is indicated on the attached USGS quadrangle map for Laurel and Odenton (Attachment 2).

Identification Methods and Results

Potentially significant architectural and archeological resources were both researched as part of the historic investigation instigated by the proposed highway widening project.

Mr. J. Rodney Little
MD 175: MD 295 to MD 170
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Architecture: SHA Architectural Historian Anne E. Bruder consulted previous project correspondence and information, the SHA-GIS Cultural Resources Database, Maryland Inventory of Historic Properties (MIHP) and Determination of Eligibility (DOE) forms, and county histories at the SHA and Enoch Pratt libraries, and conducted field visits on October 18 and October 28, 2010 to make final eligibility and impact assessments on standing historic properties in the APE.

The project involves widening a two-lane highway in the northwestern part of Anne Arundel County that is characterized by two historic railroad towns, Odenton and Jessup, which bracket both Fort George Meade Army Base and the Baltimore-Washington Parkway. As noted above, SHA and MHT previously consulted and concurred about eligibility and project impacts on historic standing structures in 2007 and 2008. National Register of Historic Places (NRHP) listed and eligible standing historic properties include the Baltimore-Washington Parkway (MIHP No. AA-5), Trusty Friend (MIHP No. AA-123), the Jones House (MIHP No. AA-743) and the Odenton Historic District (MIHP No. AA-869), which exemplify part of Anne Arundel County's historic built environment from the nineteenth through the mid-twentieth centuries.

As part of the earlier consultation, MHT requested that SHA also investigate the James Temple Property (C.A. Whittle General Store) located at 1400 Old Annapolis Road (MD 175), Odenton, MD 21113. Although it has the appearance of a building constructed in the 1960s, additional research indicates that it was built in circa 1940 and served as the C.A. Whittle General Store that included a gas pump between 1940 and 1955. The historic standing structure was originally included in cultural resources studies for the MARC Station Expansion Project by the Maryland Transit Administration in 2002, but did not receive a formal eligibility determination from MHT. SHA has prepared a DOE form for the building and it is included along with a recent black and white photograph and map in Attachment 3. As a result of multiple alterations that have removed most of the historic fabric, SHA has determined that the James Temple Property (C.A. Whittle General Store) lacks integrity of materials, design, workmanship, setting, feeling and association. Furthermore, research conducted as part of this study did not identify events or persons of local, state or national significance and the building is not eligible for the NRHP under Criteria A or B. SHA has also determined that the building is not eligible for inclusion in the NRHP under Criterion C (architecture) because it lacks integrity to demonstrate its original function as a mid-twentieth century general store. NRHP Criterion D (information potential) was not included in this study.

SHA and MHT along with other consulting parties previously determined that the project's Alternatives Retained for Detailed Study (ARDS) could have adverse impacts on the individual standing historic properties. SHA has combined the ARDS alternatives in order to eliminate the potential for adverse impacts on the Baltimore-Washington Parkway, the Jones House and the Odenton Historic District. Each of these historic

Mr. J. Rodney Little
MD 175: MD 295 to MD 170
Page Four

properties will have no adverse impacts from the SHA Preferred Alternative for MD 175: Brock Bridge Road to MD 170. However, because of the right-of-way requirements needed at the western end of the project under Alternative 4, SHA will continue to have an adverse impact on Trusty Friend. SHA's Preferred Alternative includes the MD 175/MD 295 Interchange Option F which widens the bridge to the north but reduces the impacts to the south, which the National Park Service agreed would have no adverse impact on the Baltimore-Washington Parkway. SHA's Preferred Alternative includes Alternative 2 (Enhanced TSM) which will maintain MD 175 as a four-lane highway with turn lanes between MD 32 and MD 170, but will provide a five-foot wide sidewalk on the north side of the highway and an eight-foot wide hiker-biker trail along the south side of MD 175. This portion of the Preferred Alternative will continue to have no adverse impact on either the Jones House (which continues to stand in its original location) or the Odenton Historic District. Since the James Temple Property (C.A. Whittle General Store) is not eligible for the NRHP, SHA has determined that there will be no impacts caused by the project. SHA's impact determinations will be found in Attachment 4, the Hybrid Eligibility and Effects Table.

As a result of the adverse impact determination on Trusty Friend, SHA has invited the owner(s) of the historic property, Ms. Elizabeth Brown and Ms. Sarah Shannon, to join the consultation in order to advise SHA and MHT about ways to mitigate the adverse impact of the MD 175 widening. SHA made field visits to the historic property in order to delineate the proposed impact area along Trusty Friends' northern boundary. The project requires .40 acres (or an area 45-feet wide by 370 feet long) of right-of-way from the historic property. The area is characterized from the edge of pavement by a ditch and a wooded area. SHA estimates that approximately twenty-seven (27) mature and young holly, oak, cedar and pine trees stand within the right-of-way acquisition area. The ground beneath the trees contains grass, moss and heather, while cattails are growing in the ditch. Although not mentioned in either the MIHP or DOE forms, this wooded area is Trusty Friend's setting and the trees are planted in a manner that indicates a deliberate planting scheme which forms a grove at the front of the property, along with an informal allée of trees along the driveway. The loss of the trees will diminish the setting and make the house more visible by bringing the highway and its appurtenances closer to the house. As mitigation, SHA proposes to develop a landscape plan that would continue to provide a wooded buffer between the house and the highway. A draft Memorandum of Agreement outlining SHA's plan is included in Attachment 5.

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MD 175: MD 295 to MD 170
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Archeology: SHA previously conducted Phase I archeological survey of areas with high archeological potential within the combined worst case limits of disturbance of the MD 175 widening alternatives (Child and Riggle 2008). The final report was transmitted to MHT on March 4, 2009. The Phase I investigations resulted in the identification of two new archeological sites, 18AN1402 and 18AN1403, and included detailed background research on several nearby cemeteries to determine if there was potential for unmarked graves within the project limits. On May 2, 2008 MHT concurred with SHA that 18AN1402 and 18AN1403 were not eligible for NRHP listing, and that the Nichols-Bethel Cemetery would not be recorded as an archeological site, but would be treated solely under Maryland cemetery law. No unmarked graves associated with other cemeteries are anticipated within project limits. Two additional archeological sites, 18AN981 and 18AN988, were previously determined by MHT to be ineligible for NRHP listing. MHT also concurred that no further archeological work was warranted in Phase I survey Areas 7-1 and 7-2, where SHA had been unable to obtain access.

