

VI. COMMENTS AND COORDINATION

Coordination with environmental resource agencies, elected officials, organizations/associations, and the public is an important component of the MD 97 Brookeville Project. This section of the document includes a compilation of correspondence with the public, environmental review and regulatory agencies, and county and local planning boards, commissions and civic associations since the October 3, 2001 Combined Location/Design Public Hearing.

A. DEIS COMMENT PERIOD AND PUBLIC HEARING

A notice was published in the *Federal Register* announcing the availability of the DEIS and subsequently marking the start of the DEIS comment period. A formal notice was published in the newspapers and public service announcements were sent to radio stations serving the area to notify individuals of the Public Hearing to encourage participation. In addition to the advertisements, brochures were sent to those on the project mailing list. Copies of the DEIS were distributed to federal, state, and local agencies, libraries and citizens. Comments were requested concerning the DEIS and the proposed improvements. The close of the comment period was October 25, 2001.

The SHA and the USACOE jointly held a Combined Location/Design Public Hearing for this project in Brookeville on October 3, 2001 at the Rosa Parks Middle School. Mr. Charlie Watkins, District Engineer, SHA, presided. Representatives of SHA described SHA's highway development process and explained that the MD 97 Project is in the detailed study stage of the Project Planning phase. The history of the project, as well as the results of the engineering and environmental studies, the alternates under consideration, and coordination with other state and federal agencies and public involvement activities were described. An environmental overview of the project area was provided. Persons attending the public hearing were provided a copy of the Public Hearing brochure, which summarizes information related to this project and includes descriptions of the proposed improvement, and an environmental summary. The DEIS and display maps and renderings of the alternates were available for review prior to and at the public hearing. Representatives from SHA's Right-of-Way division were available to answer question regarding right-of-way acquisition procedures.

Approximately 140 people were in attendance at the Combined Location/Design Public Hearing. The hearing provided citizens an opportunity to present oral and written testimony on the DEIS. An official transcript was prepared of the Location/Design Public Hearing, and the hearing record contains the remarks of 22 citizen speakers. Copies of the transcript are available for review at SHA and at local libraries. During the course of the oral testimony, the majority of people expressed their support for a bypass. Of these, the majority supported Alternate 7. Three people expressed support for Alternate 8B. Two people stated that did not support any of the alternates. No one outwardly spoke in favor of the No-Build Alternate, and the majority of people were opposed to the No-Build Alternate. Eight people testified in opposition to Alternate 5C due to its impact to Brookeville Farms and its high cost. One person testified in support of Alternate 5C. A summary of the comments received during the **Public Hearing oral testimony and SHA responses** are located on **Pages VI-A-4 to VI-A-12.**

A total of 16 written comments were received during the DEIS Comment Period. Of these, six people expressed support for Alternate 8B. Four wrote in support of Alternate 7, and two people stated their support Alternate 5C. One person expressed support for a western alignment, and one stated there should be a ban on truck traffic through town. Two people were in favor of the No-Build Alternate. The **actual written comment sheets and corresponding SHA responses** start on **Page VI-A-13**.

B. AGENCY COORDINATION

The MD 97 Brookeville Project has been processed in accordance with the Maryland Streamlined Environmental and Regulatory Process involving coordination with federal and state resource agencies. This involved agency concurrence of the Alternates Retained for Detailed Study (ARDS) for the DEIS as discussed previously. It has also involved federal and state resource agency coordination and concurrence of the SHA Selected Alternate. A draft Selected Alternate and Conceptual Mitigation Package (SACM) was circulated for agency review and comment in February 2003 and the MD 97 Brookeville Project was presented at the March 2003 Interagency Review Meeting (IAR). Agency comments focused on the status of the draft Memorandum of Agreement (MOA) in compliance with Section 106 of the National Historic Preservation Act of 1966, as amended, and a request for consideration of wildlife passage along the north side of Reddy Branch as discussed previously. The final SACM package responded to these comments and was distributed at the May 2003 IAR meeting for formal agency concurrence and comment.

As a result of this process, agency concurrence (without comment) of the SHA Selected Alternate and the conceptual mitigation proposed in the SACM Package was received from the FHWA, USACOE, USFWS, MDE, and the Metropolitan Washington Council of Government. Agency concurrence (with minor comments) was received from the USEPA, NPS and DNR. The USEPA and DNR expressed support of the reevaluation of the north-side wildlife passage; DNR offered continued coordination with SHA regarding mitigation designs. The National Park Service gave concurrence based on FHWA legal sufficiency. The Maryland Department of Planning also concurred, commenting that SHA's Selected Alternate 7 Modified best minimizes the potential of encouraging secondary sprawl development while meeting the Purpose and Need of the MD 97 Brookeville Project. MDP also recommended that MDOT, SHA, and MDP discuss the steps necessary for submittal of this project to the State Board of Public Works. In response, coordination is ongoing between SHA and MET and will be resolved in Final Design.

In addition to the Maryland Streamlined Environmental and Regulatory Process, coordination has also occurred with the federal ACHP regarding Section 106 of the National Historic Preservation Act of 1966, as amended. The ACHP has notified FHWA that the ACHP does not believe that their participation as a signature party to resolve adverse effects is needed. A summary of the **Federal and State Environmental Review and Regulatory Agency comments** on the DEIS starts on **Page VI-B-1**. The additional agency coordination letters and/or minutes that have occurred since the distribution of the DEIS start on **Page VI-B-14**. The **Selected Alternate and Conceptual Mitigation Package** starts on **Page VI-B-37**, with agency concurrence correspondence starting on **Page VI-B-57**.

A meeting was held February 19, 2002 to verify that the MD 97 Brookeville alternates complied with the **Smart Growth** criteria designated for the project. Attendees included representatives from the Maryland State Highway Administration, Federal Highway Administration, Maryland Department of Transportation, Office of Smart Growth, and Maryland Department of Planning. The meeting minutes are located on **Pages VI-B-28 to VI-B-30**.

Upon review of the MD 97 Brookeville Project planning study, the **Montgomery County Council and Planning Board** made several recommendations regarding the selection of an alternate and subsequent project planning and design activities. This correspondence is located in **Section V, Appendix B**. Consultation has been ongoing with **Maryland-National Capital Park and Planning Commission** (M-NCPPC) regarding Section 4(f) use of Reddy Branch Stream Valley Park including approval of locations for wetland mitigation, stream restoration, reforestation, and storm water management requirements for the MD 97 Brookeville Project that are located within the park. M-NCPPC coordination also includes cultural resources, as portions of the park are located within the Brookeville Historic District, and M-NCPPC is an invited participant in the Section 106 process. **Section V, Appendix B** (Section 4(f) Evaluation) of the FEIS includes the formal consultation with M-NCPPC regarding permanent and temporary use of public parkland and associated mitigation.

C. FOCUS GROUP MEETINGS

The Focus Group was comprised of individuals within the study corridor, as recommended by county and local elected officials. The **Focus Group** meetings that occurred since the DEIS distribution are located on **Pages VI-C-1 and VI-C-6**.

D. GREATER OLNEY CIVIC ASSOCIATION CORRESPONDENCE

The Greater Olney Civic Association, whose mission is to oversee the overall welfare of Olney community, made recommendations to the Maryland State Highway Administration regarding the selection of an alternate. Correspondence from the **Greater Olney Civic Association** is located on **Pages VI-D-1 and VI-D-3**.