



ACQUISITION,
TECHNOLOGY
AND LOGISTICS

OFFICE OF THE UNDER SECRETARY OF DEFENSE
3000 DEFENSE PENTAGON
WASHINGTON, DC 20301-3000

DEC 07 2012

Finding of No Significant Impact
For
MD 185 and Jones Bridge Road/Kensington Parkway
Intersection Improvement Project

The Department of Defense Office of Economic Adjustment (OEA) has determined that the above-referenced intersection improvement project will have no significant impact on the human environment. This Finding of No Significant Impact is based on the following attached documents:

- Federal Highway Administration approval of Categorical Exclusion to support Phase 3 of the MD 185 and Jones Bridge Road/Kensington Parkway intersection improvement project (with 13 attachments), dated August 10, 2012.
- Federal Highway Administration approval of Categorical Exclusion to support Phases 1 and 2 of the MD 185 and Jones Bridge Road/Kensington Parkway intersection improvement project (with 5 attachments), dated September 13, 2010.

These documents have been independently evaluated by OEA and determined to adequately and accurately discuss the purpose and need, environmental issues, and potential effects of the proposed intersection improvement project. Considering the significance criteria in 40 CFR §1508.27, I have determined that the information provided in the above-referenced documents provide sufficient evidence and analysis for determining that an Environmental Impact Statement is not required.

Office of General Counsel
Reviewed as to Legal Sufficiency

Jsh
Initial

29 Nov 2012
Date

Patrick J. O'Brien
Director
Office of Economic Adjustment

Attachments:
As stated

ATTACHMENT 1

Federal Highway Administration approval of Categorical Exclusion to support Phase 3 of the MD 185 and Jones Bridge Road/Kensington Parkway intersection improvement project (with 13 attachments), dated August 10, 2012.

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



Beverley K. Swaim-Staley, Secretary
Melinda B. Peters, Administrator

July 3, 2012

RE: Project No. MO593B21
MD 185 at Jones Bridge Road
BRAC Intersection Improvements
Montgomery County, Maryland

Mr. Gregory Murrill, Division Administrator
Delmar Division
Federal Highway Administration
City Crescent Building
10 South Howard Street, Suite 2450
Baltimore MD 21201

Attention: Mr. Phillip Bobitz

Dear Mr. Murrill:

In accordance with the CEQ Regulations and 23 CFR 771, the Maryland State Highway Administration (SHA) recommends that the proposed project be classified as a Categorical Exclusion (CE) with a de minimis and temporary use determination. This latter request is consistent with 23 CFR 774.

Based on the information and conclusions presented for this project we believe that this project will not involve any significant environmental impacts to socio-economic or natural resources. It will not induce significant foreseeable alterations in land use or affect planned growth. As such, we request your concurrence in classifying this project as a Categorical Exclusion (CE) with a de minimis and temporary use determination.

If you agree with this determination, please indicate your approval below. Your signature will also constitute Location Approval for the proposed project.

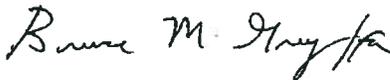
My telephone number/toll-free number is 410.545.8500

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.roads.maryland.gov

Sincerely,

Melinda B. Peters
Administrator

By: 

Digitally signed by Bruce Grey
DN: cn=Bruce Grey, o=SHA, ou=OPPE,
email=bgrey@sha.state.md.us, c=US
Date: 2012.07.03 14:10:15 -04'00'

Gregory I. Slater, Director
Office of Planning and
Preliminary Engineering

**We concur with your determination that the project meets the criteria for a
Categorical Exclusion (CE) with a de minimis and temporary use determination.
and hereby grant Location Approval.**

Federal Highway Administration
for Division Administrator


Signature

Phillip Bobitz
Printed Name

8/10/12
Date

Attachments

- cc: Ms. Yuqiong Bai, Project Manager, Highway Design Division, SHA
- Ms. Caryn G. Brookman, Environmental Manager, Environmental Planning Division, SHA
- Mr. Joseph R. Kresslein, Assistant Division Chief, Environmental Planning Division, SHA
- Ms. Jeanette Mar, Environmental Program Manager, FHWA, DelMar Division
- Mr. Jitesh Parikh, Project Delivery Team Leader, FHWA, DelMar Division
- Ms. Anna Price, Team Leader, FHWA, Delmar Division
- Ms. Barb Solberg, Division Chief, Highway Design Division, SHA
- Mr. Donald H. Sparklin, Division Chief, Environmental Planning Division, SHA
- _____
- _____
- _____

**MD 185 at Jones Bridge Road
Montgomery County, Maryland
BRAC Intersection Improvements
Categorical Exclusion/*De Minimis* Finding/Temporary Occupancy Criteria**

This request for environmental classification concerns the proposed intersection improvements to MD 185 and Jones Bridge Road in Montgomery County, Maryland. It details that no significant environmental impacts to socioeconomic, natural or cultural resources will occur as a result of this project.

Existing Conditions / Project Need

The project is located on Jones Bridge Road at the intersection of MD 185 in Montgomery County (**Attachment 1**). Jones Bridge Road is an undivided urban major connector with a design speed of 40 mph and a posted speed limit of 35 mph throughout the limit of the project. The existing west leg of Jones Bridge Road consists of two 10 foot wide left-turn lanes, one 10 foot wide through lane, and one 10 foot wide shared through/right lane in the eastbound direction, and two 11 foot wide lanes in the westbound direction. The existing east leg of Jones Bridge Road has one 11 foot wide through lane, one 10 foot wide shared through/right-turn lane, and one 10 foot wide exclusive right-turn lane in the westbound direction, and two 11 foot wide lanes in the eastbound direction. Left-turns are prohibited from Jones Bridge Road to southbound MD 185.

With the consolidation of BRAC (Base Realignment and Closure), the existing intersection currently operates over capacity, with a vehicle delay of 146.0 sec/vehicle during the AM peak hour and 193.7 sec/vehicle during the PM peak hour. With all the proposed BRAC intersection improvements completed within the Bethesda area, the capacity at the intersection of MD 185 and Jones Bridge Road will increase 30% in the AM peak hour, and 36% in the PM peak hour.

The 2011 No-Build Level of Service (LOS) at the intersection is “F” during the AM and PM peak periods (V/C 1.29 and 1.37, respectively). With the Phase 3 improvements, the LOS improves to an “E” during the AM and PM peak periods (V/C 0.99) (**Attachment 2**).

Proposed Action

The MD 185 and Jones Bridge Road intersection is one of several intersections near the Bethesda Naval Medical Center in need of improvements to mitigate for additional traffic due to BRAC. The purpose of this project is to improve the capacity and operation of the intersection, mainly along Jones Bridge Road.

The MD 185 at Jones Bridge Road intersection improvement project was previously separated into two construction projects, Phases 1 and 2 (MD 185) and Phase 3 (Jones Bridge Road). The improvements with Phases 1 and 2 include widening southbound MD 185 to the outside to add an exclusive right-turn lane from the I-495 (Capital Beltway) off ramp to Jones Bridge Road, and

Mr. Gregory Murrill
MD 185 at Jones Bridge Road
Page Two

widening northbound MD 185 to the median to provide an additional through lane from Manor Road to I-495 on ramp. A Categorical Exclusion (CE) for Phases 1 and 2 was approved on September 13, 2010 (**Attachment 3**).

The project limits for Phase 3 are solely along Jones Bridge Road and begin 450 feet west of Platt Ridge Road and extend in an easterly direction to Montgomery Avenue for a total distance 2,735 feet (**Attachment 4**). The eastbound roadway of Jones Bridge Road will be widened to the south to add an additional left-turn lane. The westbound roadway of Jones Bridge Road will be widened to the south to separate the shared through/right-turn lane into two different lanes. The storage lengths for all turn lanes will be extended to accommodate additional traffic demand. Extensive reconstruction of retaining walls is necessary due to bifurcation between Jones Bridge Road and the Howard Hughes Medical Institute parking lot. This improvement includes the addition of an off-road bike path along Jones Bridge Road from Platt Ridge Road to Connecticut Avenue, which adheres to Montgomery County's current Master Plan recommendation for bike accommodation along Jones Bridge Road.

Pedestrian safety and transit access are also important features in the scope. The sidewalk and ramps within project limits will be upgraded to be Americans with Disabilities Act (ADA) compliant. Green buffer will be provided between sidewalks and curb wherever feasible to improve pedestrian safety by keeping pedestrians away from large volumes of fast moving vehicles. The right-turn islands in the northwest and southwest corners of the MD 185 and Jones Bridge Road intersection will be removed to enhance pedestrian safety when crossing. Other improvements include reconstruction of traffic signals, drainage improvements, and stormwater management (SWM) facilities.

The traffic control plan will have four phases. Phase 1 includes removal of existing median and constructing temporary pavement. Phase 2 includes roadway widening along eastbound Jones Bridge Road and constructing the retaining wall. Phase 3 includes roadway widening along westbound Jones Bridge Road. Phase 4 includes constructing proposed medians along Jones Bridge Road and laying the final surface course. For all phases there will be no detour associated with this project and only temporary lane/shoulder closures will occur during construction. As the project includes temporary lane closures along County roads, the schedule has been confirmed with Montgomery County Department of Transportation (MCDOT). Pedestrian MOT, transit MOT, and MOT during work on pipe crossings is also considered within the traffic control plans.

Environmental Evaluation

On August 4, 2010, the Maryland Historical Trust (MHT) concurred with SHA's finding that no properties will be affected by the proposed work (**Attachment 5**). MHT reaffirmed SHA's original determination of no properties affected based on the addition of forest mitigation as a

result of proposed impacts to the Forest Conservation Easement held on the Howard Hughes Medical Institute property (**Attachment 6**).

The proposed work will impact the North Chevy Chase Recreation Area located north of westbound Jones Bridge Road, a Maryland-National Capital Park and Planning Commission (M-NCPPC) owned property (**Attachment 7**). The impacts will include both fee simple right-of-way take and temporary construction easement (**Table 1**). The existing M-NCPPC property associated with Parcel 806 extends over the existing hiker/biker trail and onto Jones Bridge Road (**Attachment 7**). SHA will pursue fee simple right-of-way for the portion of M-NCPPC property that extends over Jones Bridge Road since it is currently functioning as transportation use. In addition, the area along Jones Bridge Road will be widened a minimal amount (approximately 0-3 feet from edge of existing pavement) for 100 feet and will be resurfaced. SHA will also pursue temporary construction easement in order to rebuild the existing hiker/biker trail at its existing location. Impacts to other important park features are not anticipated as the improvements will occur within an area already disturbed by the roadway and hiker/biker trail.

Table 1: Park Impacts

M-NCPPC Property	Fee Simple Right-of-Way	Temporary Construction Easement
North Chevy Chase Recreation Area; Parcel 806; 9.99 acres	3366 square feet (0.077 acre)	1046 square feet (0.024 acre)

In accordance with 23 CFR 774, we request that the Federal Highway Administration (FHWA) make a *de minimis* impact finding regarding minor impacts to the North Chevy Chase Recreation Area as a result of minor roadway widening.

This project meets the requirements for a *de minimis* impact finding based on the following criteria:

- The use of the Section 4(f) resource, together with the impact avoidance, minimization, and mitigation or enhancement measures incorporated into the project, does not adversely affect the activities, features, and attributes that qualify North Chevy Chase Recreation Area for protection under Section 4(f);
- SHA has received written concurrence from M-NCPPC (official with jurisdiction) that the project will not adversely affect the activities, features, and attributes that qualify North Chevy Chase Recreation Area for protection under Section 4(f); and
- The distribution of the Public Notice on SHA’s website afforded the public an opportunity to review and comment on the effects of the project on the protected activities, features, and attributes of North Chevy Chase Recreation Center, with no comments received to-date (**Attachment 8**).

Mr. Gregory Murrill
MD 185 at Jones Bridge Road
Page Four

In addition, given that some of the improvements would occur by temporary occupancy only, the requirements of Section 4(f) (23 CFR 771.135) would not apply based on the officials with jurisdiction agreement with the following criteria:

- The duration of the impact will be temporary, i.e. less than the time needed for construction of the project;
- There will be no change in ownership of the land (the property and hiker/biker trail will continued to be owned and maintained by M-NCPPC);
- The scope of work will be minor, i.e. both the nature and magnitude of the changes to the Section 4(f) resource are minimal;
- There are no anticipated permanent adverse physical impacts; and
- The land being used will be fully restored, i.e., the resource will be returned to a condition which is at least as good as that which existed prior to the project.

On May 12, 2012, M-NCPPC, as officials with jurisdiction, concurred that the proposed improvements will not adversely affect the activities, features, or attributes of the Park and would therefore have a *de minimis* impact on the North Chevy Chase Recreation Area. In addition M-NCPPC concurred with the temporary occupancy criteria and that no Section 6(f) or Program Open Space funds were used to purchase the parcel of parkland affected (**Attachment 9**).

On April 2, 2009, an Informational Public Meeting was held at the Bethesda-Chevy Chase High School (4301 East-West Highway) to discuss the purpose and need of the project, explain the proposed schedule and receive public comments (**Attachment 10**). No major concerns were received at the public meeting. In addition to the community meeting, SHA routinely met Howard Hughes Medical Institute and neighborhood groups.

According to the US Fish and Wildlife Service response received on January 7, 2009, no federally proposed or listed endangered or threatened species are known to exist within the project impact area (**Attachment 11**). On January 13, 2009, the Maryland Department of Natural Resources (DNR) Wildlife and Heritage Service reported that there are no records of any state or federally-listed rare, threatened, or endangered species within the project area (**Attachment 12**).

Coordination with SHA's Environmental Programs Division confirmed no wetlands, wetland buffers, waterways or 100-year floodplains would be impacted by the proposed work. The proposed improvements will not impact fisheries resources, especially since sediment and erosion control methods, and other Best Management Practices typically used for the protection of stream resources will be utilized. The project is not located within the Chesapeake and Atlantic Coastal Bays Critical Area.

Mr. Gregory Murrill
MD 185 at Jones Bridge Road
Page Five

The proposed improvements will impact a Category I Forest Conservation Easement held by Montgomery County on the Howard Hughes Medical Institute property. The impacts to existing easement include 4,632 square feet inside SHA's proposed right-of-way line and 6,725 square feet outside of SHA's proposed right-of-way line. These impacts will be mitigated at 2:1 ratio by creating 2,615 square feet of new Category I Easement and 20,099 square feet of new Category II Easement on the Howard Hughes Medical Institute property (**Attachment 13**).

A noise analysis is not warranted since the proposed project does not result in any through capacity improvements. The existing through movements will not change with the proposed improvements as the capacity is increased by the addition of turning movements only through the immediate intersection.

Air analysis is not warranted since the proposed project does not result in any significant capacity improvements. This project is identified as FY11 TIP ID No. 5423 in the current STIP/TIP. As such, this project is exempt from the requirement that a conformity determination be made (US EPA Criteria and Procedures for Determining Conformity to State or Federal Implementation Plans, Programs or Projects-Final Rule).