SHA Archeologist Carol A. Ebricht reviewed the plans for the MD 175 Preferred Alternative and prior reports and correspondence to determine if additional archeological investigations would be required. Field visits were conducted on October 21 and 25, 2010. With the exception of one newly proposed stormwater management (SWM) pond located adjacent to the west side of Trusty Friend, all other portions of the Preferred Alternative were included within the limits of the previously assessed corridor. The proposed SWM facility is slightly less than 1 acre in size, and situated on a small elevation comprised of moderately well-drained Russett sandy loam maintained in lawn with isolated large trees. Historic maps suggest that a structure may have been located on this lot in 1860, attributed to R. L. Clark, possibly related to the Clark family responsible for the construction of the Trusty Friend at a slightly later date. Traces visible on aerial photographs may represent earlier roads or driveways. The parcel also has high potential for earlier historic and prehistoric archeological resources. This parcel will require future Phase I survey if this pond location is retained, and is the subject of a stipulation in the draft MOA (Attachment 5).

Review Request

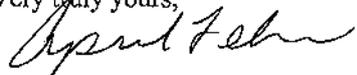
Please examine the attached maps, plans, and Eligibility and Effects Table. We request your concurrence by December 6, 2010 that there would be adverse effects on the historic property, Trusty Friend (MIHP No. AA-123) by SHA's Preferred Alternative for the proposed widening of MD 175 between Brock Bridge Road and MD 170. SHA also requests your concurrence that there would be no adverse impacts on the following historic properties, the Baltimore-Washington Parkway (MIHP No. AA-5), the Jones House (MIHP No. AA-743) and the Odenton Historic District (MIHP No. AA-869) caused by SHA's Preferred Alternative for the proposed widening of MD 175. By carbon copy, we invite the Anne Arundel County Department of Planning and Code Enforcement, the Odenton Heritage Society, Ms. Elizabeth Brown and Ms. Sarah

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MD 175: MD 295 to MD 170
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Shannon, the National Park Service, and the Jessup Improvement Association to provide comments and participate in the Section 106 process. Pursuant to the requirement of the implementing regulations found at 36 CFR Part 800, SHA seeks their assistance in identifying historic preservation issues as they relate to this specific project (see 36 CFR §800.2(c)(4) and (6), and §800.3(f) for information regarding the identification and participation of consulting parties, and §800.4, and §800.5 regarding the identification of historic properties and assessment of effects). For additional information regarding the Section 106 regulations, see the Advisory Council on Historic Preservation's website, www.achp.gov, or contact the Maryland State Highway Administration or the Maryland Historical Trust). If no response is received by December 6, 2010, we will assume that these offices decline to participate. Please contact Ms. Anne E. Bruder at 410-545-8559 (or via email at abruder@sha.state.md.us) with questions regarding standing structures for this project. Ms. Carol A. Ebright may be reached at 410-545-2879 (or via email at cebright@sha.state.md.us) with concerns regarding archeology.

Based on your concurrence with our determination of no adverse impact and consideration of the views of any consulting parties participating in the Section 106 consultation, SHA intends to request that the Federal Highway Administration make a de minimis impact finding for the minor Section 4(f) use of the Baltimore-Washington Parkway (MIHP No. AA-5), the Jones House (MIHP No. AA-743) and the Odenton Historic District (MIHP No. AA-869).

Very truly yours,


Julie M. Schablitsky
Assistant Division Chief
Environmental Planning Division

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Page Seven

Attachments: 1) Project Plans
2) APE Map
3) DOE Form, Photograph and Map
4) Eligibility and Effects Table
5) Draft Memorandum of Agreement

cc: Ms. Danielle Black, SHA-PPD
Ms. Elizabeth Brown/Ms. Sarah Shannon, (w/Attachments 1, 2, 4 and 5)
Ms. Anne E. Bruder, SHIA-EPLD (w/All Attachments)
Ms. Carol A. Ebright, SHA-EPLD (w/Attachments 2, 4 and 5)
Mr. Jerry Glodek, Fort George G. Meade, (w/Attachments 1, 2 and 4)
Mr. David Hayes, National Park Service (w/Attachments 1, 2 and 4)
Ms. Denise King, FHWA
Ms. Alvera Miller, Jessup Improvement Association (w/Attachments 1 and 2)
Dr. Julie M. Schablitsky, SHA-EPLD
Ms. Darian Schwab, Anne Arundel County Department of Planning and Zoning
(w/Attachments 1, 2, 3 and 4)
Mr. Bradley Smith, SHA-EPLD (w/All Attachments)
Mr. Roger White, Odenton Heritage Society (w/ Attachments 1, 2, 3 and 4)

