



U.S. Department
of Transportation
**Federal Highway
Administration**

Maryland Division

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April 21, 2022

In Reply Refer To:
HDA-MD

The Honorable Bridget Donnell Newton
Mayor
City of Rockville Council
111 Maryland Avenue
Rockville, MD 20850

Dear Mayor Newton and City of Rockville Councilmembers:

The Federal Highway Administration (FHWA) and the Maryland Department of Transportation State Highway Administration (MDOT SHA) appreciate the productive dialogue with the City of Rockville representatives during our April 14, 2022 executive level coordination meeting. Per your request during that meeting, we are responding to comments outlined in the City's March 21, 2022 letter concerning the February 17, 2022 request seeking the City's concurrence on the proposed Section 4(f) *de minimis* finding for three parks proposed to be minimally impacted by improvements associated with the Preferred Alternative under the I-495 & I-270 Managed Lanes Study (MLS).

We are seeking your concurrence on the Section 4(f) de minimis finding by April 26, 2022. If the City is unable to concur, per our discussion at the meeting, FHWA and MDOT SHA will send the Final Section 4(f) Evaluation including individual evaluation of the impacted parks to the City of Rockville, as the Official with Jurisdiction, for a 45-day review.

Parkland Impacts

To confirm, impacts to City owned parkland have been reduced since the Supplemental Draft Environmental Impact Statement (SDEIS). This 2.1-acre impact reduction, which was accomplished by avoiding Cabin John Stream Valley Park, was documented in the February 17th letter and will be reflected in the Final Environmental Impact Statement (FEIS)/Final Section 4(f) Evaluation. All other City park impacts have remained the same since the SDEIS except for a minor 0.1-acre temporary impact increase to the Rockville Senior Center and Park.

In total, the MLS Preferred Alternative would impact 5.4 acres of the City of Rockville's parkland, including 5.2 acres of permanent impact and 0.2 acre of temporary impact. This total includes the three Section 4(f) properties proposed for *de minimis* findings and 3.3 acres of permanent impact to Bullards Park and Rose Hill Stream Valley Park. The impacts to Bullards Park and Rose Hill Stream Valley Park are documented in an individual Section 4(f) evaluation, which is included in the Draft and Final Section 4(f) Evaluation.

The following text briefly reviews the three Section 4(f) properties under the City's jurisdiction for which a *de minimis* determination is being sought, including a description of impacts and proposed mitigation. Please refer to the attached maps for more information on each Section 4(f) property.

Rockmead Park:

Rockmead Park is a 25.3-acre publicly owned park and recreational facility at 1800 Greenplace Terrace in Rockville. The MLS Preferred Alternative would result in a Section 4(f) use of 0.3 acres, including 0.2 acre of permanent impact and 0.1 acre of temporary impact.

These impacts would be required to accommodate improvements to two existing culverts, provide access for construction vehicles and materials, and for the construction of a retaining wall and noise barrier. Rockmead Park abuts the I-270 southbound lanes and contains amenities including open space, benches, natural and hard surface paths, and playground equipment. As seen in the attached map, the potential Section 4(f) use of Rockmead Park would be located along I-270. Tree removal would be required within the affected portion of the park but no recreational facilities within the park would be impacted.

Woottons Mill Park:

Woottons Mill Park is a 106.5-acre publicly owned park and recreation area on Hurley Road in Rockville. The MLS Preferred Alternative would result in a Section 4(f) use of 0.7 acres, all of which would be permanent impact.

These impacts would be required to improve a storm drain outfall and for augmentation of one culvert with potential stream restoration improvements. Woottons Mill Park extends along Watts Branch and contains amenities including basketball and tennis courts, benches and picnic tables, natural and hard surface paths, playground equipment, and garden plots. As seen in the attached map, the potential Section 4(f) use of Woottons Mill Park would be located along Watts Branch Parkway and the I-270 and MD 28 interchange. Tree removal would be required within the affected portion of the park but no recreational facilities within the park would be impacted.

Rockville Senior Center and Park:

Rockville Senior Center and Park is a 12.1-acre publicly owned park and recreational facility at 1150 Carnation Drive in Rockville. The property also is subject to review under the National Historic Preservation Act; the Senior Center building contributes to the significance of Woodley Gardens, which is eligible for the National Register of Historic Places (NRHP). The MLS Preferred Alternative would result in a Section 4(f) use of 1.1 acres, including 1.0 acre of permanent impact and 0.1 acre of temporary impacts.

These impacts would be required to accommodate the construction, operation, and future maintenance of a stormwater management facility; construction of a retaining wall and noise barrier; and widening of Gude Drive. Rockville Senior Center and Park abuts the northbound lanes of I-270 and contains amenities including benches, picnic tables, walking paths, a nature trail, community garden, outdoor fitness equipment, art, bocce ball court, and playground equipment; the Senior Center building features additional recreational facilities. As seen in the attached map, the potential Section 4(f) use of Rockville Senior Center and Park would be

located along West Gude Drive and I-270. Tree removal would be required within the affected portion of the park but no recreational facilities within the park would be impacted.

The Maryland State Historical Preservation Office (SHPO) (Maryland Historical Trust) concurred in writing with a finding of “no adverse effect” for Woodley Gardens in accordance with 36 CFR 800 on March 12, 2020 and was notified of FHWA’s intent to make a *de minimis* finding.