Projects which are exempt from project level conformity are also exempt from the particulate matter less than 2.5 micrometers in diameter (PM_{2.5}) project level conformity determination requirements, in accordance with 40 CFR 93.126. This project would not significantly increase through capacity as the proposed capacity improvements will be handled by the addition of turn lanes only.

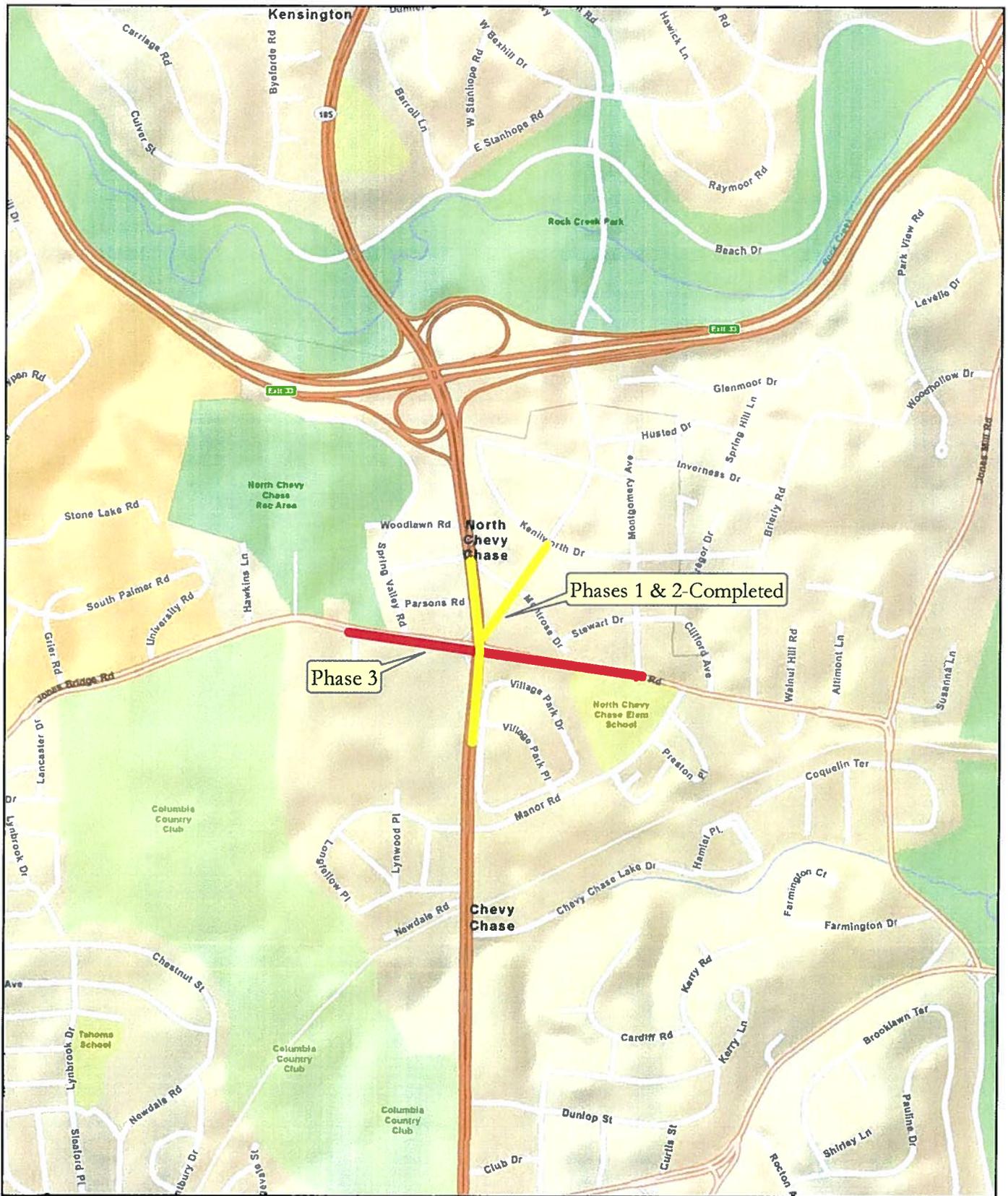
This project would not result in any meaningful changes in traffic volumes, vehicular mix, location of the existing facility, or any other factor that would cause an increase in emissions impacts relative to the no-build alternative. As such, this project would generate minimal air quality impacts for the Clean Air Act criteria pollutants and has not been linked with any special Mobile Source Air Toxics (MSAT) concern. Consequently, this project is exempt from an analysis for MSATs.

Moreover, the US EPA regulations for vehicle engines and fuels will cause overall MSATs to decline significantly over the next 20 years. Even after accounting for a 64 percent increase in vehicle miles traveled (VMT), FHWA predicts MSATs will decline in the range of 57 percent to 87 percent, from 2000 to 2020, based on regulations now in effect. This will both reduce the background level of MSATs as well as the possibility of even minor MSAT emissions from this project.

No residential or commercial displacements are required for this project. The project will require right-of-way from 13 properties for a total of 1.33 acres (0.531 acre fee simple, 0.37 acre perpetual easement, and 0.438 acre temporary easement). The project is located within a designated Priority Funding Area and is therefore consistent with Maryland's Smart Growth

Mr. Gregory Murrill
MD 185 at Jones Bridge Road
Page Six

Legislation. The proposed project would not provide new access to any new or planned development areas. Therefore, indirect impacts are not anticipated as a result of this project. No disproportionately high or adverse effects on minority or low-income populations would occur as a result of this project. The project is consistent with the Montgomery County General Plan, adopted 1993.



MO593A25
Phase 3-MD 185
Jones Bridge Rd
Montgomery County

Project Location Map
Washington West Quad

1: 12,000
August 16, 2011



Bethesda BRAC Intersection Designs - Synchro Delay Per Phase

Analyst: XL/MCS
Date: 04/07/2009

SYNCHRO HCM Capacity Analysis	2011 No Build		Phase 1		Phase 2		Phase 2A		Phase 2B		Phase 3		Phase 4		Phase 5		
	Peak	LOS	Delay (s)														
MD 355 at Cedar Lane	AM	F	135.7	F	127.4	F	126.4	F	110.5	F	110.5	E	76.8	E	70.3	D	51.6
	PM	F	167.5	F	161	F	116.3	F	98.4	F	97.3	E	65.5	E	55.1	E	56.6
MD 185 at Jones Bridge Road	AM	F	149.2	E	79.1	E	77.6	-	-	-	-	E	74.1	-	-	-	-
	PM	F	179.2	F	175.9	F	132.7	-	-	-	-	E	79.7	-	-	-	-

Bethesda BRAC Intersection Designs -CLV Analysis

Analyst: XL
Date: 04/07/2009

CLV Results	2011 No Build		Phase 1		Phase 2		Phase 2A		Phase 2B		Phase 3		Phase 4		Phase 5		
	Peak	LOS	V/C	LOS	V/C	LOS	V/C	LOS	V/C	LOS	V/C	LOS	V/C	LOS	V/C	LOS	V/C
MD 355 at Cedar Lane	AM	F	1.35	F	1.35	F	1.27	F	1.27	F	1.2	F	1.2	F	1.2	F	1.01
	PM	F	1.43	F	1.43	F	1.24	F	1.24	F	1.15	F	1.04	F	1.04	F	1.04
MD 185 at Jones Bridge Road	AM	F	1.29	F	1.05	E	0.99	-	-	-	E	0.99	-	-	-	-	-
	PM	F	1.37	F	1.37	F	1.19	-	-	-	E	0.99	-	-	-	-	-

Notes: Phase 2A includes re-striping existing Cedar Lane and eliminating split phasing. EB Cedar Lane would include one left turn lane, one through lane, and one shared through/right turn lane. WB Cedar Lane would include two left turn lanes, and one shared through/right turn lane.

Phase 2B includes all of Phase 2A plus lane control on southbound MD 355 during the PM peak period, which would convert an existing through lane to a second left turn lane. This option improves operations slightly during the PM peak hour, and could also reduce cut-through traffic through the Locust Hill community.



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

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

MARYLAND DEPARTMENT OF TRANSPORTATION

August 13, 2010

Re: Project No. MO593A25
MD 185 at Jones Bridge Road/Kensington Parkway
Intersection Improvements
Montgomery County, Maryland

Mr. Nelson J. Castellanos
Division Administrator
Federal Highway Administration
10 South Howard Street
City Crescent Building - Suite 2450
Baltimore, MD 21201

Dear Mr. Castellanos:

In accordance with the CEQ Regulations and 23 CFR 771, the Maryland State Highway Administration (SHA), requests that the proposed intersection improvements at MD 185 (Connecticut Avenue) and Jones Bridge Road/Kensington Parkway in Montgomery County be classified as a Categorical Exclusion (CE).

Existing Conditions/Project Need

The project is located at the intersection of MD 185 and Jones Bridge Road/Kensington Parkway in Montgomery County (**Attachment 1**). The project limits extend along MD 185 from south of I-495 (Capital Beltway) to north of Manor Road, and along Kensington Parkway from MD 185 to Montrose Driveway. MD 185 runs north-south and is classified as a Principle Arterial in the Functional Classification System. The Average Daily Traffic (ADT) on MD 185 was 57,600 vehicles per day (VPD) in 2008, and is expected to increase to 61,150 VPD by 2011. Trucks account for five percent of the current and future ADT. Jones Bridge Road is an east-west Major Collector roadway connecting MD 185 with MD 355/Bethesda to the west and MD 410 (East West Highway) to the east. The ADT for Jones Bridge Road was 20,475 VPD in 2008, and is expected to increase to 24,900 VPD by 2011. Kensington Parkway is a Collector roadway with a 2008 ADT of 2,000 VPD that is expected to increase to 5,425 VPD by 2011.

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.roads.maryland.gov

Existing MD 185 is a divided roadway consisting of two 11-foot wide through lanes and one 11-foot wide through/right turn shared lane in each direction, and a varying width raised grassed median. Left turns are prohibited from MD 185 to Jones Bridge Road and Kensington Parkway. Existing eastbound Jones Bridge Road consists of double left turn lanes, one through lane, and one through/right turn shared lane on the approach, and two lanes on the departure. Existing westbound Jones Bridge Road has one through lane, one through/right turn shared lane, and one exclusive right turn lane on the approach and two lanes on the departure. The existing typical section of Kensington Parkway includes one left-turn lane and one lane for all movements on the approach and one departure lane.

Land use within the immediate project area is predominately residential, with governmental/institutional land uses located in the surrounding areas. The northwest, northeast and southeast quadrants of the intersection are completely comprised of single-family suburban style homes. The Howard Hughes Medical Institute is located in the southwest quadrant. Approximately 1.2 miles west of the intersection, Jones Bridge Road intersects with MD 355 where the National Naval Medical Center (NNMC) and the National Institutes of Health (NIH) are located. SHA is evaluating these intersection improvements in order to prepare for the influx of jobs that are expected to be added to the NNMC as part of the Base Realignment and Closure (BRAC) process. In addition, job growth is also expected at NIH.

Proposed Action

The purpose of this project is to reduce roadway congestion and improve traffic flow and safety at the intersection. The improvements are needed in order to prepare for the influx of workers and traffic to the Bethesda NNMC that is expected to result from BRAC. The project consists of adding a southbound exclusive right turn lane on MD 185 from the I-495 ramp to Jones Bridge Road and adding an additional through lane on northbound MD 185 from 300 feet north of Manor Road to I-495. The length of the roadway widening on MD 185 is approximately 0.4 mile. Lane widths will be reduced from 11 feet to 10 feet so that a two-foot bicycle use shoulder can be provided in each direction on MD 185. Additional work consists of roadway resurfacing, pavement removal, installation/upgrade/modification of sidewalks, fencing, concrete medians, traffic signals, signing, pedestrian ramps, landscaping, utility relocations, slope grading and drainage improvements consisting of installation of culverts, pipes, inlets, junction boxes, manholes, pipe extensions, bio-retention facilities and stormwater management retrofits.

Fee-simple right-of-way and/or easements will be required from a total of 21 properties, 19 of which are residential. In general, the right-of-way needs are linear and necessary for sidewalk installation, construction staging, grading and landscaping. See Table 1 for a summary of right-of-way requirements.

Table 1: Right-of-way Requirements

Fee-simple	Reversible Easements	Temporary Construction Easements
0.04 acre	0.10 acre	0.15 acre

Mr. Nelson J. Castellanos
MD 185 at Jones Bridge Road/Kensington Parkway
Page Three

Environmental

On April 2, 2009, an Informal Public Workshop meeting was held at the Bethesda-Chevy Chase High School (4301 East-West Highway) to discuss the purpose and need of the project, explain the proposed schedule and receive public comments (**Attachment 2**). As a result of the community meeting, SHA has shifted the widening along northbound MD 185 to the existing median in order to avoid residential displacements. In addition to the community meeting, SHA routinely met with neighborhood groups and surrounding institutions to refine project details and address any comments or concerns regarding the improvements. SHA will continue to work with the community and surrounding institutions throughout project development to minimize impacts to the extent possible.

On August 4, 2010, the Maryland Historical Trust (MHT) determined that no historic properties would be impacted by the proposed improvements (**Attachment 3**). As part of their determination, MHT agreed with SHA's determination that the Gilliland-Bloom House (MIHP No. M:35-57) is eligible for listing on the National Register of Historic Places, but since the proposed project would not impact its historic boundary, a no effect determination was made. Additionally, MHT concurred that it is unlikely that any potentially significant archeological resources will be impacted and no further archeological investigations are required.

Coordination with SHA's Environmental Programs Division confirmed that no wetlands, wetland buffers, waterways or 100-year floodplains will be impacted by the proposed improvements. The proposed improvements will not impact fisheries resources, especially since sediment and erosion control methods, and other Best Management Practices typically used for the protection of stream resources will be utilized. The project is not located within the Chesapeake and Atlantic Coastal Bays Critical Area. The project would not impact any proposed or listed federal or state rare, threatened or endangered plant or animal species (**Attachments 4 & 5**).

The proposed project will increase capacity only at the immediate intersection and will limit roadway widening to approximately 0.4 mile along MD 185. As such, no significant capacity improvements are proposed and air and noise analyses are not warranted. This project is identified as MO593A25 in the current STIP and 09TIP-M5-1 in the current TIP. This project is exempt from the requirement that a conformity determination be made (U.S. EPA Criteria and Procedures for Determining Conformity to State or Federal Implementation Plans, Programs or Projects-Final Rule).

This project will not result in any meaningful changes in traffic volumes, vehicular mix, location of the existing facility, or any other factor that would cause an increase in emissions impacts relative to the No-Build Alternative. As such, this project will generate minimal air quality impacts for the Clean Air Act criteria pollutants and has not been linked with any special Mobile Source Air Toxics (MSAT) concern. Consequently, this project is exempt from an analysis for MSATs.