Attachment 4: Hybrid Eligibility/Effect Table

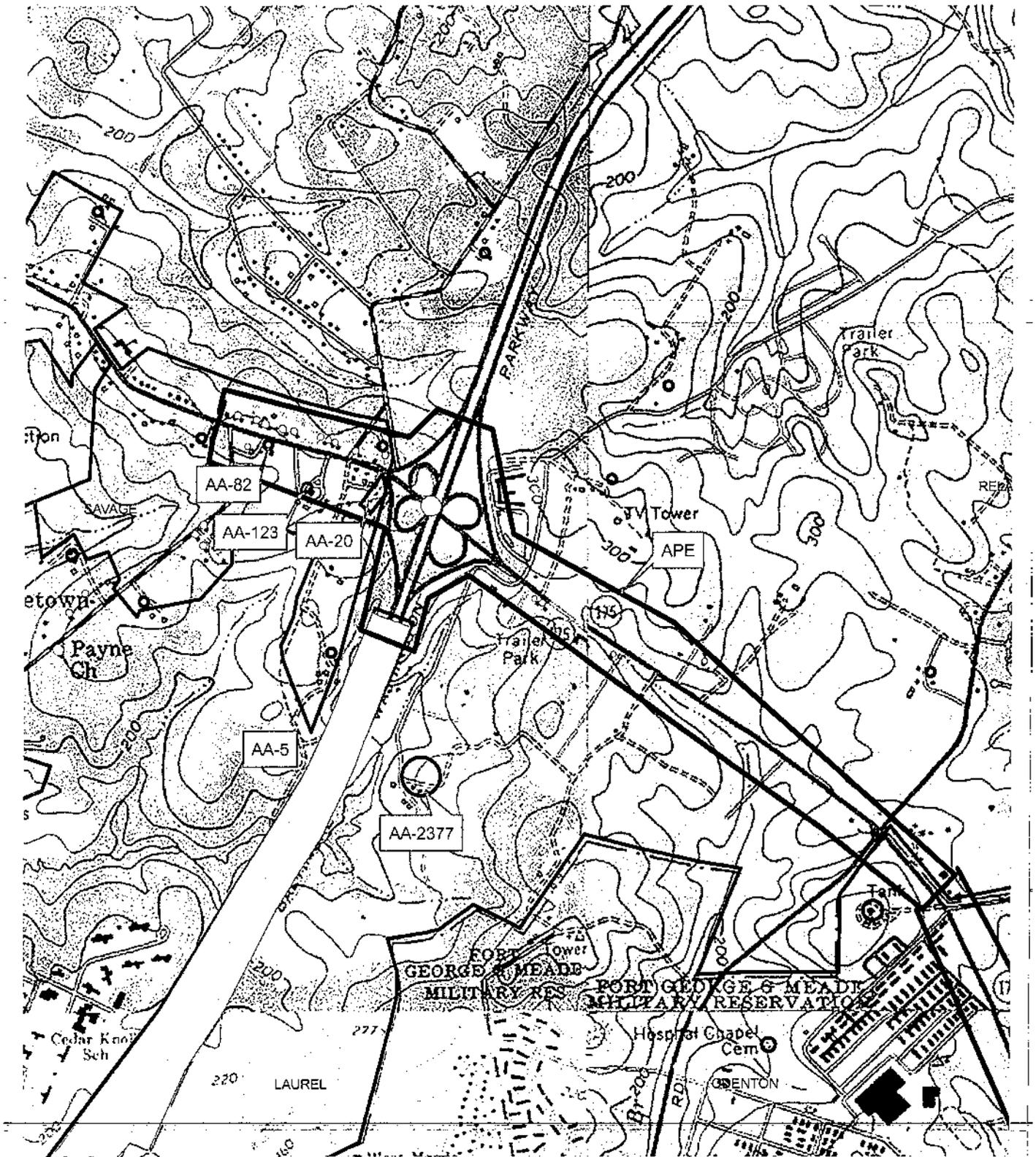
Project Name: MD 175: Brock Bridge Road to MD 170

November 4, 2010

Resource	Type	SEA NR Det.	SHPO Opinion	Preferred Alternative		Attachment	Remarks
				Impact	SHPO Concur		
Baltimore-Washington Parkway, AA-5	S	NR	NR	No Adverse	Requested 11/2010		
Trusty Friend, AA-123	S	NR	NR	Adverse	Requested 11/2010	5 - MOA	Draft Memorandum of Agreement (MOA) attached for review and comment
Jones House, AA-743	S	NR	NR	No Adverse	Requested 11/2010		
Odenton Historic District, AA-869	HD	NR	NR	No Adverse	Requested 11/2010		
James Temple Property, 1400 Old Annapolis Road (MD 175), Odenton, MD 21113	S	X	Requested 11/2010	None	Requested 11/2010	3 - DOE Form	Determination of Eligibility Form with photograph and map
18ANI402	A	X	X 5/1/2008				
18ANI403	A	X	X 5/1/2008				
18AN981	A	X	X 6/22/1995				
18AN988	A	X	X 10/23/2003				
Effect				Adverse	Requested 11/2010		

Codes:

- Resource Types: S (Structure), A (Archaeological Site), HD (Historic District), NHL (National Historic Landmark)
- NR Determination: ND (Not Determined), X (Not Eligible), NR (Eligible), NPL (Listed), NHL (Landmark)
- SHPO Opinion: (B) designates opinion regarding boundary, Code following date signifies SHPO opinion
- Impact: None, No Adverse, Adverse
- Effect: NPA (No Properties Affected), NAE (No Adverse Effect), AE (Adverse Effect)
- Bold rows indicate review action requested**



Laurel and Odenton USGS Quadrangles

MD 175: MD 295 to MD 170 APE Map 1

00.03E07 0.14 Miles



**MARYLAND HISTORICAL TRUST
DETERMINATION OF ELIGIBILITY FORM**

NR Eligible: yes
no

Property Name: James Temple Property (C A Whittle General Store) Inventory Number: AA-2289
 Address: 1400 Old Annapolis Road (MD 175) Historic district: yes no
 City: Odenton, MD Zip Code: 21113 County: Anne Arundel
 USGS Quadrangle(s): Laurel
 Property Owner: James Temple Tax Account ID Number: _____
 Tax-Map-Parcel-Number(s): 437 Tax-Map-Number: 21

Project: MD 175: Brockbridge Road to MD 170, Project No. AA436B1 Agency: FHWA/MD SHA
 Agency Prepared By: MD SHA
 Preparer's Name: Anne E. Bruder Architectural Historian Date Prepared: 10/26/2010

Documentation is presented in: Project Review and Compliance Files
 Preparer's Eligibility Recommendation: Eligibility recommended Eligibility not recommended
 Criteria: A B C D Considerations: A B C D E F G

Complete if the property is a contributing or non-contributing resource to a NR district/property:
 Name of the District/Property: _____
 Inventory Number: _____ Eligible: yes no Listed: yes no
 visit by MHT Staff yes no Name: _____ Date: _____

Description of Property and Justification: *(Please attach map and photo)*
 The Maryland Transit Administration identified the James Temple Property as an historic standing structure during the Odenton MARC Station Expansion Project and a Determination of Eligibility (DOE) form was completed in May 2002. However, no eligibility determination was formally made on the property and in 2007 the DOE was accessioned into the MIHP with a note indicating that the property had not received any eligibility determination. In 2008, as part of SHA's studies for the MD 175 Project Planning Study, MHT advised SHA that the property had been previously surveyed and received MIHP No. AA-2289. Based on additional information received from the Odenton Heritage Society and MHT, SHA herewith provides the following assessment:
 Charles Whittle, Sr. and his wife Annie Maria, purchased a farm in Odenton in 1888. They sold a portion of the land on the west side of the Pennsylvania Railroad, Philadelphia, Baltimore and Washington Branch to Whittle's brother, N. Peter Whittle who in turn left the property to his daughter, Anna Maria Whittle. Following her death in 1913, her husband, Charles A. Whittle, Sr. and two sons, Charles A. Whittle, Jr. and N. Peter Whittle, received the property. In the 1915-1916-1917 R. L. Polk & Co. Maryland State Gazetteer and Business Directory, Charles A. Whittle is listed as a farmer in Odenton. In the 1930 US Decennial Census Charles Whittle Sr. described himself as a merchant while his sons had no identified jobs.

MARYLAND HISTORICAL TRUST REVIEW	
Eligibility recommended <input type="checkbox"/>	Eligibility not recommended <input type="checkbox"/>
Criteria: <input type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> C <input type="checkbox"/> D	Considerations: <input type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> C <input type="checkbox"/> D <input type="checkbox"/> E <input type="checkbox"/> F <input type="checkbox"/> G
MHT Comments: _____	
_____ Reviewer, Office of Preservation Services	_____ Date
_____ Reviewer, National Register Program	_____ Date

In the late 1930s, the Maryland State Roads Commission (SRC) began to widen and realign some of the arterial highways, including MD 175. As part of the project, the SRC received funding from the federal government to construct bridges that would help eliminate the many at-grade railroad crossings. One such project was the state highway on Odenton Road which then crossed both the Pennsylvania Railroad, Philadelphia, Baltimore and Washington Branch, and the Annapolis-Washington Railroad in Odenton. The SRC chose to relocate MD 175 north of the downtown area and the Odenton Road. This brought the new highway through the C.A. Whittle and Sons Farm which stood on either side of the Pennsylvania Railroad. The SRC built a new metal girder, three span, two-lane bridge across the railroad tracks and raised the highway in 1938 (the SRC widened the bridge to four lanes in 1968 and additional alterations were made in 1996). The right-of-way and easement areas required from the Whittle Farm tapered on the west side of the new bridge as the highway approached Lokus Road and joined Third Avenue. Third Avenue was also widened to the south by the SRC so that it would align with the new highway which became MD 175.

A construction date of 1940 has been tentatively assigned to the building based on an interior photograph showing a calendar with that date. Neither the SRC's right-of-way plat (No. 3100, 1937) nor the 1937 plan for the new bridge show the C.A. Whittle Store standing at the intersection of MD 175 and Lokus Road, but it is possible that the store was constructed between 1938 following the completion of the new highway and 1940. It was a front gable, one story frame building with three bays covered by a full-width porch, sitting on a concrete block piers. Two one-over-one double sash windows on either side of a center door defined the bays of the building. All three windows in the photograph are barred on the exterior. Also, there was a single exterior chimney at the rear of the building. The exposed rafter tails on the front gable roof and hipped roof porch demonstrate that the builders were familiar with Arts and Crafts or Craftsman style designs, because such construction is more typical of the 1920s.

The C. A. Whittle General Store featured Esskay Products (the Baltimore meat producer) and also sold ESSO (Standard Oil Company) gasoline from a pump that was introduced in 1930 with a "clockface" gauge that could register the amount of gas that was purchased. The interior photograph from 1940 shows a cooler that held glass bottles of milk and several varieties of meat. Another general store in Odenton, Pumphrey's General Store on the northeast corner of Odenton and Morgan Roads, also sold ESSO gasoline while the store was in business from 1928 until 1944.

According to information obtained from Mr. James Temple, he purchased the property in 1976 or 1978 and completely gutted the building, putting on a new front roof, new three-part windows that expanded the size of the fenestration in the front facade, a paneled door, and creating a circular stair between the first floor and basement. He also joined a side gable building which was also on the property to the original store by creating a hyphen between the two buildings. The changing floor levels in the interior demonstrate the differing construction periods and methods. The 1940 photograph of the general store also shows that the ground around the store was level. At present, the western portion of the property has been graded to expose the basement level.

Although the western portion of the Temple Property retains the form of the C.A. Whittle General Store, the new siding, roof, awning, windows and interior, as well as the new additions and alterations to the property's setting have caused a loss of integrity of materials, design, workmanship, setting, feeling and association. Research conducted as part of this study did not identify events or persons of local, state or national importance and the James Temple Property (C.A. Whittle General Store) is not eligible for inclusion in the National Register of Historic Places (NRHP) under Criteria A or B. The James Temple (C.A. Whittle General Store) lacks integrity and is not a significant architectural example of a mid-twentieth century commercial structure. As a result, SHA has determined that it is not eligible for inclusion in the NRHP under Criterion C (architecture). Criterion D, information potential, was not included as part of this study.

The boundary for the James Temple Property (CA Whittle General Store) will be confined to Tax Parcel 437 as shown on Anne Arundel County Tax Map 21.