Mr. Nelson J. Castellanos
MD 185 at Jones Bridge Road/Kensington Parkway
Page Four

Moreover, the EPA regulations for vehicle engines and fuels will cause overall MSATs to decline significantly over the next 20 years. Even after accounting for a 64 percent increase in vehicle miles traveled (VMT), FHWA predicts MSATs will decline in the range of 57 percent to 87 percent, from 2000 to 2020, based on regulations now in effect, even with a projected 64 percent increase in VMT. This will both reduce the background level of MSATs as well as the possibility of even minor MSAT emissions from this project.

Projects which are exempt from project level conformity are also exempt from the PM2.5 project level conformity determination requirements, in accordance with 40 CFR 93.126. Exempt projects are listed in 40 CFR 93.126 in Table 2 and the proposed project is an example of Safety—Projects that correct, improve or eliminate a hazardous location or feature projects in that table. This project will improve safety and will not increase through traffic capacity.

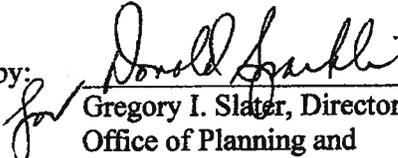
No right-of-way would be required from any publicly-owned public park, recreation area, wildlife or waterfowl refuge or historic sites. The project is located within a Priority Funding Area, and is therefore consistent with Maryland's Smart Growth Legislation. The proposed project will not provide new access to any new or planned development areas. Therefore, indirect impacts are not anticipated as a result of this project. No disproportionately high or adverse effects on minority or low-income populations will occur as a result of this project. The project is consistent with the Montgomery County General Plan, Adopted 1993.

Summary

In summary, the proposed project will not involve any significant environmental impacts to socioeconomic, natural or cultural resources. It will not induce significant foreseeable alterations in land use or affect planned growth. As such, we request your concurrence in classifying this project as a CE. In addition, your signature below will constitute Location Approval for this project.

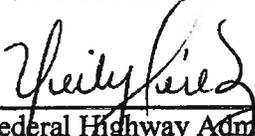
Sincerely,

Neil J. Pedersen
Administrator

by: 
Gregory I. Slater, Director
Office of Planning and
Preliminary Engineering

Mr. Nelson J. Castellanos
MD 185 at Jones Bridge Road/Kensington Parkway
Page Five

CONCURRENCE:

for 

Federal Highway Administration
Division Administrator

September 13, 2010
Date

Attachments

cc: Ms. Yuqiong Bai, Project Manager, Highway Design Division, SHA (w/Attachments)
Mr. Thomas G. Hinchliffe, Real Property Manager, Office of Real Estate, SHA
Mr. Todd Nichols, Chief, Environmental Programs Division, SHA
Mr. Bradley Smith, Environmental Manager, Environmental Planning Division, SHA
(w/Attachments)
Mr. Guy Talerico, Acting Chief, Federal Aid Programming Section, SHA



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

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

Maryland Department of Transportation

July 20, 2010

Re: Project No. MO593A21
BRAC Intersection: MD 185 (Connecticut Avenue) and Jones Bridge Road/Kensington Parkway
Montgomery County
USGS *Kensington* and *Washington West*
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. MO593A21 MD 185 (Connecticut Avenue) at Jones Bridge Road/Kensington Parkway Base Re-alignment and Closures (BRAC)-related intersection improvement project will have no adverse effect on historic properties. This is one of four interrelated Base Re-alignment and Closures (BRAC) related intersection improvement projects in Montgomery County:

- MD 187 (Old Georgetown Road) at West Cedar Lane/Oakmont Avenue;
- MD 355 (Rockville Pike) at Cedar Lane;
- MD 355 (Rockville Pike) at Jones Bridge Road; and
- MD 185 (Connecticut Avenue) at Jones Bridge Road.

The eligibility and effects at MD 187 at West Cedar Lane/Oakmont Avenue was coordinated with the MHT via letters on December 4, 2008 and June 12, 2009. The MHT concurred with SHA's findings of No Adverse Effect for this intersection on August 13, 2009. The eligibility and effects at MD 355 at Cedar Lane was coordinated with the MHT via letter on April 28, 2010. The MHT concurred with SHA's findings of No Adverse Effect for this intersection on June 1, 2010. The eligibility and effects at MD 355 and Jones Bridge Road was coordinated with MHT via letter dated April 29, 2010. The MHT concurred with SHA's findings of No Adverse Effect for this intersection on June 1, 2010.

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



Mr. J. Rodney Little

BRAC Intersection: MD 185 (Connecticut Avenue) at Jones Bridge Road/Kensington Parkway

Page 2

SHA is proposing intersection improvements at the intersection of MD 185 (Connecticut Avenue) and Jones Bridge Road/Kensington Parkway in Montgomery County. The improvements are needed in order to prepare for the influx of workers to the Bethesda National Naval Medical Center that is expected to result from BRAC. The project limits extend along MD 185 from I-495 to north of Manor Road, along Jones Bridge Road from west of Platt Ridge Drive to Montgomery Avenue, and along Kensington Parkway from MD 185 to south of Montrose Driveway. Work consists of roadway widening to provide additional turning and through lanes at the intersection. Additional work consists of roadway resurfacing, pavement removal, installation/upgrade/modification of sidewalks, retaining walls, bus pads, fencing, concrete medians, traffic signals, signing, pedestrian ramps, landscaping, utility relocations, slope grading and drainage improvements consisting of the installation of culverts, pipes, inlets, junction boxes, manholes, pipe extensions, bio-retention facilities and stormwater management retrofits. Additional right-of-way and easements will be required from several adjacent properties. In order to complete the improvements, 53,635 square feet of fee simple right-of-way, 25,751 of revertible easement, and 20,207 square feet of temporary construction easement will be required.

Project plans are included as Attachment 1.

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 direct and indirect impacts to historic properties. In order to consider the area or areas within which the project may directly or indirectly cause alterations in the character of use of historic properties, the APE has been defined to encompass the worst case Limits of Disturbance (LOD) and extend 250 feet from the outermost edge of the LOD as indicated on the attached SHA quadrangle maps for Kensington and Washington West (Attachment 2). The archeology survey area is defined as the worst case limits of disturbance (LOD).

Identification Methods and Results

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

Architecture: SHA Architectural Historian Jennifer Goold consulted the SHA-GIS Cultural Resources Database, the Maryland Inventory of Historic Properties (MIHP), the National Register of Historic Places (NRHP), and conducted research at the Enoch Pratt Free Library and on the Internet. Multiple field visits were made between March 2009 and August 2009.

Mr. J. Rodney Little

BRAC Intersection: MD 185 (Connecticut Avenue) at Jones Bridge Road/Kensington Parkway

Page 3

The APE for this project is comprised of the LOD plus 250 feet to encompass direct and indirect impacts on historic standing structures.

The project intersection is located in Chevy Chase, Maryland, which is a prosperous northern suburb of Washington D.C. The area is currently characterized by large institutional properties, including the Howard Hughes Medical Institute (HHMI), and leafy late 19th to late-20th century residential suburbs. The main north-south roadway in the project area, MD 185 (Connecticut Avenue), is a primary commuter route between Washington D.C. and suburban Maryland.

When the Rockville Turnpike was reconstructed at the turn of the 20th century, affluent D.C. residents began to settle the rural agricultural area and build large estate homes along the turnpike. Simultaneously, a pair of developers purchased several huge tracts of land west of the Rockville Pike that would become Chevy Chase. The development company extended Connecticut Avenue (MD 185) into Maryland and built an electric railway to open the area for a massive planned suburban home development. The existing character of standing structures in the area was largely completed in post Great Depression through the post WWII-era, when most of the remaining large properties were converted to institutional or commercial uses or were redeveloped as residential neighborhoods. The regional building boom of the late 1990s and early 2000s has impacted the area. Institutions, large and small, have continued to develop their properties through the present day and several large properties in the project area were also redeveloped as large-scale, dense residential developments.

Three previously recorded properties are located within the APE at MD 185 (Connecticut Avenue) and Jones Bridge Road:

- Gilliland-Bloom House (M:35-057),
- Hurley-Sutton House (M:35-056), and
- King-Sutton House (M:35-055).

Although these houses have MIHP identification numbers, there was no documentation on file for them.

Properties Not Previously Evaluated for NRHP

Three properties that were previously identified but not yet evaluated for NRHP eligibility were examined. Two of these individual resources are recommended eligible for the NRHP.

The Gilliland-Bloom House is recommended as eligible for listing in the NRHP under Criterion C. The house is a particularly fine example of Queen Anne influenced architecture erected in the last quarter of the 19th century in the Chevy Chase area. It retains an especially high degree of integrity of design and materials and its deep set back and wooded lot contribute to the significance of the property. SHA prepared a

Mr. J. Rodney Little

BRAC Intersection: MD 185 (Connecticut Avenue) at Jones Bridge Road/Kensington Parkway

Page 4

Determination of Eligibility (DOE) form for Gilliland-Bloom House, which is provided in Attachment 3.

The Hurley House is recommended as eligible for listing in the NRHP under Criterion C. The Hurley House is a fine, and increasingly rare, example of the vernacular buildings erected in the Chevy Chase area at the turn of the 20th century and is a modest interpretation of the Queen Anne Style. SHA prepared a Determination of Eligibility (DOE) form for Hurley House, which is provided in Attachment 3.

The King House is recommended as not eligible for listing in the NRHP. Built as one of three adjacent late 19th century and early 20th century houses along Jones Bridge Road, the house is not part of the historical trend of suburbanization in Chevy Chase and does not meet Criterion A. The property is not associated with a significant person and does not meet Criterion B. The late-19th century Italianate-influenced vernacular dwelling is not representative of the predominant architectural trends from the time period when it was built and it has also lost integrity through alterations including replacement materials and an addition. Thus the property does not meet Criterion C. The property was not evaluated under Criterion D. SHA prepared a Determination of Eligibility (DOE) form for King House, which is provided in Attachment 3.

Newly Identified Properties

SHA conducted an intensive survey of the APE and identified two districts that are comprised of previously unidentified resources that are fifty years old or older. The districts consist of suburban neighborhoods located in the project area. One of the districts is recommended eligible for the NRHP.

The Spring Valley Survey District (M:35-163) is recommended as eligible for listing in the NRHP under Criteria A and C. Spring Valley is a mid-20th century residential neighborhood that was established as part of Chevy Chase. Initially platted in 1927, Spring Valley was first improved by developer Fulton R. Gordon and now includes sixty single-family dwellings. The district is significant for its collection of mid-20th century houses with a period of significance extending from 1948 to 1957. Although not the work of a single master architect or builder, this neighborhood has remained intact. Because of its two distinct development periods, the district presents only three domestic forms: Cape Cod house, ranch house, and split-level house. Only five houses in the neighborhood date from after the period of significance and Spring Valley has maintained sufficient integrity to convey its significance as one of the best preserved mid-20th century communities in Montgomery County. SHA prepared a Determination of Eligibility (DOE) form for Spring Valley Survey District, which is provided in Attachment 3.

The Kenilworth Survey District (M:1-164) is recommended as not eligible for listing in the NRHP. Kenilworth/Village of North Chevy Chase is a suburban neighborhood with buildings dating from the turn of the 20th century through 2009.

Mr. J. Rodney Little

BRAC Intersection: MD 185 (Connecticut Avenue) at Jones Bridge Road/Kensington Parkway

Page 5

Although the district is representative of the suburban growth in Montgomery County, the neighborhood does not have a sufficient concentration of resources to represent any one particular phase of development, largely because of many re-subdivisions that have altered the neighborhood plan created in 1895. Furthermore, alterations to older houses are prevalent and extensive new construction is found in the neighborhood. Thus the district does not create a cohesive community that reflects its initial developer or its greatest development phase. SHA prepared a Determination of Eligibility (DOE) form for Kenilworth Survey District, which is provided in Attachment 3.

Historic Structures Impact Analysis

SHA finds that proposed Project No. MO593A21 MD 185 (Connecticut Avenue) at Jones Bridge Road/Kensington Parkway intersection improvement project will have no adverse impacts on historic standing structures.

The proposed intersection improvements at MD 185 (Connecticut Avenue) and Jones Bridge Road are in character with the existing appearance of this intersection. The historic boundary of the Spring Valley Survey District (M:35-163) extends to SHA's right-of-way along the west side of MD 185 and the north side of Jones Bridge Road. Care was taken within the project design to minimize the easement requirements within the boundaries for properties recommended as eligible for the NRHP. There will be impacts within the historic boundary and 0.056 acre (2444 square feet) of perpetual easement, 0.085 acre (3705 square feet) of revertible easement, and 0.079 acre (3444 square feet) of temporary construction easement from the 16 acre property. The proposed work items at the Spring Valley Survey District include construction of one traffic lane within the existing SHA right-of way between I-495 (Washington D.C. Beltway) and Jones Bridge Road. The proposed easements along Connecticut Avenue will provide for construction of new sidewalks and for construction staging area, grading, and landscaping. Sidewalks and driveways will be reconstructed in the Spring Valley Survey District along Jones Bridge Road between MD 185 (Connecticut Avenue) and Spring Valley Road. The proposed easements will provide for reconstruction of sidewalks and for construction staging area, grading, and landscaping.

The Spring Valley Survey District contains a noteworthy collection of sixty mid-20th century residential buildings, consisting of Cape Cod, ranch, and split-level homes. The district is recommended as eligible for listing in the NRHP under Criterion A and C as an intact mid-20th century suburban development in Montgomery County. Character-defining features of the district will not be impacted by the project. The district is significant for its important association with the development of Chevy Chase and for the architecture of the houses. No historic standing structures are located with the LOD. Project impacts are largely limited to loss of vegetative buffer for homes along Connecticut Avenue. Landscaping for these properties has been installed by the individual owners, does not adhere to a neighborhood landscape plan, and is not a character-defining feature for the district. The Project plans include extensive landscape planting, including over 300 trees along Connecticut Avenue, to maintain the landscape

Mr. J. Rodney Little

BRAC Intersection: MD 185 (Connecticut Avenue) at Jones Bridge Road/Kensington Parkway

Page 6

quality of the area. Thus, the project will not alter the characteristics that make the property eligible for listing in the NRHP. The project will have no adverse impacts on the Spring Valley Survey District.

The historic boundaries of the Gilliland-Bloom House (M:35-057) and the Hurley House (M:35-056) extend to SHA's rights-of-way along the north side of Jones Bridge Road. There will be no impacts within the historic boundaries for these properties. The proposed work item on Jones Bridge Road adjacent to the properties consists of roadway resurfacing. The project will not alter the characteristics that make the property eligible for listing in the NRHP. The project will have no adverse impacts on the Gilliland-Bloom House and the Hurley House.

Upon your agreement that the 0.056 acre (2444 square feet) of perpetual easement and 0.085 acre (3705 square feet) of revertible easement will not adversely impact the Spring Valley Survey District, SHA intends to propose a *de minimis* impact finding to the Federal Highway Administration for Section 4(f) use of the property.