MARYLAND HISTORICAL TRUST REVIEW

Eligibility recommended _____ Eligibility not recommended _____
 Criteria: ___ A ___ B ___ C ___ D Considerations: ___ A ___ B ___ C ___ D ___ E ___ F ___ G

MHT Comments:

 Reviewer, Office of Preservation Services

 Date

 Reviewer, National Register Program

 Date

NR-ELIGIBILITY REVIEW FORM

AA-2289

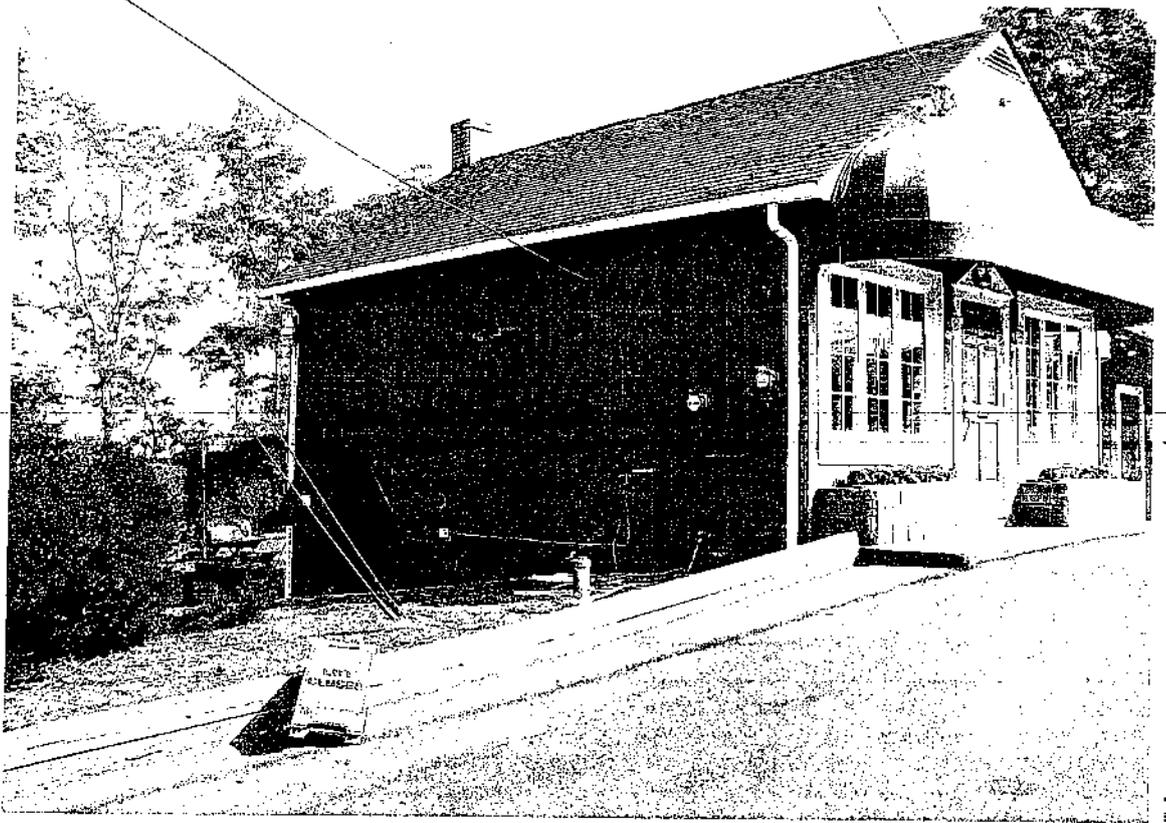
James Temple Property (C A Whittle General Store)

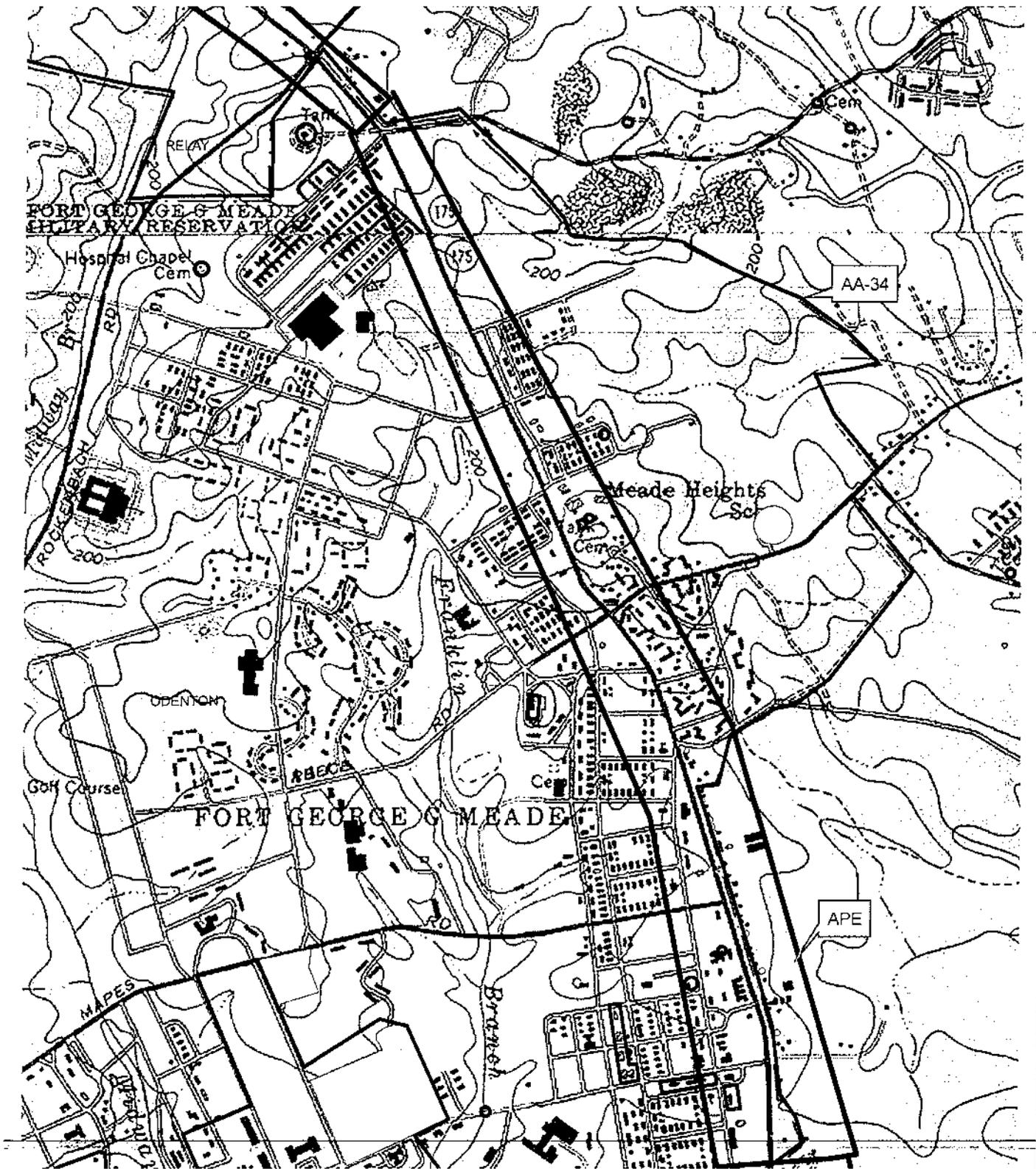
Page 3

Sources consulted:

- Margolies, John, Pump and Circumstance, Glory Days of the Gas Station, Boston: Little, Brown and Company (1993)
- Maryland State Archives, Landrec.net, accessed 10/19/2010
- Maryland State Highway Administration, Office of Structures bridge plans accessed 10/26/2010;
- _____, Right-of-Way Plat No. 3100 access 10/26/2010
- _____, "Report of the State Roads Commission of Maryland, Operating Report for the years 1937-1938; Financial Report for the fiscal years 1937-1938," Baltimore, MD: 1939
- Odenton-Heritage Society, www.odentonheritage.org/images/scanned/whittlestore_800.jpg, accessed 10/19/10
- O'Malley, Catherine L., Odenton: the Town a Railroad Built, Annapolis, MD: Jackson Printing, Inc. (1978)
- R.L. Polk & Co. Directory, 1915-1916-1917 Maryland State Gazetteer & Business Directory (1917)
- Temple, James, personal communication with Anne E. Bruder, 10/18/2010
- U.S. Decennial Census 1930 for Maryland, accessed through Heritagequest from Enoch Pratt Free Library, 10/19/10.

MARYLAND HISTORICAL TRUST REVIEW	
Eligibility recommended _____	Eligibility not recommended _____
Criteria: ___A___ ___B___ ___C___ ___D___	Considerations: ___A___ ___B___ ___C___ ___D___ ___E___ ___F___ ___G___
MHT Comments:	
_____ Reviewer, Office of Preservation Services	_____ Date
_____ Reviewer, National Register Program	_____ Date



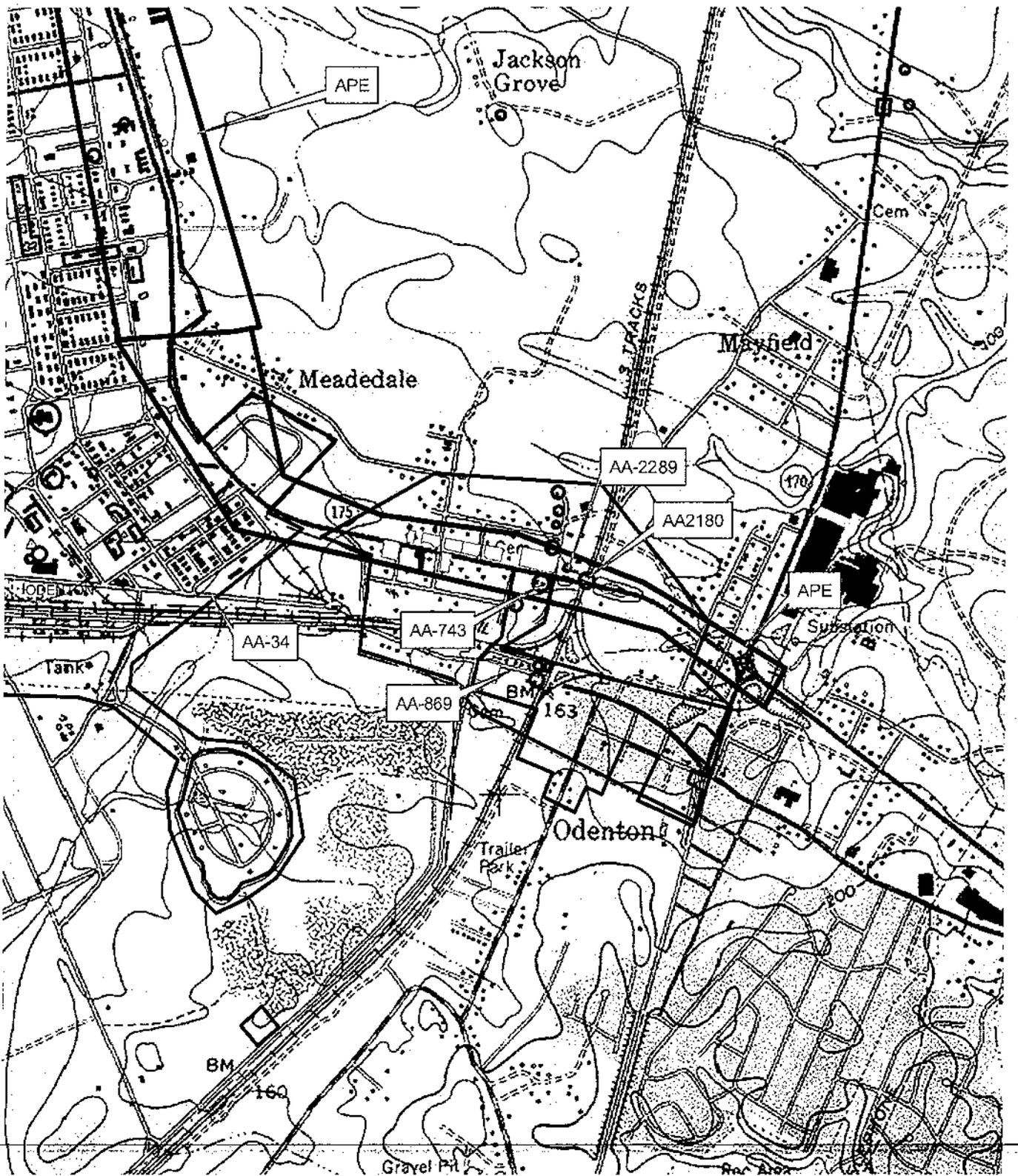


Odenton USGS Quadrangle

MD 175: MD 295 to MD 170 APE Map 2

00.03507 0.14 Miles
 LLLLLLL





Odenton USGS Quadrangle

MD 175: MD 295 to MD 170 APE Map 3

00.03507 0.14 Miles





Martin O'Malley, Governor
Anthony G. Brown, Lt. Governor

State Highway
Administration

Beverley K. Swaim-Staley, Secretary
Neil J. Pedersen, Administrator

Maryland Department of Transportation

November 5, 2010

Re: Project No. AA436B11
MD 175: MD 295 to MD 170 (Brock Bridge
Road to MD 170) Project Planning Study
Anne Arundel County, Maryland
USGS *Laurel* and *Odenton* 7.5' Quadrangles