In addition, 0.079 acre (3444 square feet) of temporary construction easement is needed from the Spring Valley Survey District to construct the project. Given that these improvements would occur by temporary occupancy only, the requirements of Section 4(f) would not apply to the temporary construction easements based on your agreement with the following criteria as the official with jurisdiction:

- The duration of the impact will be temporary, i.e., less than the time needed for construction of the project;
- There will be no change in the ownership of the land;
- The scope of the work will be minor, i.e., both the nature and the magnitude of the changes to the Section 4(f) resource are minimal;
- There are no anticipated permanent adverse physical impacts; and
- The land being used will be fully restored, i.e., the resource will be returned to a condition which is at least as good as that which existed prior to the project.

SHA concludes that the proposed intersection improvement project will have no adverse impacts on historic standing structures.

Archeology: SHA Archeologist Lisa Kraus assessed the potential of the referenced project based on review of previous archeological studies (Harris and Fracchi 2007, Koski-Karell 1996), topographic and historic maps, aerial photographs, and site file data in the SHA-GIS Cultural Resources Database. A field visit was made on May 19, 2009.

According to the Montgomery County soil survey, the areas around the intersection of MD 185 and Jones Bridge Road are classed as a combination of Glenelg Silt Loam and Urban Land, with slopes ranging from 8-15%. This indicates that there are may be some intact soils in the APE; however, the slopes are somewhat steeper than

Mr. J. Rodney Little

BRAC Intersection: MD 185 (Connecticut Avenue) at Jones Bridge Road/Kensington Parkway

Page 7

those usually associated with prehistoric archeological sites (which are more commonly found in areas with slopes of 0-5%).

No archeological sites are recorded in the survey area, but the entire area where the intersection improvements will take place has not previously been surveyed. Historic maps (Martenet 1865, Hopkins 1878) show structures in the vicinity, and a road corresponding to the alignment of modern Jones Bridge Road apparently existed as early as 1865. Structures shown on historic maps appear to have been located outside the APE.

Prior archeological surveys conducted nearby (Koski-Karell 1996, Harris and Fracchia 2007) identified prehistoric sites on terraces both north and south of Jones Bridge Road; Jones Bridge Road itself has been graded, and is located along steep slopes to either side. The earlier surveys also reported more modern disturbance of sites than anticipated, primarily due to rapid development in the area following World War II.

During the May 19 site visit, Dr. Kraus observed that the APE has been previously disturbed by road, residential, commercial and utility construction. Although the areas south of Jones Bridge Road (and east of MD 185) may be, on the whole, less disturbed, the area that falls within the survey area has been impacted by landscaping, fencing and other activities related to the nearby residential development, such as utility installation.

In light of the prior disturbance and low probability of intact archeological remains within the survey area, it is unlikely that any potentially significant archeological resources will be impacted, and no further archeological investigation is recommended.

Review Request

Please examine the attached maps, plans, and Effects Table (Attachment 5). We request your concurrence by August 20, 2010 Hurley House (M:35-056); Gilliland-Bloom House (M:35-057); and Spring Valley Survey District (M:35-163) are the only NRHP eligible or listed architectural resources within the APE and that there would be no adverse effects on historic properties by the intersection improvement project at MD 185 and Jones Bridge Road/Kensington Parkway. Based on your concurrence with our determination of no adverse effect 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 Spring Valley Survey District (M: 35-163). By carbon copy, we invite Montgomery Preservation, Inc., Montgomery County Historic Preservation Commission, and Chevy Chase Valley to provide comments and participate in the Section 106 process. Pursuant to the requirements 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)(3) and (5), 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

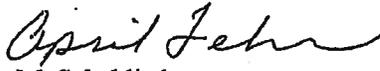
Mr. J. Rodney Little

BRAC Intersection: MD 185 (Connecticut Avenue) at Jones Bridge Road/Kensington Parkway

Page 8

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 August 20, 2010, we will assume that these offices decline to participate. Please call Jennifer Goold at 410-545-2899 (or via email at jgoold@sha.state.md.us) with questions regarding standing structures for this project. Lisa Kraus may be reached at 410-545-2884 (or via email at lkraus@sha.state.md.us) with concerns regarding archeology.

Very truly yours,


for Julie M. Schablitsky
Assistant Division Chief
Environmental Planning Division

- Attachments:
- 1) Project Plans
 - 2) Area of Potential Effects Maps
 - 3) DOEs
 - 4) Historic Map
 - 5) Eligibility/Effects Table

cc: Mr. Adrian Andreassi, North Chevy Chase Village
Ms. Jennifer Goold, SHA-EPLD
Dr. Lisa Kraus, SHA-EPLD
Ms. Christina Lavoie, SHA-EPLD
Ms. Lorraine Pearsall, Montgomery Preservation, Inc. (w/ Attachments)
Dr. Julie Schablitsky, SHA-EPLD
Mr. Bradley Smith, SHA-EPLD
Mr. Ken Strickland, Chevy Chase Valley
Mr. Scott Whipple, Montgomery County Historic Preservation Commission (w/ Attachments)

**Concurrence with the MD State Highway Administration's
Determination(s) of Eligibility and/or Effects**

**CONTINUATION SHEET #1
Maryland Historical Trust Comments**

Project Number: MO593A21

MHT Log No. 201003498

Project Name: BRAC Intersection: MD 185 (Connecticut Avenue) and Jones Bridge Road / Kensington Parkway

The Maryland Historical Trust (Trust) provides the following comments in addition to the concurrence indicated on the previous page:

The Trust has reviewed the Determination of Eligibility (DOE) Forms prepared by EHT Tracerics, Inc on behalf of the State Highway Administration (SHA) for the BRAC Intersection Project at MD 185 and Jones Bridge Road / Kensington Parkway in Montgomery County. Our opinions regarding the National Register eligibility of the properties are provided below:

The Trust concurs with SHA that the following property is eligible for listing in the National Register of Historic Places:

- Gilliland-Bloom House (MIHP No. M:35-57), 4025 Jones Bridge Road, Chevy Chase, Md.

The Trust concurs with SHA that the following properties are not eligible for listing in the National Register of Historic Places:

- King House (MIHP No. M:35-55), 4021 Jones Bridge Road, Chevy Chase, Md;
- Kenilworth Survey District (MIHP No. M:35-164), Roughly bounded by Connecticut Avenue, Jones Bridge Road, I-495 and Clifford Avenue, Chevy Chase, Md.

The Trust does not concur with SHA regarding the National Register eligibility determinations for the following properties:

- Hurley House (MIHP No. M:35-56), 4023 Jones Bridge Road, Chevy Chase, Md. This property possesses marginal material integrity and lacks architectural and historical significance. This property is *not eligible* for listing in the National Register of Historic Places.
- Spring Valley Survey District (MIHP No. M:35-163), Roughly bounded by Jones Bridge Road, Connecticut Avenue and Woodlawn Road, Chevy Chase, Md. Mid-twentieth-century subdivisions are ubiquitous resources within the suburban landscape and should possess integrity of community design and distinctive architectural styles to be considered significant and representative of the suburban movement. The Spring Valley Survey District does not possess innovative or exemplary design or amenities. The buildings within the survey district lack sufficient architectural distinction to distinguish this neighborhood from the larger suburban environment. This property is *not eligible* for listing in the National Register of Historic Places. The Spring Valley Survey District is *not eligible* for listing in the National Register of Historic Places.

**Concurrence with the MD State Highway Administration's
Determination(s) of Eligibility and/or Effects**

Project Number: MO593A21 MHT Log No. 201003498
Project Name: BRAC Intersection: MD 185 (Connecticut Avenue) and Jones Bridge Road/
Kensington Parkway
County: Montgomery
Letter Date: July 20, 2010

The Maryland Historical Trust has reviewed the documentation attached to the referenced letter and concurs with the MD State Highway Administration's determinations as follows:

Eligibility (as noted in the Eligibility Table [Attachment 5]):

- Concur
- Do Not Concur – See Continuation Sheet

Effect (as noted in the Effects Table [N/A]):

- No Properties Affected
- No Adverse Effect
- Conditioned upon the following action(s) (see comments below)
- Adverse Effect

Agreement with FHWA's Section 4(f) criteria of temporary use (as detailed in the referenced letter, if applicable):

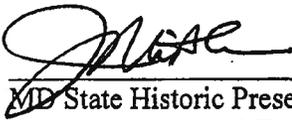
- Agree

Agreement with FHWA's de minimus impact finding (as detailed in the referenced letter, if applicable):

- Agree

Comments:

SEE ATTACHED CONTINUATION SHEET

By:  8-4-10
MD State Historic Preservation Office/ Date
Maryland Historical Trust

Return by U.S. Mail or Facsimile to:
Dr. Julie M. Schablitsky, Assistant Division Chief, Environmental Planning Division,
MD State Highway Administration, P.O. Box 717, Baltimore, MD 21203-0717
Telephone: 410-545-8870 and Facsimile: 410-209-5004

Cc: Scott Whipple (Montgomery County HPC)

ATTACHMENT 6

From: [Tim Tamburrino](#)
To: [Anne Bruder](#)
Cc: [Caryn Brookman](#); [Lisa Kraus](#)
Subject: RE: SHA Project No. MO593A21, BRAC Intersection Improvements: MD 185 at Jones Bridge Road/Kensington Parkway -- Minor Change to Project Scope Notification
Date: Thursday, March 08, 2012 9:41:38 AM

Anne,

Thank you for informing the Maryland Historical Trust of minor scope changes to SHA Project No. MO593A21, BRAC Intersection Improvements: MD 185 at Jones Bridge Road/Kensington Parkway, Montgomery County. We agree that the original determination of No Historic Properties Affected remains valid. We will add your revised project description to our project file.

Thanks,

Tim

Tim Tamburrino
Maryland Historical Trust / MDP
100 Community Place
Crownsville, MD 21032
410-514-7637 p
410-987-4071 f
ttamburrino@mdp.state.md.us
www.mht.maryland.gov

From: Anne Bruder [mailto:abruder@sha.state.md.us]
Sent: Friday, February 24, 2012 12:36 PM
To: Beth Cole; Tim Tamburrino
Cc: Caryn Brookman; Lisa Kraus
Subject: SHA Project No. MO593A21, BRAC Intersection Improvements: MD 185 at Jones Bridge Road/Kensington Parkway -- Minor Change to Project Scope Notification

Dear Beth and Tim,

We are writing to tell you about a minor scope change for SHA Project No. MO593A21, BRAC Intersection: MD 185 and Jones Bridge Road/Kensington Parkway, Montgomery County [MHT Log No. 201003498] that will not change either the APE or the August 4, 2010 project effect determination.

In addition to the project described in our July 20, 2010 letter regarding the proposed BRAC intersection improvements, SHA now proposes to mitigate forest conservation area impacts on 3-5 acres (12,100 square feet) of the Howard Hughes Medical Institute in Chevy Chase, Montgomery County, Maryland by planting trees on the private property. On August 4, 2010, MHT concurred that the BRAC intersection improvement would have no effect on historic properties, either standing structures or archeological sites. The tree planting will occur within the previously defined Area of Potential Effects (APE) of 250-feet beyond the Limits of Disturbance (LOD) shown on the 2010 plans. New easement areas in the amount of 12,100 square feet fall within the

previously defined APE on the west side of MD 185 and the south side of Jones Bridge Road within the Howard Hughes Medical Institute property.

SHA Architectural Historian Anne E. Bruder consulted the SHA-GIS Cultural Resources Database, previous correspondence between SHA and the Maryland Historical Trust. The Howard Hughes Medical Institute was established in 1953 by Howard Hughes, but the Chevy Chase biomedical research complex was built in the 1990s. There are no historic standing structures in the APE and no additional architectural investigations are recommended.

SHA Archeologist Lisa Kraus consulted the SHA-GIS Cultural Resources Database and previous project correspondence. The proposed planting and easement areas are within the archeology survey area as defined in 2010, and therefore will occur within areas that have been subject to previous ground disturbance. No further archeological work is recommended.

The addition of tree planting to the project scope will not change either the APE as previously defined, or the No Properties Affected determination for this BRAC Intersection Improvement Project.

Please let us know if you have any questions.

Thank you,

Anne Bruder

Anne E. Bruder | Senior Architectural Historian | Maryland State Highway Administration Office of Planning & Preliminary Engineering Cultural Resources Section | 707 North Calvert Street C-LL4 | Baltimore MD 21202 Phone: 410.545.8559 | Fax: 410.209.5046 | Email: abruder@sha.state.md.us

"Books may not tell us, but buildings do." Henry Glassie "Eighteenth-Century Cultural Process in Delaware Valley Folk Building"

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PUBLIC ANNOUNCEMENT PROPOSED CAPACITY AND OPERATIONAL IMPROVEMENTS

MD 185 at Jones Bridge Road

PROJECT DESCRIPTION

The Maryland State Highway Administration (SHA) is considering capacity and operational improvements to the MD 185 at Jones Bridge Road intersection in Montgomery County. This project is located adjacent to the North Chevy Chase Recreation Area.

QUESTIONS AND ANSWERS ABOUT THE PROJECT

Why is this work necessary?

The purpose of the project is to improve the capacity and operation of the intersection of MD 185 at Jones Bridge Road due to additional traffic generated by the nearby Base Realignment and Closure (BRAC) development.

What improvements are proposed?

The proposed work will include widening the north side of westbound Jones Bridge Road to add an additional left turn lane and widening the south side of eastbound Jones Bridge Road to separate the shared through/right turn lane into two different lanes. Longer turn lanes will provide more storage to accommodate additional traffic demand. Upgrades to sidewalk, ramps and the existing hiker/biker trail will enhance pedestrian safety and access.

Will there be impacts to the North Chevy Chase Recreation Area?

The improvements at Jones Bridge Road will require fee simple right-of-way from the North Chevy Chase Recreational Area, owned by the Maryland-National Capital Park and Planning Commission (M-NCPPC). Although the right-of-way required from the recreation area is considered a “use” as defined by Section 4(f) of the U.S. Department of Transportation Act (1966), there will be no negative impact on activities, features, and attributes that qualify the recreation area for protection under Section 4(f). SHA, through this notice, is notifying the public that it will request the Federal Highway Administration make a *de minimis* (or minor) impact finding, in accordance with Section 4(f). M-NCPPC, as officials with jurisdiction, concurred with the *de minimis* finding in April 2012. The public is requested to provide comments on this finding.

Do You Have Additional Questions or Comments?

Please contact Ms. Yuqiong Bai, SHA Project Manager, (410) 545-8816 or toll-free (866) 462-0020 or Ms. Caryn G. Brookman, SHA Environmental Manager, (410) 545-8698 or toll-free (866) 527-0502, www.roads.maryland.gov.