Ms. Elizabeth Brown and
Ms. Sarah Shannon, Trustee
Post Office Box 11
Jessup MD 20794-0011

Dear Ms. Brown and Ms. Shannon:

The Maryland State Highway Administration's (SHA) plans to improve MD 175 by widening the highway in Jessup, Anne Arundel County. The highway will require permanent right-of-way from your property in order to complete the project. As required by Section 106 of the National Historic Preservation Act, SHA determined that the dwelling known as Trusty Friend (MIHP No. AA-123) is eligible for inclusion in the National Register of Historic Places (NRHP). As a result, we have determined that our Project No. AA436B11, MD 175: MD 295 to MD 170 (Brock Bridge Road to MD 170) Project Planning Study will have an adverse effect on standing historic properties, including Trusty Friend.

On March 28, 2007, SHA wrote to the Maryland State Historic Preservation Officer (MHT) about the eligibility determinations for standing historic properties, and again wrote on April 22, 2008 about the project's effect on historic properties. A copy of the letters about the NRHP eligibility and the project's adverse effect determination, including the MHT's response, the Maryland Inventory of Historic Properties and Determination of Eligibility Forms can be found in Attachment 1. SHA invites you to consult with SHA, the Federal Highway Administration (FHWA) and the MHT about the adverse impacts on Trusty Friend. If you choose to participate in this process as a Consulting Party, you would be able to provide input to SHA about our project, as explained below.

My telephone number/toll-free number is _____
Maryland Relay Service for Impaired Hearing or Speech: 1.800.735.2258 Statewide Toll Free
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone: 410-545-0300 • www.marylandroads.com



Ms. Elizabeth Brown and
Ms. Sarah Shannon, Trustee
MD 175: MD 295 to MD 170
Page Two

Our research shows that Trusty Friend is located on a 3.63 acre parcel (Anne Arundel County Tax Map 13, Parcel 133) that contains the mid-nineteenth century dwelling. Trusty Friend is eligible for listing in the NRHP under Criterion C (architecture) as an excellent example of the Italianate style house which is demonstrated by such items as the cupola and porch with Tuscan columns.

SHA has incorporated the requirements of the National Historic Preservation Act of 1966, as amended, and the implementing regulations found at 36 CFR Part 800, into the planning for this highway widening project. The federal historic preservation regulations require SHA to consult and to consider the views of the historic property owners before making any final decision about the design of the project. Through the consultation, you will assist SHA, FHWA and MHT in seeking ways to avoid or reduce the project's adverse impact to Trusty Friend. For additional information regarding the 36 CFR Part 800 regulations, please see the Advisory Council on Historic Preservation's website, www.achp.gov, or contact the Maryland State Highway Administration or the Maryland Historical Trust. A copy of *Protecting Historic Properties: A Citizen's Guide to Section 106 Review* is also included for your information in Attachment 2.

SHA studied seven alternatives for widening MD 175 from Brock Bridge Road to MD 170. We plan to widen MD 175 to four lanes (two in each direction) separated by an eighteen foot wide median, and build a sidewalk and a hiker/biker trail. Our planning study calculated that SHA would require 0.40 acres (16,560 square feet) of right-of-way from the historic property for the current design. The physical impacts and right-of-way required for the widening of MD 175:MD 295 to MD 170 (Brock Bridge Road to MD 170) meet the criteria of 36 CFR §800.5, and will have an adverse impact on Trusty Friend. Project plans are included as an attachment to the MHT letter (see Attachment 1).

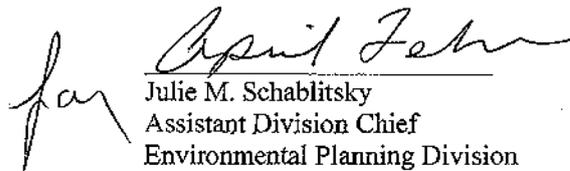
SHA anticipates that we will hold meetings, communicate by telephone, as well as correspond by letter or email, to further discuss this project's impacts on the historic property. If it is not possible to avoid or reduce the highway widening project's adverse impact on Trusty Friend, we will look at ways to mitigate it. SHA has invited the Anne Arundel County Office of Planning and Zoning and the Jessup Improvement Association to participate in the consultation and to provide additional advice to us.

Thank you for your assistance with this project. We ask that you review this letter and the attachments. Please provide SHA with a letter stating your agreement that SHA Project No. AA436B11, the widening of MD 175: MD 295 to MD 170 (Brock Bridge Road to MD 170), will have an adverse effect on historic properties, including the Trusty Friend by December 4, 2010. Your agreement with SHA's effect determination will provide you with the opportunity to be a Consulting Party. It will not change any of your

Ms. Elizabeth Brown and
Ms. Sarah Shannon, Trustee
MD 175: MD 295 to MD 170
Page Three

rights as a property owner. If you have questions regarding standing structures for this project, please feel free to call SHA Architectural Historian Ms. Anne E. Bruder at 410-545-8559 (or via email at abruder@sha.state.md.us). SHA Archeologist Ms. Carol A. Ebright may be reached at 410-545-2879 (or via email at cebright@sha.state.md.us) with concerns regarding archeology. Mr. Bradley Smith, SHA Environmental Manager, can be reached at 410-545-8698 (or via email at bsmith@sha.state.md.us) with questions regarding the MD 175: MD 295 to MD 170 (Brock Bridge Road to MD 170) Widening Project.

Very truly yours,


Julie M. Schablitsky
Assistant Division Chief
Environmental Planning Division

Attachments: 1) Eligibility and Effects Letter with Attachments
2) ACHP Brochure

cc: Ms. Anne E. Bruder, SHA-PPD (w/Attachments)
Ms. Beth Cole, MHT
Ms. Carol Ebright, SHA-EPD
Mr. Tim Tamburrino, MHT
Dr. Julie M. Schablitsky, SHA-PPD
Mr. Bradley Smith, SHA-EPLD

November 8, 2010

RE: Project No. AA436B11
MD 175 Project Planning Study
MD 175 from West of MD 295 to MD 170
Anne Arundel County

Mr. David Hayes
National Park Service
National Capital Region
1100 Ohio Avenue S.W.
Washington DC 20242

Dear Mr. Hayes:

The Maryland State Highway Administration (SHA) is conducting a Project Planning Study along MD 175 from west of MD 295 to MD 170 in Anne Arundel County. The proposed project will result in minor impacts to the National Park Service (NPS) owned Baltimore-Washington Parkway. The purpose of this letter is to request your concurrence that the MD 175 Preferred Alternative would not adversely affect the features, activities or attributes of the Baltimore-Washington Parkway and inform your office of SHA's intent to request a *de minimis* impact finding from the Federal Highway Administration (FHWA) for the use of the Baltimore-Washington Parkway.

The portion of the Baltimore-Washington Parkway (MD 295) south of MD 175 is contained within a 19-mile long, 1,353 acre parkway facility owned by the NPS. As well as being a publicly-owned park, the Baltimore-Washington Parkway is a significant historic resource listed on the National Register of Historic Places. As such, the Baltimore-Washington Parkway is a Section 4(f) resource and subject to the regulations contained within 23 CFR 774.

The purpose of the MD 175 Project Planning Study is to improve the existing capacity, traffic operations, intermodal connectivity, and vehicular and pedestrian safety on MD 175, while supporting existing and planned development in the area. The SHA Preferred Alternative consists of widening MD 175 to four lanes between Brock Bridge and MD 295, widening to six lanes between MD 295 and MD 32, and installing a five-foot sidewalk on the north side of the roadway and an eight-foot hiker/biker trail on the south side of the roadway from Brock Bridge Road and MD 170 (Attachment 1). The existing interchange at MD 295/MD 175 will be reconfigured to hold the existing southern edge of roadway in the interchange area and eliminate the loop ramps in

northeast and northwest quadrants. Traffic movements provided by these loop ramps would be relocated onto left turns at signalized intersections with MD 175 in the southeast and southwest quadrants, respectively. The interchange improvement proposed in the Preferred Alternative is known as Option F. The inclusion of interchange Option F in the Preferred Alternative is a result of previous comments received from NPS on August 7, 2008, which states that interchange "Option F will minimize the harm to the Baltimore-Washington Parkway" (Attachment 2). Additionally, the Preferred Alternative was formally supported by your office on January 22, 2010, through your concurrence on the Preferred Alternative/Conceptual Mitigation package (Attachment 3).

The Preferred Alternative will require use of a minor amount (1.4 acres) of fee-simple right-of-way from the Baltimore-Washington Parkway, to provide proposed interchange ramp improvements including additional lanes and necessary grading and supporting slopes. The Baltimore-Washington Parkway is currently used for highway access as part of the existing MD 175/MD 295 interchange. SHA considered and analyzed several avoidance and minimization measures (i.e., retaining walls and steep slopes) for the Baltimore-Washington Parkway; however, none fully addressed the project's purpose and need, and your office previously expressed concern over maintenance, safety, and aesthetic issues surrounding the proposed minimization measures. Due to the nature of the interchange options at MD 295 and the location of the NPS boundary extending into the interchange ramps, the only avoidance alternatives would be the No-Build and Alternative 2 (Transportation Systems Management). The No-Build Alternative would provide routine maintenance and spot improvements to the existing roadway, while Alternative 2 would provide only short-term intersection and geometric improvements. Both the No-Build and Alternative 2 would not involve interchange modifications and therefore do not meet the Purpose and Need of the project. Furthermore, any alignment shift/modification combination would not sufficiently provide a complete impact avoidance measure to the resource.

As permitted within 23 CFR 774, the Federal Highway Administration (FHWA) can determine that certain uses of Section 4(f) land will have no adverse effect on the protected resource. When this is the case, and the responsible official with jurisdiction over the resource agrees in writing, compliance with Section 4(f) is greatly simplified. *De minimis* impacts on publicly owned parks, recreation areas, and wildlife and waterfowl refuges are defined as those that do not "adversely affect the activities, features and attributes" of the Section 4(f) resource. As stated in 23 CFR 774, public notice and an opportunity for public review and comment concerning the Section 4(f) impacts shall be undertaken prior to making a *de minimis* finding. To that end, the public was afforded the opportunity for review and comment on this park impact at the project's Joint Location/Design Public Hearing held on June 26, 2008. No comments were received at, or since, the Public Hearing related to the Baltimore-Washington Parkway park impacts.

Mr. David Hayes
MD 175 Project Planning Study
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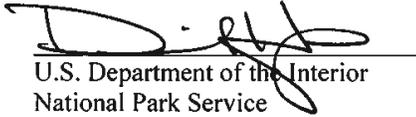
We request your concurrence that the minor impacts will not impair the remaining Baltimore-Washington Parkway. Based on your agreement, the SHA intends to propose a *de minimis* impact finding to the FHWA for the use of the park property. Your concurrence will also confirm that Baltimore-Washington Parkway was not acquired or developed with any Section 6(f) or Program Open Space funding.

Should you have any questions or need additional information, please feel free to contact the Environmental Manager, Mr. Bradley Smith, at 410-545-8698 or via email at bsmith9@sha.state.md.us.

Very truly yours,

by: 
Joseph R. Kresslein
Assistant Division Chief
Environmental Planning Division

CONCURRENCE:


U.S. Department of the Interior
National Park Service

22 NOV 2010
Date

Attachments

- cc. Ms. Danielle Black, Assistant Project Manager, SHA-PMD (w/attachments)
- Mr. Bradley Smith, Environmental Manager, SHA-EPLD (w/attachments)