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



Beverley K. Swaim-Staley, *Secretary*
Melinda B. Peters, *Administrator*

MARYLAND DEPARTMENT OF TRANSPORTATION

March 28, 2012

**RE: Project No. MO593B21
MD 185 at Jones Bridge Road/Kensington Parkway
Phase 3-BRAC Intersection Improvements
Montgomery County**

Ms. Mitra Pedoeem,
Chief-Park Development
Maryland-National Capital
Park and Planning Commission
9500 Brunett Avenue
Silver Spring, MD 20910

Dear Ms. Pedoeem:

The Maryland State Highway Administration (SHA) is proposing improvements at the intersection of MD 185 (Connecticut Avenue) and Jones Bridge Road/Kensington Parkway Phase 3 improvements in Montgomery County (**Attachment 1**). The purpose of the project is to improve the capacity and operation of the intersection due to additional traffic generated by the nearby Base Realignment and Closure (BRAC) development. The scope of work consists of widening to the north side of westbound Jones Bridge Road to add an additional left turn lane and widening the south side of eastbound Jones Bridge Road to separate the shared through/right turn lane into two different lanes. Longer storage lanes will be provided as well for turn lanes to accommodate the additional traffic demand (**Attachment 2**).

Pedestrian safety and transit access are also important features in the design. The intersections and sidewalks within the project limits will be upgraded to meet the current Americans with Disabilities Act (ADA) design standards. Green buffers will be provided between the sidewalk and curb wherever feasible to improve pedestrian safety. The right turn islands in the southwest corner of the intersection will be removed to enhance pedestrian safety when crossing. An off-road hiker/biker trail will be incorporated along Jones Bridge Road from Platt Ridge Road to Connecticut Avenue. Other improvements include reconstruction of traffic signals, drainage improvements, and stormwater management facilities (SWM).

In order to complete the improvements as planned, fee simple right-of-way and temporary construction easements will be required from the Maryland-National Capital Park and Planning Commission (MNCPPC) owned North Chevy Chase Recreation Area, located on the north side of Jones Bridge Road, west of MD 185 (**Attachment 3**). See Table 1 for a summary of park impacts.

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.roads.maryland.gov

Table 1: Total Park Impacts

M-NCPPC Property	Fee Simple Right-of-way	Temporary Construction Easement
North Chevy Chase Recreation Area; Parcel 806; 9.99 acres	3366 square feet (0.077 acre)	1046 square feet (0.024 acre)

The existing M-NCPPC property associated with Parcel 806 extends over the existing hiker/biker trail and onto Jones Bridge Road (Attachment 4). SHA will pursue fee simple right-of-way for the portion of M-NCPPC property that extends over Jones Bridge Road since it is currently functioning as a transportation use. In addition, this area along Jones Bridge Road will be widened a minimal amount (approximately 0-3 feet from edge of existing pavement) for 100 feet and will be resurfaced. SHA will also pursue temporary construction easement in order to rebuild the existing hiker/biker trail at its existing location. Impacts to other important park features are not anticipated as the improvements will occur within an area already disturbed by the roadway and hiker/biker trail.

Section 6009(a) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) allows the Federal Highway Administration (FHWA) to determine that certain transportation uses of Section 4(f) land will have no adverse effect on the protected resource. With respect to publicly owned parks and recreation areas, a finding of *de minimis* impact may occur if a transportation project does not "adversely affect the activities, features and attributes" of the Section 4(f) resource. When this is the case, the finding of FHWA requires written concurrence from the official(s) with jurisdiction over the resource. In addition, public notice and opportunity for public review and comment on the finding is required.

In addition, given that some of the improvements would occur by temporary occupancy only, the requirements of Section 4(f) would not apply in this instance based on the following criteria:

- The duration of impacts will be temporary, i.e. less than the time needed for construction of the project, and there will be no change in ownership of the land;
- The scope of work is minor, i.e. both the nature and the magnitude of the changes to the Section 4(f) property is minimal;
- There are no anticipated permanent adverse physical impacts, nor will there be interference with the properties activities, features, or attributes of the property, on either a temporary or permanent basis;
- The land being used will be fully restored, i.e. the property will be returned to a condition which is at least as good as that which existed prior to the project, and;
- There is documented agreement of the officials with jurisdiction over the Section 4(f) resource regarding the above conditions.

Ms. Mitra Pedoeem
MD 185 at Jones Bridge Road
Phase 3
Page Three

Therefore, we request your concurrence that the permanent minor impacts (0.13 acre) to the North Chevy Chase Recreation Area will not impair the activities, features and attributes important to the recreation area. Upon your written agreement, SHA intends to propose a *de minimis* impact finding to FHWA for the use of the park property. Public comment on the proposed impacts will be sought prior to the *de minimis* impact finding. We also request your concurrence that the temporary use of the park is not subject to the requirements of Section 4(f). Your concurrence will also confirm that this portion of the North Chevy Chase Recreation Area was not acquired or developed with any Section 6(f) (Land and Water Conservation Fund) or Program Open Space funding.

Should you have any questions or need additional information, please feel free to contact Environmental Manager, Ms. Caryn G. Brookman, at 410-545-8698 or via email at cbrookman@sha.state.md.us.

Very truly yours,



Digitally signed by Dennis M. Atkins
DN: cn=Dennis M. Atkins, o=Maryland
State Highway Administration,
ou=CPPE - EPLD,
email=d.atkins@sha.state.md.us, c=US
Date: 2012.03.28 14:40:22 -0400

Dennis M. Atkins
Assistant Division Chief
Environmental Planning Division

CONCURRENCE:

Maryland-National Capital Park
And Planning Commission

	Mitra Pedoeem	5/10/2012
Signature	Printed Name	Date

cc: Ms. Yugiong Bai, Project Manager, Highway Design Division, SHA
Ms. Caryn G. Brookman, Environmental Manager, Environmental Planning Division, SHA
Mr. Larry Cole, Master Planner Supervisor, Maryland-National Capital Park and Planning Commission
Mr. Marco Fuster, Senior Planner, Maryland-National Capital Park and Planning Commission
Ms. Barb Solberg, Chief, Highway Design Division, SHA



Base Realignment and Closure (BRAC) Intersection Improvement Projects Bethesda

PROJECT NEWSLETTER • MARCH 2009

Design Progresses on 4 BRAC-related Intersections

The Maryland State Highway Administration (SHA) has initiated design activities for the four intersections in the vicinity of the National Naval Medical Center (NNMC) most affected by the Base Realignment and Closure (BRAC). Below are the project background, schedule, and information on the upcoming Public Informational Workshop where concept plans for the four intersection projects will be presented to the community.

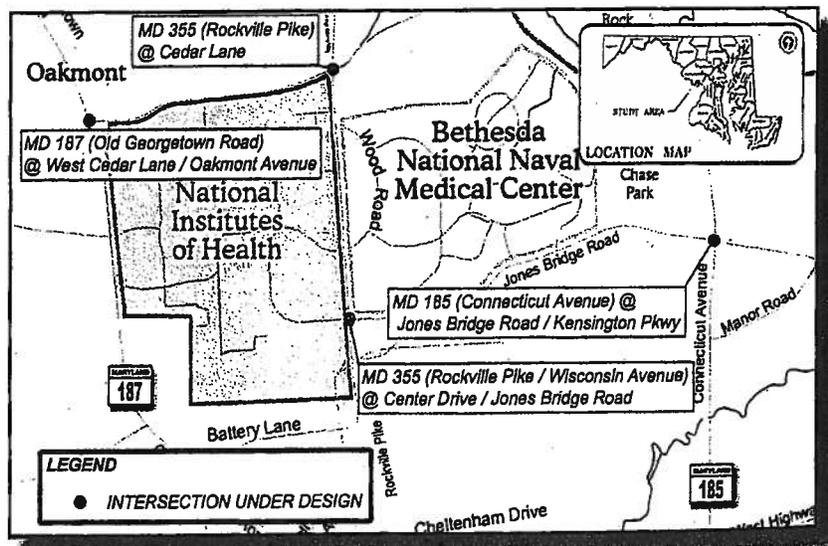
Attend the Public Meeting

SHA invites you to attend an Informational Workshop at which transportation improvements associated with four intersections near NNMC will be presented. This meeting format will allow attendees to review the concepts at their own pace and provide feedback. SHA staff and other agency representatives will be available to discuss the project issues, answer questions, and address any concerns you may have. No formal presentation will be given. Feel free to arrive at any time and walk through at your own convenience.

WHEN:	WHERE:
Thursday, April 2, 2009 5:30 PM to 7:30 PM	Bethesda - Chevy Chase High School - Gymnasium 4301 East - West Highway Bethesda, MD 20814

Project Background

Base Realignment and Closure, or "BRAC," is the congressionally authorized process used by the U.S. Department of Defense to reorganize and consolidate its military bases nationwide. In preparation for the 40,000 to 60,000 direct and indirect jobs coming to Maryland over the next six to ten years, SHA is designing short-term intersection improvements at four intersections in the Bethesda area (see map).



continued on back



United States Department of the Interior

FISH AND WILDLIFE SERVICE
 Chesapeake Bay Field Office
 177 Admiral Cochrane Drive
 Annapolis, MD 21401
 410/573-4575



Attachment 5

January 7, 2009

State Highway Administration
 Maryland Department of Transportation
 707 North Calvert Street
 Baltimore, MD 21202

2'09JAN12 PM 1:23:14P

RE: Project No. MO593A21 Bethesda BRAC Intersections Improvements Montgomery County

Dear: Bruce M. Grey

This responds to your letter, received December 10, 2008, requesting information on the presence of species which are federally listed or proposed for listing as endangered or threatened within the vicinity of the above reference project area. We have reviewed the information you enclosed and are providing comments in accordance with section 7 of the Endangered Species Act (87 Stat. 884, as amended; 16 U.S.C. 1531 *et seq.*).

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

This response relates only to federally protected threatened or endangered species under our jurisdiction. For information on the presence of other rare species, you should contact Lori Byrne of the Maryland Wildlife and Heritage Division at (410) 260-8573.

Effective August 8, 2007, under the authority of the Endangered Species Act of 1973, as amended, the U.S. Fish and Wildlife Service (Service) removed (delist) the bald eagle in the lower 48 States of the United States from the Federal List of Endangered and Threatened Wildlife. However, the bald eagle will still be protected by the Bald and Golden Eagle Protection Act, Lacey Act and the Migratory Bird Treaty Act. As a result, starting on August 8, 2007, if your project may cause "disturbance" to the bald eagle, please consult the "National Bald Eagle Management Guidelines" dated May 2007.

If any planned or ongoing activities cannot be conducted in compliance with the National Bald Eagle Management Guidelines (Eagle Management Guidelines), please contact the Chesapeake Bay Ecological Services Field Office at 410-573-4573 for technical assistance. The Eagle Management Guidelines can be found at:

<http://www.fws.gov/migratorybirds/issues/BaldEagle/NationalBaldEagleManagementGuidelines.pdf>

In the future, if your project can not avoid disturbance to the bald eagle by complying with the Eagle Management Guidelines, you will be able to apply for a permit that authorizes the take of bald and golden eagles under the Bald and Golden Eagle Protection Act, generally where the take to be authorized is associated with otherwise lawful activities. This proposed permit process will not be available until the Service issues a final rule for the issuance of these take permits under the Bald and Golden Eagle Protection Act.

An additional concern of the Service is wetlands protection. Federal and state partners of the Chesapeake Bay Program have adopted an interim goal of no overall net loss of the Basin's remaining wetlands, and the long term goal of increasing the quality and quantity of the Basin's wetlands resource base. Because of this policy and the functions and values wetlands perform, the Service recommends avoiding wetland impacts. All wetlands within the project area should be identified, and if construction in wetlands is proposed, the U.S. Army Corps of Engineers, Baltimore District, should be contacted for permit requirements. They can be reached at (410) 962-3670.

We appreciate the opportunity to provide information relative to fish and wildlife issues, and thank you for your interests in these resources. If you have any questions or need further assistance, please contact Devin Ray at (410) 573-4531.

Sincerely,



Leopoldo Miranda Castro
Field Supervisor

Attachment 4



Martin O'Malley, Governor
Anthony G. Brown, Lt. Governor
John R. Griffin, Secretary
Eric Schwaab, Deputy Secretary

January 13, 2009

Mr. Bruce M. Grey
Maryland Department of Transportation
State Highway Administration
707 North Calvert Street
Baltimore, MD 21202

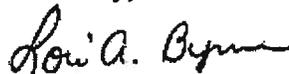
RE: Environmental Review for Project No. MO593A21, Bethesda BRAC Intersections Improvements, Montgomery County, Maryland.

Dear Mr. Grey:

For the intersections of MD 355 at West Cedar Lane, MD 355 at Jones Bridge Road, MD 187 at West Cedar Lane and MD 185 at Jones Bridge Road, the Wildlife and Heritage Service has determined that there are no State or Federal records for rare, threatened or endangered species within the boundaries of the project site as delineated. As a result, we have no specific comments or requirements pertaining to protection measures at this time. This statement should not be interpreted however as meaning that rare, threatened or endangered species are not in fact present. If appropriate habitat is available, certain species could be present without documentation because adequate surveys have not been conducted.

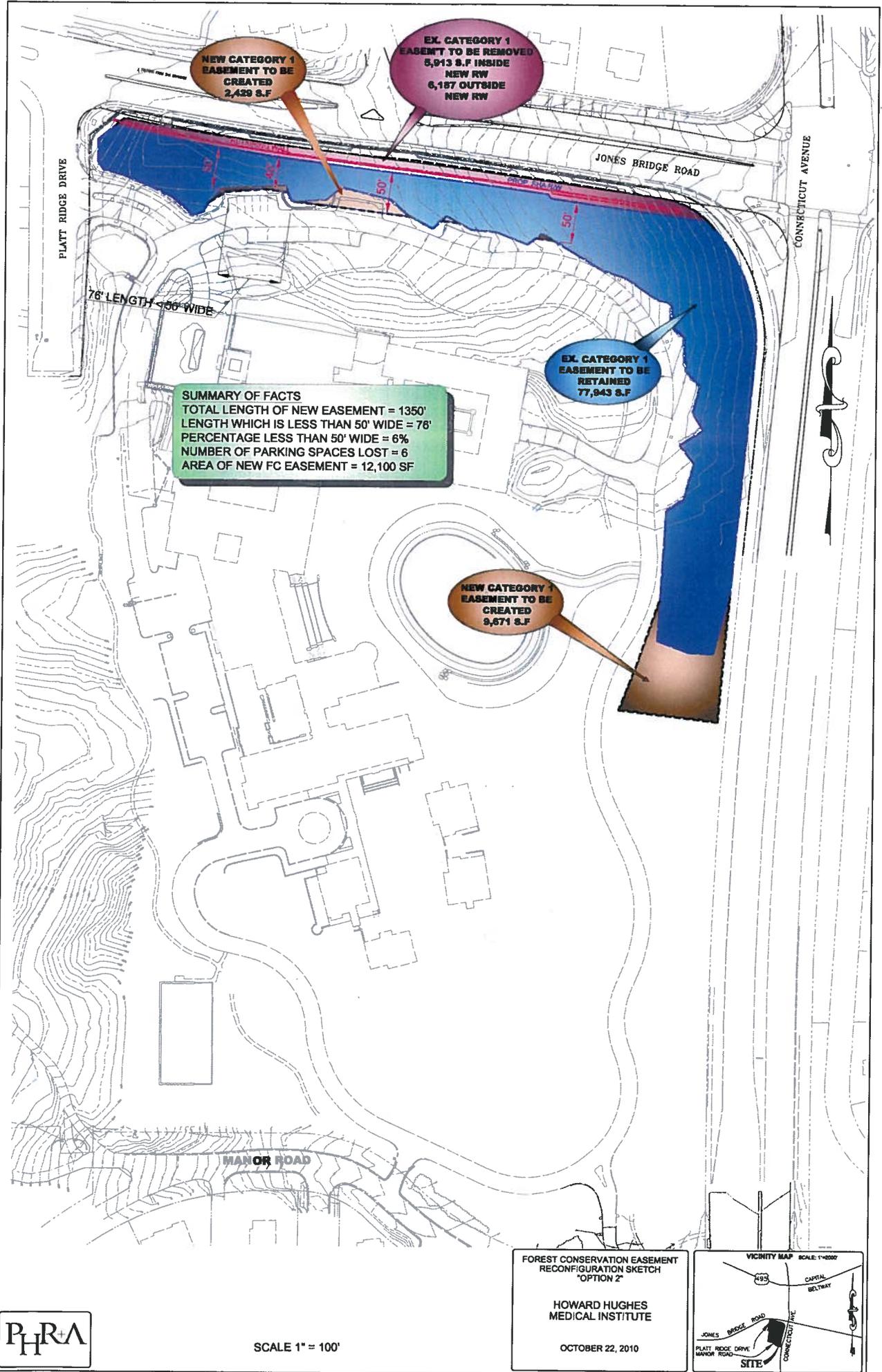
Thank you for allowing us the opportunity to review this project. If you should have any further questions regarding this information, please contact me at (410) 260-8573.

Sincerely,



Lori A. Byrne,
Environmental Review Coordinator
Wildlife and Heritage Service
MD Dept. of Natural Resources

ER# 2008.2492.mo
Cc: G. Golden, DNR

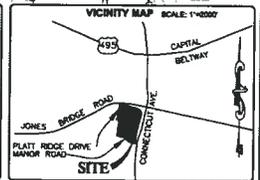


SCALE 1" = 100'

FOREST CONSERVATION EASEMENT RECONFIGURATION SKETCH "OPTION 2"

HOWARD HUGHES MEDICAL INSTITUTE

OCTOBER 22, 2010



ATTACHMENT 2

Federal Highway Administration approval of Categorical Exclusion to support Phases 1 and 2 of the MD 185 and Jones Bridge Road/Kensington Parkway intersection improvement project (with 5 attachments), dated September 13, 2010.



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

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

MARYLAND DEPARTMENT OF TRANSPORTATION

August 13, 2010

Re: Project No. MO593A25
MD 185 at Jones Bridge Road/Kensington Parkway
Intersection Improvements
Montgomery County, Maryland

Mr. Nelson J. Castellanos
Division Administrator
Federal Highway Administration
10 South Howard Street
City Crescent Building - Suite 2450
Baltimore, MD 21201

Dear Mr. Castellanos:

In accordance with the CEQ Regulations and 23 CFR 771, the Maryland State Highway Administration (SHA), requests that the proposed intersection improvements at MD 185 (Connecticut Avenue) and Jones Bridge Road/Kensington Parkway in Montgomery County be classified as a Categorical Exclusion (CE).

Existing Conditions/Project Need

The project is located at the intersection of MD 185 and Jones Bridge Road/Kensington Parkway in Montgomery County (**Attachment 1**). The project limits extend along MD 185 from south of I-495 (Capital Beltway) to north of Manor Road, and along Kensington Parkway from MD 185 to Montrose Driveway. MD 185 runs north-south and is classified as a Principle Arterial in the Functional Classification System. The Average Daily Traffic (ADT) on MD 185 was 57,600 vehicles per day (VPD) in 2008, and is expected to increase to 61,150 VPD by 2011. Trucks account for five percent of the current and future ADT. Jones Bridge Road is an east-west Major Collector roadway connecting MD 185 with MD 355/Bethesda to the west and MD 410 (East West Highway) to the east. The ADT for Jones Bridge Road was 20,475 VPD in 2008, and is expected to increase to 24,900 VPD by 2011. Kensington Parkway is a Collector roadway with a 2008 ADT of 2,000 VPD that is expected to increase to 5,425 VPD by 2011.

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 410.545.0800 • www.roads.maryland.gov

Mr. Nelson J. Castellanos
MD 185 at Jones Bridge Road/Kensington Parkway
Page Two

Existing MD 185 is a divided roadway consisting of two 11-foot wide through lanes and one 11-foot wide through/right turn shared lane in each direction, and a varying width raised grassed median. Left turns are prohibited from MD 185 to Jones Bridge Road and Kensington Parkway. Existing eastbound Jones Bridge Road consists of double left turn lanes, one through lane, and one through/right turn shared lane on the approach, and two lanes on the departure. Existing westbound Jones Bridge Road has one through lane, one through/right turn shared lane, and one exclusive right turn lane on the approach and two lanes on the departure. The existing typical section of Kensington Parkway includes one left-turn lane and one lane for all movements on the approach and one departure lane.

Land use within the immediate project area is predominately residential, with governmental/institutional land uses located in the surrounding areas. The northwest, northeast and southeast quadrants of the intersection are completely comprised of single-family suburban style homes. The Howard Hughes Medical Institute is located in the southwest quadrant. Approximately 1.2 miles west of the intersection, Jones Bridge Road intersects with MD 355 where the National Naval Medical Center (NNMC) and the National Institutes of Health (NIH) are located. SHA is evaluating these intersection improvements in order to prepare for the influx of jobs that are expected to be added to the NNMC as part of the Base Realignment and Closure (BRAC) process. In addition, job growth is also expected at NIH.

Proposed Action

The purpose of this project is to reduce roadway congestion and improve traffic flow and safety at the intersection. The improvements are needed in order to prepare for the influx of workers and traffic to the Bethesda NNMC that is expected to result from BRAC. The project consists of adding a southbound exclusive right turn lane on MD 185 from the I-495 ramp to Jones Bridge Road and adding an additional through lane on northbound MD 185 from 300 feet north of Manor Road to I-495. The length of the roadway widening on MD 185 is approximately 0.4 mile. Lane widths will be reduced from 11 feet to 10 feet so that a two-foot bicycle use shoulder can be provided in each direction on MD 185. Additional work consists of roadway resurfacing, pavement removal, installation/upgrade/modification of sidewalks, fencing, concrete medians, traffic signals, signing, pedestrian ramps, landscaping, utility relocations, slope grading and drainage improvements consisting of installation of culverts, pipes, inlets, junction boxes, manholes, pipe extensions, bio-retention facilities and stormwater management retrofits.

Fee-simple right-of-way and/or easements will be required from a total of 21 properties, 19 of which are residential. In general, the right-of-way needs are linear and necessary for sidewalk installation, construction staging, grading and landscaping. See Table 1 for a summary of right-of-way requirements.

Table 1: Right-of-way Requirements

Fee-simple	Revertible Easements	Temporary Construction Easements
0.04 acre	0.10 acre	0.15 acre

Mr. Nelson J. Castellanos
MD 185 at Jones Bridge Road/Kensington Parkway
Page Three

Environmental

On April 2, 2009, an Informal Public Workshop meeting was held at the Bethesda-Chevy Chase High School (4301 East-West Highway) to discuss the purpose and need of the project, explain the proposed schedule and receive public comments (**Attachment 2**). As a result of the community meeting, SHA has shifted the widening along northbound MD 185 to the existing median in order to avoid residential displacements. In addition to the community meeting, SHA routinely met with neighborhood groups and surrounding institutions to refine project details and address any comments or concerns regarding the improvements. SHA will continue to work with the community and surrounding institutions throughout project development to minimize impacts to the extent possible.

On August 4, 2010, the Maryland Historical Trust (MHT) determined that no historic properties would be impacted by the proposed improvements (**Attachment 3**). As part of their determination, MHT agreed with SHA's determination that the Gilliland-Bloom House (MIHP No. M:35-57) is eligible for listing on the National Register of Historic Places, but since the proposed project would not impact its historic boundary, a no effect determination was made. Additionally, MHT concurred that it is unlikely that any potentially significant archeological resources will be impacted and no further archeological investigations are required.

Coordination with SHA's Environmental Programs Division confirmed that no wetlands, wetland buffers, waterways or 100-year floodplains will be impacted by the proposed improvements. The proposed improvements will not impact fisheries resources, especially since sediment and erosion control methods, and other Best Management Practices typically used for the protection of stream resources will be utilized. The project is not located within the Chesapeake and Atlantic Coastal Bays Critical Area. The project would not impact any proposed or listed federal or state rare, threatened or endangered plant or animal species (**Attachments 4 & 5**).

The proposed project will increase capacity only at the immediate intersection and will limit roadway widening to approximately 0.4 mile along MD 185. As such, no significant capacity improvements are proposed and air and noise analyses are not warranted. This project is identified as MO593A25 in the current STIP and 09TIP-M5-1 in the current TIP. This project is exempt from the requirement that a conformity determination be made (U.S. EPA Criteria and Procedures for Determining Conformity to State or Federal Implementation Plans, Programs or Projects-Final Rule).

This project will not result in any meaningful changes in traffic volumes, vehicular mix, location of the existing facility, or any other factor that would cause an increase in emissions impacts relative to the No-Build Alternative. As such, this project will generate minimal air quality impacts for the Clean Air Act criteria pollutants and has not been linked with any special Mobile Source Air Toxics (MSAT) concern. Consequently, this project is exempt from an analysis for MSATs.

Mr. Nelson J. Castellanos
MD 185 at Jones Bridge Road/Kensington Parkway
Page Four

Moreover, the EPA regulations for vehicle engines and fuels will cause overall MSATs to decline significantly over the next 20 years. Even after accounting for a 64 percent increase in vehicle miles traveled (VMT), FHWA predicts MSATs will decline in the range of 57 percent to 87 percent, from 2000 to 2020, based on regulations now in effect, even with a projected 64 percent increase in VMT. This will both reduce the background level of MSATs as well as the possibility of even minor MSAT emissions from this project.

Projects which are exempt from project level conformity are also exempt from the PM2.5 project level conformity determination requirements, in accordance with 40 CFR 93.126. Exempt projects are listed in 40 CFR 93.126 in Table 2 and the proposed project is an example of Safety—Projects that correct, improve or eliminate a hazardous location or feature projects in that table. This project will improve safety and will not increase through traffic capacity.

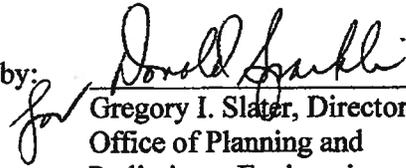
No right-of-way would be required from any publicly-owned public park, recreation area, wildlife or waterfowl refuge or historic sites. The project is located within a Priority Funding Area, and is therefore consistent with Maryland's Smart Growth Legislation. The proposed project will not provide new access to any new or planned development areas. Therefore, indirect impacts are not anticipated as a result of this project. No disproportionately high or adverse effects on minority or low-income populations will occur as a result of this project. The project is consistent with the Montgomery County General Plan, Adopted 1993.

Summary

In summary, the proposed project will not involve any significant environmental impacts to socioeconomic, natural or cultural resources. It will not induce significant foreseeable alterations in land use or affect planned growth. As such, we request your concurrence in classifying this project as a CE. In addition, your signature below will constitute Location Approval for this project.

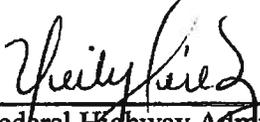
Sincerely,

Neil J. Pedersen
Administrator

by: 
Gregory I. Slater, Director
Office of Planning and
Preliminary Engineering

Mr. Nelson J. Castellanos
MD 185 at Jones Bridge Road/Kensington Parkway
Page Five

CONCURRENCE:

for 

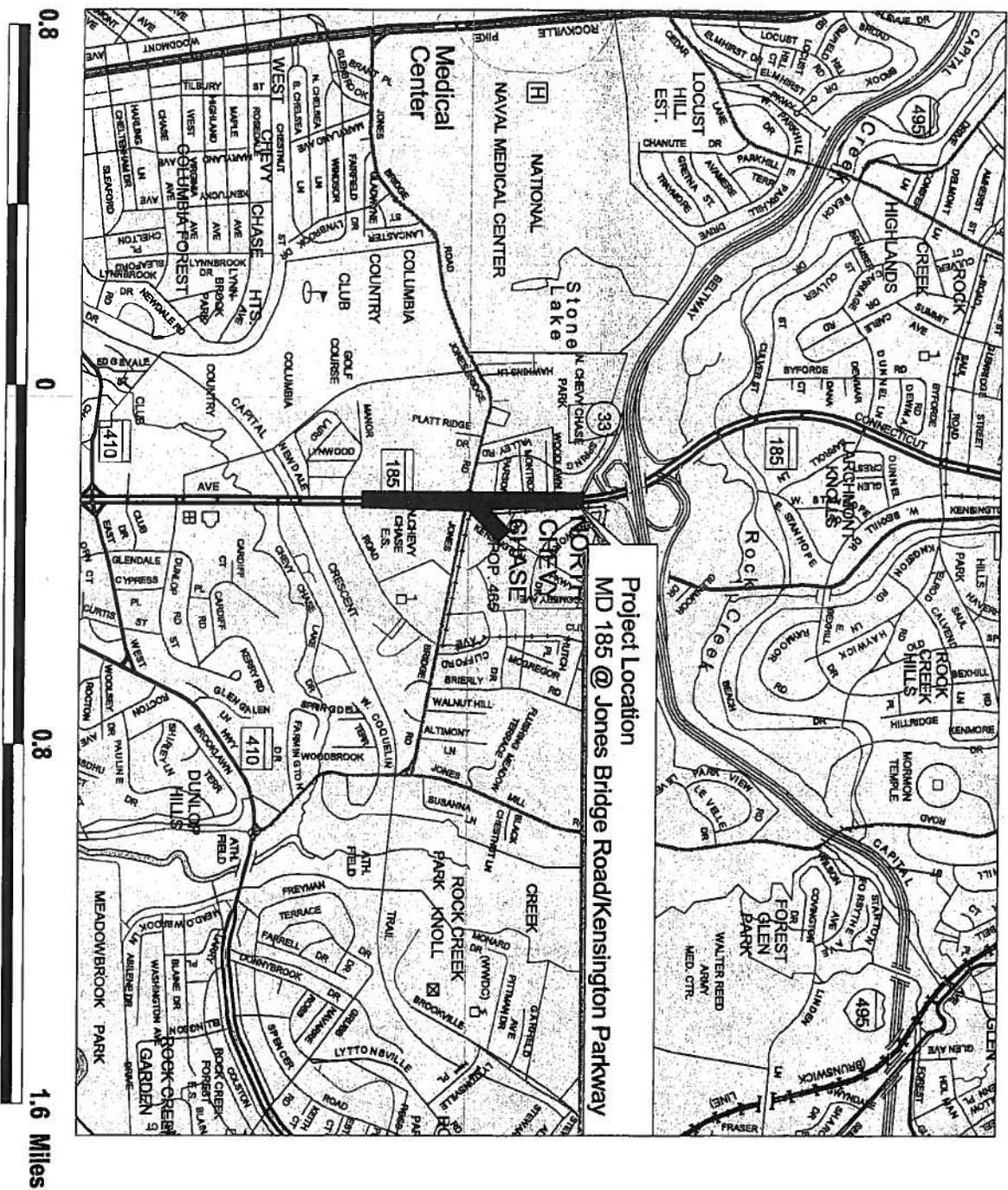
Federal Highway Administration
Division Administrator

September 13, 2010
Date

Attachments

cc: Ms. Yuqiong Bai, Project Manager, Highway Design Division, SHA (w/Attachments)
Mr. Thomas G. Hinchliffe, Real Property Manager, Office of Real Estate, SHA
Mr. Todd Nichols, Chief, Environmental Programs Division, SHA
Mr. Bradley Smith, Environmental Manager, Environmental Planning Division, SHA
(w/Attachments)
Mr. Guy Talerico, Acting Chief, Federal Aid Programming Section, SHA

Project Location Map MD 185 @ Jones Bridge Road/Kensington Parkway Montgomery County



- USGS Topo Quad Index
- CO
 - IS
 - MD
 - OP
 - SR
 - US
 - MU
 - GV
 - County



Kensington Parkway



Base Realignment and Closure (BRAC) Intersection Improvement Projects Bethesda

PROJECT NEWSLETTER • MARCH 2009

Design Progresses on 4 BRAC-related Intersections

The Maryland State Highway Administration (SHA) has initiated design activities for the four intersections in the vicinity of the National Naval Medical Center (NNMC) most affected by the Base Realignment and Closure (BRAC). Below are the project background, schedule, and information on the upcoming Public Informational Workshop where concept plans for the four intersection projects will be presented to the community.

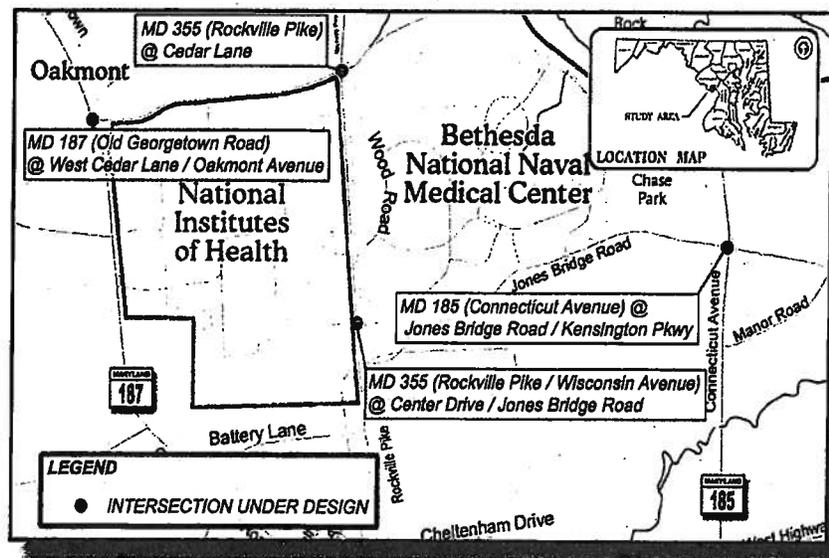
Attend the Public Meeting

SHA invites you to attend an Informational Workshop at which transportation improvements associated with four intersections near NNMC will be presented. This meeting format will allow attendees to review the concepts at their own pace and provide feedback. SHA staff and other agency representatives will be available to discuss the project issues, answer questions, and address any concerns you may have. No formal presentation will be given. Feel free to arrive at any time and walk through at your own convenience.

WHEN:	WHERE:
Thursday, April 2, 2009 5:30 PM to 7:30 PM	Bethesda - Chevy Chase High School - Gymnasium 4301 East - West Highway Bethesda, MD 20814

Project Background

Base Realignment and Closure, or "BRAC," is the congressionally authorized process used by the U.S. Department of Defense to reorganize and consolidate its military bases nationwide. In preparation for the 40,000 to 60,000 direct and indirect jobs coming to Maryland over the next six to ten years, SHA is designing short-term intersection improvements at four intersections in the Bethesda area (see map).



continued on back



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

July 20, 2010

Re: Project No. MO593A21
BRAC Intersection: MD 185 (Connecticut
Avenue) and Jones Bridge Road/Kensington
Parkway
Montgomery County
USGS *Kensington* and *Washington West*
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. MO593A21 MD 185 (Connecticut Avenue) at Jones Bridge Road/Kensington Parkway Base Re-alignment and Closures (BRAC)-related intersection improvement project will have no adverse effect on historic properties. This is one of four interrelated Base Re-alignment and Closures (BRAC) related intersection improvement projects in Montgomery County:

- MD 187 (Old Georgetown Road) at West Cedar Lane/Oakmont Avenue;
- MD 355 (Rockville Pike) at Cedar Lane;
- MD 355 (Rockville Pike) at Jones Bridge Road; and
- MD 185 (Connecticut Avenue) at Jones Bridge Road.

The eligibility and effects at MD 187 at West Cedar Lane/Oakmont Avenue was coordinated with the MHT via letters on December 4, 2008 and June 12, 2009. The MHT concurred with SHA's findings of No Adverse Effect for this intersection on August 13, 2009. The eligibility and effects at MD 355 at Cedar Lane was coordinated with the MHT via letter on April 28, 2010. The MHT concurred with SHA's findings of No Adverse Effect for this intersection on June 1, 2010. The eligibility and effects at MD 355 and Jones Bridge Road was coordinated with MHT via letter dated April 29, 2010. The MHT concurred with SHA's findings of No Adverse Effect for this intersection on June 1, 2010.

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



Mr. J. Rodney Little

BRAC Intersection: MD 185 (Connecticut Avenue) at Jones Bridge Road/Kensington Parkway

Page 2

SHA is proposing intersection improvements at the intersection of MD 185 (Connecticut Avenue) and Jones Bridge Road/Kensington Parkway in Montgomery County. The improvements are needed in order to prepare for the influx of workers to the Bethesda National Naval Medical Center that is expected to result from BRAC. The project limits extend along MD 185 from I-495 to north of Manor Road, along Jones Bridge Road from west of Platt Ridge Drive to Montgomery Avenue, and along Kensington Parkway from MD 185 to south of Montrose Driveway. Work consists of roadway widening to provide additional turning and through lanes at the intersection. Additional work consists of roadway resurfacing, pavement removal, installation/upgrade/modification of sidewalks, retaining walls, bus pads, fencing, concrete medians, traffic signals, signing, pedestrian ramps, landscaping, utility relocations, slope grading and drainage improvements consisting of the installation of culverts, pipes, inlets, junction boxes, manholes, pipe extensions, bio-retention facilities and stormwater management retrofits. Additional right-of-way and easements will be required from several adjacent properties. In order to complete the improvements, 53,635 square feet of fee simple right-of-way, 25,751 of revertible easement, and 20,207 square feet of temporary construction easement will be required.

Project plans are included as Attachment 1.

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 direct and indirect impacts to historic properties. In order to consider the area or areas within which the project may directly or indirectly cause alterations in the character of use of historic properties, the APE has been defined to encompass the worst case Limits of Disturbance (LOD) and extend 250 feet from the outermost edge of the LOD as indicated on the attached SHA quadrangle maps for Kensington and Washington West (Attachment 2). The archeology survey area is defined as the worst case limits of disturbance (LOD).

Identification Methods and Results

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

Architecture: SHA Architectural Historian Jennifer Goold consulted the SHA-GIS Cultural Resources Database, the Maryland Inventory of Historic Properties (MIHP), the National Register of Historic Places (NRHP), and conducted research at the Enoch Pratt Free Library and on the Internet. Multiple field visits were made between March 2009 and August 2009.

Mr. J. Rodney Little

BRAC Intersection: MD 185 (Connecticut Avenue) at Jones Bridge Road/Kensington Parkway

Page 3

The APE for this project is comprised of the LOD plus 250 feet to encompass direct and indirect impacts on historic standing structures.

The project intersection is located in Chevy Chase, Maryland, which is a prosperous northern suburb of Washington D.C. The area is currently characterized by large institutional properties, including the Howard Hughes Medical Institute (HHMI), and leafy late 19th to late-20th century residential suburbs. The main north-south roadway in the project area, MD 185 (Connecticut Avenue), is a primary commuter route between Washington D.C. and suburban Maryland.

When the Rockville Turnpike was reconstructed at the turn of the 20th century, affluent D.C. residents began to settle the rural agricultural area and build large estate homes along the turnpike. Simultaneously, a pair of developers purchased several huge tracts of land west of the Rockville Pike that would become Chevy Chase. The development company extended Connecticut Avenue (MD 185) into Maryland and built an electric railway to open the area for a massive planned suburban home development. The existing character of standing structures in the area was largely completed in post Great Depression through the post WWII-era, when most of the remaining large properties were converted to institutional or commercial uses or were redeveloped as residential neighborhoods. The regional building boom of the late 1990s and early 2000s has impacted the area. Institutions, large and small, have continued to develop their properties through the present day and several large properties in the project area were also redeveloped as large-scale, dense residential developments.

Three previously recorded properties are located within the APE at MD 185 (Connecticut Avenue) and Jones Bridge Road:

- Gilliland-Bloom House (M:35-057),
- Hurley-Sutton House (M:35-056), and
- King-Sutton House (M:35-055).

Although these houses have MIHP identification numbers, there was no documentation on file for them.

Properties Not Previously Evaluated for NRHP

Three properties that were previously identified but not yet evaluated for NRHP eligibility were examined. Two of these individual resources are recommended eligible for the NRHP.

The Gilliland-Bloom House is recommended as eligible for listing in the NRHP under Criterion C. The house is a particularly fine example of Queen Anne influenced architecture erected in the last quarter of the 19th century in the Chevy Chase area. It retains an especially high degree of integrity of design and materials and its deep set back and wooded lot contribute to the significance of the property. SHA prepared a

Mr. J. Rodney Little

BRAC Intersection: MD 185 (Connecticut Avenue) at Jones Bridge Road/Kensington Parkway

Page 4

Determination of Eligibility (DOE) form for Gilliland-Bloom House, which is provided in Attachment 3.

The Hurley House is recommended as eligible for listing in the NRHP under Criterion C. The Hurley House is a fine, and increasingly rare, example of the vernacular buildings erected in the Chevy Chase area at the turn of the 20th century and is a modest interpretation of the Queen Anne Style. SHA prepared a Determination of Eligibility (DOE) form for Hurley House, which is provided in Attachment 3.

The King House is recommended as not eligible for listing in the NRHP. Built as one of three adjacent late 19th century and early 20th century houses along Jones Bridge Road, the house is not part of the historical trend of suburbanization in Chevy Chase and does not meet Criterion A. The property is not associated with a significant person and does not meet Criterion B. The late-19th century Italianate-influenced vernacular dwelling is not representative of the predominant architectural trends from the time period when it was built and it has also lost integrity through alterations including replacement materials and an addition. Thus the property does not meet Criterion C. The property was not evaluated under Criterion D. SHA prepared a Determination of Eligibility (DOE) form for King House, which is provided in Attachment 3.

Newly Identified Properties

SHA conducted an intensive survey of the APE and identified two districts that are comprised of previously unidentified resources that are fifty years old or older. The districts consist of suburban neighborhoods located in the project area. One of the districts is recommended eligible for the NRHP.

The Spring Valley Survey District (M:35-163) is recommended as eligible for listing in the NRHP under Criteria A and C. Spring Valley is a mid-20th century residential neighborhood that was established as part of Chevy Chase. Initially platted in 1927, Spring Valley was first improved by developer Fulton R. Gordon and now includes sixty single-family dwellings. The district is significant for its collection of mid-20th century houses with a period of significance extending from 1948 to 1957. Although not the work of a single master architect or builder, this neighborhood has remained intact. Because of its two distinct development periods, the district presents only three domestic forms: Cape Cod house, ranch house, and split-level house. Only five houses in the neighborhood date from after the period of significance and Spring Valley has maintained sufficient integrity to convey its significance as one of the best preserved mid-20th century communities in Montgomery County. SHA prepared a Determination of Eligibility (DOE) form for Spring Valley Survey District, which is provided in Attachment 3.

The Kenilworth Survey District (M:1-164) is recommended as not eligible for listing in the NRHP. Kenilworth/Village of North Chevy Chase is a suburban neighborhood with buildings dating from the turn of the 20th century through 2009.

Mr. J. Rodney Little

BRAC Intersection: MD 185 (Connecticut Avenue) at Jones Bridge Road/Kensington Parkway

Page 5

Although the district is representative of the suburban growth in Montgomery County, the neighborhood does not have a sufficient concentration of resources to represent any one particular phase of development, largely because of many re-subdivisions that have altered the neighborhood plan created in 1895. Furthermore, alterations to older houses are prevalent and extensive new construction is found in the neighborhood. Thus the district does not create a cohesive community that reflects its initial developer or its greatest development phase. SHA prepared a Determination of Eligibility (DOE) form for Kenilworth Survey District, which is provided in Attachment 3.

Historic Structures Impact Analysis

SHA finds that proposed Project No. MO593A21 MD 185 (Connecticut Avenue) at Jones Bridge Road/Kensington Parkway intersection improvement project will have no adverse impacts on historic standing structures.

The proposed intersection improvements at MD 185 (Connecticut Avenue) and Jones Bridge Road are in character with the existing appearance of this intersection. The historic boundary of the Spring Valley Survey District (M:35-163) extends to SHA's right-of-way along the west side of MD 185 and the north side of Jones Bridge Road. Care was taken within the project design to minimize the easement requirements within the boundaries for properties recommended as eligible for the NRHP. There will be impacts within the historic boundary and 0.056 acre (2444 square feet) of perpetual easement, 0.085 acre (3705 square feet) of revertible easement, and 0.079 acre (3444 square feet) of temporary construction easement from the 16 acre property. The proposed work items at the Spring Valley Survey District include construction of one traffic lane within the existing SHA right-of way between I-495 (Washington D.C. Beltway) and Jones Bridge Road. The proposed easements along Connecticut Avenue will provide for construction of new sidewalks and for construction staging area, grading, and landscaping. Sidewalks and driveways will be reconstructed in the Spring Valley Survey District along Jones Bridge Road between MD 185 (Connecticut Avenue) and Spring Valley Road. The proposed easements will provide for reconstruction of sidewalks and for construction staging area, grading, and landscaping.

The Spring Valley Survey District contains a noteworthy collection of sixty mid-20th century residential buildings, consisting of Cape Cod, ranch, and split-level homes. The district is recommended as eligible for listing in the NRHP under Criterion A and C as an intact mid-20th century suburban development in Montgomery County. Character-defining features of the district will not be impacted by the project. The district is significant for its important association with the development of Chevy Chase and for the architecture of the houses. No historic standing structures are located with the LOD. Project impacts are largely limited to loss of vegetative buffer for homes along Connecticut Avenue. Landscaping for these properties has been installed by the individual owners, does not adhere to a neighborhood landscape plan, and is not a character-defining feature for the district. The Project plans include extensive landscape planting, including over 300 trees along Connecticut Avenue, to maintain the landscape

Mr. J. Rodney Little
BRAC Intersection: MD 185 (Connecticut Avenue) at Jones Bridge Road/Kensington
Parkway
Page 6

quality of the area. Thus, the project will not alter the characteristics that make the property eligible for listing in the NRHP. The project will have no adverse impacts on the Spring Valley Survey District.

The historic boundaries of the Gilliland-Bloom House (M:35-057) and the Hurley House (M:35-056) extend to SHA's rights-of-way along the north side of Jones Bridge Road. There will be no impacts within the historic boundaries for these properties. The proposed work item on Jones Bridge Road adjacent to the properties consists of roadway resurfacing. The project will not alter the characteristics that make the property eligible for listing in the NRHP. The project will have no adverse impacts on the Gilliland-Bloom House and the Hurley House.

Upon your agreement that the 0.056 acre (2444 square feet) of perpetual easement and 0.085 acre (3705 square feet) of revertible easement will not adversely impact the Spring Valley Survey District, SHA intends to propose a *de minimis* impact finding to the Federal Highway Administration for Section 4(f) use of the property.

In addition, 0.079 acre (3444 square feet) of temporary construction easement is needed from the Spring Valley Survey District to construct the project. Given that these improvements would occur by temporary occupancy only, the requirements of Section 4(f) would not apply to the temporary construction easements based on your agreement with the following criteria as the official with jurisdiction:

- The duration of the impact will be temporary, i.e., less than the time needed for construction of the project;
- There will be no change in the ownership of the land;
- The scope of the work will be minor, i.e., both the nature and the magnitude of the changes to the Section 4(f) resource are minimal;
- There are no anticipated permanent adverse physical impacts; and
- The land being used will be fully restored, i.e., the resource will be returned to a condition which is at least as good as that which existed prior to the project.

SHA concludes that the proposed intersection improvement project will have no adverse impacts on historic standing structures.

Archeology: SHA Archeologist Lisa Kraus assessed the potential of the referenced project based on review of previous archeological studies (Harris and Fracchi 2007, Koski-Karell 1996), topographic and historic maps, aerial photographs, and site file data in the SHA-GIS Cultural Resources Database. A field visit was made on May 19, 2009.

According to the Montgomery County soil survey, the areas around the intersection of MD 185 and Jones Bridge Road are classed as a combination of Glenelg Silt Loam and Urban Land, with slopes ranging from 8-15%. This indicates that there are may be some intact soils in the APE; however, the slopes are somewhat steeper than

Mr. J. Rodney Little

BRAC Intersection: MD 185 (Connecticut Avenue) at Jones Bridge Road/Kensington Parkway

Page 7

those usually associated with prehistoric archeological sites (which are more commonly found in areas with slopes of 0-5%).

No archeological sites are recorded in the survey area, but the entire area where the intersection improvements will take place has not previously been surveyed. Historic maps (Martenet 1865, Hopkins 1878) show structures in the vicinity, and a road corresponding to the alignment of modern Jones Bridge Road apparently existed as early as 1865. Structures shown on historic maps appear to have been located outside the APE.

Prior archeological surveys conducted nearby (Koski-Karell 1996, Harris and Fracchia 2007) identified prehistoric sites on terraces both north and south of Jones Bridge Road; Jones Bridge Road itself has been graded, and is located along steep slopes to either side. The earlier surveys also reported more modern disturbance of sites than anticipated, primarily due to rapid development in the area following World War II.

During the May 19 site visit, Dr. Kraus observed that the APE has been previously disturbed by road, residential, commercial and utility construction. Although the areas south of Jones Bridge Road (and east of MD 185) may be, on the whole, less disturbed, the area that falls within the survey area has been impacted by landscaping, fencing and other activities related to the nearby residential development, such as utility installation.

In light of the prior disturbance and low probability of intact archeological remains within the survey area, it is unlikely that any potentially significant archeological resources will be impacted, and no further archeological investigation is recommended.

Review Request

Please examine the attached maps, plans, and Effects Table (Attachment 5). We request your concurrence by August 20, 2010 Hurley House (M:35-056); Gilliland-Bloom House (M:35-057); and Spring Valley Survey District (M:35-163) are the only NRHP eligible or listed architectural resources within the APE and that there would be no adverse effects on historic properties by the intersection improvement project at MD 185 and Jones Bridge Road/Kensington Parkway. Based on your concurrence with our determination of no adverse effect 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 Spring Valley Survey District (M: 35-163). By carbon copy, we invite Montgomery Preservation, Inc., Montgomery County Historic Preservation Commission, and Chevy Chase Valley to provide comments and participate in the Section 106 process. Pursuant to the requirements 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)(3) and (5), 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

Mr. J. Rodney Little

BRAC Intersection: MD 185 (Connecticut Avenue) at Jones Bridge Road/Kensington Parkway

Page 8

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 August 20, 2010, we will assume that these offices decline to participate. Please call Jennifer Goold at 410-545-2899 (or via email at jgoold@sha.state.md.us) with questions regarding standing structures for this project. Lisa Kraus may be reached at 410-545-2884 (or via email at lkraus@sha.state.md.us) with concerns regarding archeology.

Very truly yours,



for Julie M. Schablitsky
Assistant Division Chief

Environmental Planning Division

- Attachments:
- 1) Project Plans
 - 2) Area of Potential Effects Maps
 - 3) DOEs
 - 4) Historic Map
 - 5) Eligibility/Effects Table

cc: Mr. Adrian Andreassi, North Chevy Chase Village
Ms. Jennifer Goold, SHA-EPLD
Dr. Lisa Kraus, SHA-EPLD
Ms. Christina Lavoie, SHA-EPLD
Ms. Lorraine Pearsall, Montgomery Preservation, Inc. (w/ Attachments)
Dr. Julie Schablitsky, SHA-EPLD
Mr. Bradley Smith, SHA-EPLD
Mr. Ken Strickland, Chevy Chase Valley
Mr. Scott Whipple, Montgomery County Historic Preservation Commission (w/ Attachments)

**Concurrence with the MD State Highway Administration's
Determination(s) of Eligibility and/or Effects**

Project Number: MO593A21 **MHT Log No. 201003498**
**Project Name; BRAC Intersection: MD 185 (Connecticut Avenue) and Jones Bridge Road/
Kensington Parkway**
County: Montgomery
Letter Date: July 20, 2010

The Maryland Historical Trust has reviewed the documentation attached to the referenced letter and concurs with the MD State Highway Administration's determinations as follows:

Eligibility (as noted in the Eligibility Table [Attachment 5]):

- Concur
- Do Not Concur – See Continuation Sheet

Effect (as noted in the Effects Table [N/A]):

- No Properties Affected
- No Adverse Effect
- Conditioned upon the following action(s) (see comments below)
- Adverse Effect

Agreement with FHWA's Section 4(f) criteria of temporary use (as detailed in the referenced letter, if applicable):

- Agree

Agreement with FHWA's de minimus impact finding (as detailed in the referenced letter, if applicable):

- Agree

Comments:

SEE ATTACHED CONTINUATION SHEET

By:



MD State Historic Preservation Office/
Maryland Historical Trust

Date

8-4-10

Return by U.S. Mail or Facsimile to:
Dr. Julie M. Schablitsky, Assistant Division Chief, Environmental Planning Division,
MD State Highway Administration, P.O. Box 717, Baltimore, MD 21203-0717
Telephone: 410-545-8870 and Facsimile: 410-209-5004

Cc: Scott Whipple (Montgomery County HPC)

**Concurrence with the MD State Highway Administration's
Determination(s) of Eligibility and/or Effects**

**CONTINUATION SHEET #1
Maryland Historical Trust Comments**

Project Number: MO593A21

MHT Log No. 201003498

Project Name: BRAC Intersection: MD 185 (Connecticut Avenue) and Jones Bridge Road / Kensington Parkway

The Maryland Historical Trust (Trust) provides the following comments in addition to the concurrence indicated on the previous page:

The Trust has reviewed the Determination of Eligibility (DOE) Forms prepared by EHT Tracerics, Inc on behalf of the State Highway Administration (SHA) for the BRAC Intersection Project at MD 185 and Jones Bridge Road / Kensington Parkway in Montgomery County. Our opinions regarding the National Register eligibility of the properties are provided below:

The Trust concurs with SHA that the following property is eligible for listing in the National Register of Historic Places:

- Gilliland-Bloom House (MIHP No. M:35-57), 4025 Jones Bridge Road, Chevy Chase, Md.

The Trust concurs with SHA that the following properties are not eligible for listing in the National Register of Historic Places:

- King House (MIHP No. M:35-55), 4021 Jones Bridge Road, Chevy Chase, Md;
- Kenilworth Survey District (MIHP No. M:35-164), Roughly bounded by Connecticut Avenue, Jones Bridge Road, I-495 and Clifford Avenue, Chevy Chase, Md.

The Trust does not concur with SHA regarding the National Register eligibility determinations for the following properties:

- Hurley House (MIHP No. M:35-56), 4023 Jones Bridge Road, Chevy Chase, Md. This property possesses marginal material integrity and lacks architectural and historical significance. This property is *not eligible* for listing in the National Register of Historic Places.
- Spring Valley Survey District (MIHP No. M:35-163), Roughly bounded by Jones Bridge Road, Connecticut Avenue and Woodlawn Road, Chevy Chase, Md. Mid-twentieth-century subdivisions are ubiquitous resources within the suburban landscape and should possess integrity of community design and distinctive architectural styles to be considered significant and representative of the suburban movement. The Spring Valley Survey District does not possess innovative or exemplary design or amenities. The buildings within the survey district lack sufficient architectural distinction to distinguish this neighborhood from the larger suburban environment. This property is *not eligible* for listing in the National Register of Historic Places. The Spring Valley Survey District is *not eligible* for listing in the National Register of Historic Places.

Attachment 4



Martin O'Malley, Governor
Anthony G. Brown, Lt. Governor
John R. Griffin, Secretary
Eric Schwaab, Deputy Secretary

January 13, 2009

Mr. Bruce M. Grey
Maryland Department of Transportation
State Highway Administration
707 North Calvert Street
Baltimore, MD 21202

RE: Environmental Review for Project No. MO593A21, Bethesda BRAC Intersections Improvements, Montgomery County, Maryland.

Dear Mr. Grey:

For the intersections of MD 355 at West Cedar Lane, MD 355 at Jones Bridge Road, MD 187 at West Cedar Lane and MD 185 at Jones Bridge Road, the Wildlife and Heritage Service has determined that there are no State or Federal records for rare, threatened or endangered species within the boundaries of the project site as delineated. As a result, we have no specific comments or requirements pertaining to protection measures at this time. This statement should not be interpreted however as meaning that rare, threatened or endangered species are not in fact present. If appropriate habitat is available, certain species could be present without documentation because adequate surveys have not been conducted.

Thank you for allowing us the opportunity to review this project. If you should have any further questions regarding this information, please contact me at (410) 260-8573.

Sincerely,

A handwritten signature in cursive script that reads "Lori A. Byrne".

Lori A. Byrne,
Environmental Review Coordinator
Wildlife and Heritage Service
MD Dept. of Natural Resources

ER# 2008.2492.mo
Cc: G. Golden, DNR



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Chesapeake Bay Field Office
177 Admiral Cochrane Drive
Annapolis, MD 21401
410/573-4575



Attachment 5

January 7, 2009

State Highway Administration
Maryland Department of Transportation
707 North Calvert Street
Baltimore, MD 21202

2 '09 JAN 12 PM 1:23:11

RE: Project No. MO593A21 Bethesda BRAC Intersections Improvements Montgomery County

Dear: Bruce M. Grey

This responds to your letter, received December 10, 2008, requesting information on the presence of species which are federally listed or proposed for listing as endangered or threatened within the vicinity of the above reference project area. We have reviewed the information you enclosed and are providing comments in accordance with section 7 of the Endangered Species Act (87 Stat. 884, as amended; 16 U.S.C. 1531 *et seq.*).

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

This response relates only to federally protected threatened or endangered species under our jurisdiction. For information on the presence of other rare species, you should contact Lori Byrne of the Maryland Wildlife and Heritage Division at (410) 260-8573.

Effective August 8, 2007, under the authority of the Endangered Species Act of 1973, as amended, the U.S. Fish and Wildlife Service (Service) removed (delist) the bald eagle in the lower 48 States of the United States from the Federal List of Endangered and Threatened Wildlife. However, the bald eagle will still be protected by the Bald and Golden Eagle Protection Act, Lacey Act and the Migratory Bird Treaty Act. As a result, starting on August 8, 2007, if your project may cause "disturbance" to the bald eagle, please consult the "National Bald Eagle Management Guidelines" dated May 2007.

If any planned or ongoing activities cannot be conducted in compliance with the National Bald Eagle Management Guidelines (Eagle Management Guidelines), please contact the Chesapeake Bay Ecological Services Field Office at 410-573-4573 for technical assistance. The Eagle Management Guidelines can be found at:

<http://www.fws.gov/migratorybirds/issues/BaldEagle/NationalBaldEagleManagementGuidelines.pdf>.

In the future, if your project can not avoid disturbance to the bald eagle by complying with the Eagle Management Guidelines, you will be able to apply for a permit that authorizes the take of bald and golden eagles under the Bald and Golden Eagle Protection Act, generally where the take to be authorized is associated with otherwise lawful activities. This proposed permit process will not be available until the Service issues a final rule for the issuance of these take permits under the Bald and Golden Eagle Protection Act.

An additional concern of the Service is wetlands protection. Federal and state partners of the Chesapeake Bay Program have adopted an interim goal of no overall net loss of the Basin's remaining wetlands, and the long term goal of increasing the quality and quantity of the Basin's wetlands resource base. Because of this policy and the functions and values wetlands perform, the Service recommends avoiding wetland impacts. All wetlands within the project area should be identified, and if construction in wetlands is proposed, the U.S. Army Corps of Engineers, Baltimore District, should be contacted for permit requirements. They can be reached at (410) 962-3670.

We appreciate the opportunity to provide information relative to fish and wildlife issues, and thank you for your interests in these resources. If you have any questions or need further assistance, please contact Devin Ray at (410) 573-4531.

Sincerely,



Leopoldo Miranda Castro
Field Supervisor