During our April 14 meeting, the City requested that the proposed stormwater management facility at this resource be designed in a way not to jeopardize the historic designation of the resource. MDOT SHA is committing to work with the Developer and the City during final design to design the facility in a context sensitive manner in keeping with the historic character defining elements of Woodley Gardens.

In your March 21 letter and also at the April 14 meeting, you expressed concerns regarding the City’s proposed new entrance to the Rockville Senior Center, MDOT SHA has worked with the Developer to consider a stub out along West Gude Drive at Piccard Drive to accommodate the future intersection leg. Therefore, MDOT SHA is committing that the proposed design will not preclude the City’s planned new entrance to the Rockville Senior Center and MDOT SHA is committed to continued coordination with the City on the final design details.

Mitigation

During coordination meetings through Fall 2021 and Winter 2022, City staff stated that mitigation for all park impacts should be focused entirely on providing parkland replacement property. We appreciate the additional map the City provided with the March 21st letter that identified specific parcels of interest as replacement parkland. Based on further review of the provided parcels, MDOT SHA is committed to acquiring or conveying the following parcels to the City as parkland replacement properties as compensation for impacts to all impacted parks under the City’s jurisdiction.

The replacement parkland totals 7.22 acres:

- Millennium Garden Park: Consisting of 2 parcels (Account Nos. 160400205270 and 160400205281) totaling 1.25 acres
- Betty B. Casey Property (Fleet Street): Consisting of 1 parcel (Account No. 160400144125) totaling 1.32 acres
- Lodging Partners, LLC Property (41 Maryland Avenue): Consisting of 1 parcel (Account No. 160403198603) totaling 0.42 acre.
- Cynthia Robertson Property (Potomac Woods): Consisting of 1 parcel (Account No. 160401523951) totaling 4.23 acres

In addition to parkland replacement acreage as mitigation and compensation, FHWA and MDOT SHA are committing to continue to consult on context sensitive solutions during the design phase of the project to the four existing parks (Bullards Park and Rose Hill Stream Valley Park, Rockmead, Woottons Mill, and the Rockville Senior Center). This is not meant to be an open-ended relationship but constrained to context sensitive solutions that are both compensatory to the impacts on the 4(f) resources and a justifiable expenditure of public funds. For example,

plantings and context sensitive stormwater management facility design are an appropriate context sensitive solution. Additional park amenities will not be considered by FHWA.

Conclusion

In summary, FHWA and MDOT SHA appreciate the City's active participation in the study and your specific comments received in response to our February 17th letter Section 4(f) *de minimis* concurrence letter. As stated, the purpose of this letter is to receive a response from the City relative to our request for concurrence that the minor impacts associated with the MLS Preferred Alternative on Rockmead Park, Woottons Mill Park, and Rockville Senior Center and Park that are owned and managed by the City would not adversely affect the features, attributes, or activities qualifying the properties for protection under Section 4(f) of the United States Department of Transportation Act of 1966.

FHWA and MDOT SHA are committed to continuing to work with the City on issues outside of this specific Section 4(f) request, related to the Memorandum of Understanding on other items not related to these parks, and look forward to future meetings to discuss these important issues.

If you agree with the Section 4(f) *de minimis* determination, please indicate your approval on the following page. If you require additional information or have comments, please contact Mr. Jitesh Parikh at Jitesh.parikh@dot.gov.

Sincerely,

GREGORY KEITH
MURRILL

Digitally signed by GREGORY
KEITH MURRILL
Date: 2022.04.21 15:10:55 -0400

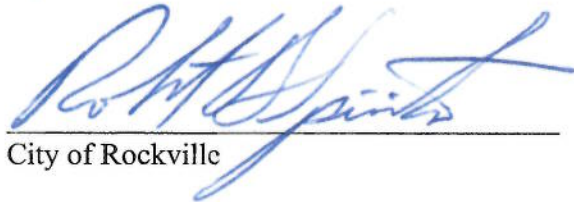
Gregory Murrill
Division Administrator

CONCURRENCE:

We agree that the minor impacts to the following parks will not adversely affect the activities, features, and attributes which qualify the resource for protection under Section 4(f):

Check all that apply

- Rockmeade Park
- Woottons Mill Park
- Rockville Senior Center and Park



City of Rockville

Robert DiSpirito
Printed Name

4/26/22
Date

We concur that the minor impacts to following parks constitute a *de minimis* impact:

Check all that apply

- Rockmeade Park
- Woottons Mill Park
- Rockville Senior Center and Park

Federal Highway Administration

Printed Name

Date

- cc: Mr. Robert DiSpirito, Rockville City Manager
 Mr. Tim Chesnutt, Rockville Director of Recreation and Parks
 Mr. Craig Simoneau, Director, Department of Public Works, City of Rockville
 Ms. Jeanette Mar, Environmental Manager, FHWA
 Mr. Jitesh Parikh, P3/MLS Director, FHWA
 Ms. Keilyn Perez, Senior Area Engineer, FHWA
 Ms. Caryn Brookman, Environmental Program Manager, I-495 & I-270 P3 Office, MDOT SHA
 Jeffrey T. Folden, P.E., DBIA, Director, I-495 & I270 P3 Office, MDOT SHA
 Tim Smith, P.E., Administrator, MDOT SHA
 Mayor Newton and Councilmembers

Rockmead Park



Legend

Limits of Disturbance	Trails
LOD Decrease from SDEIS	Potential Aft Use
LOD Increase from SDEIS	Property Lines
Historic Property	Park Property

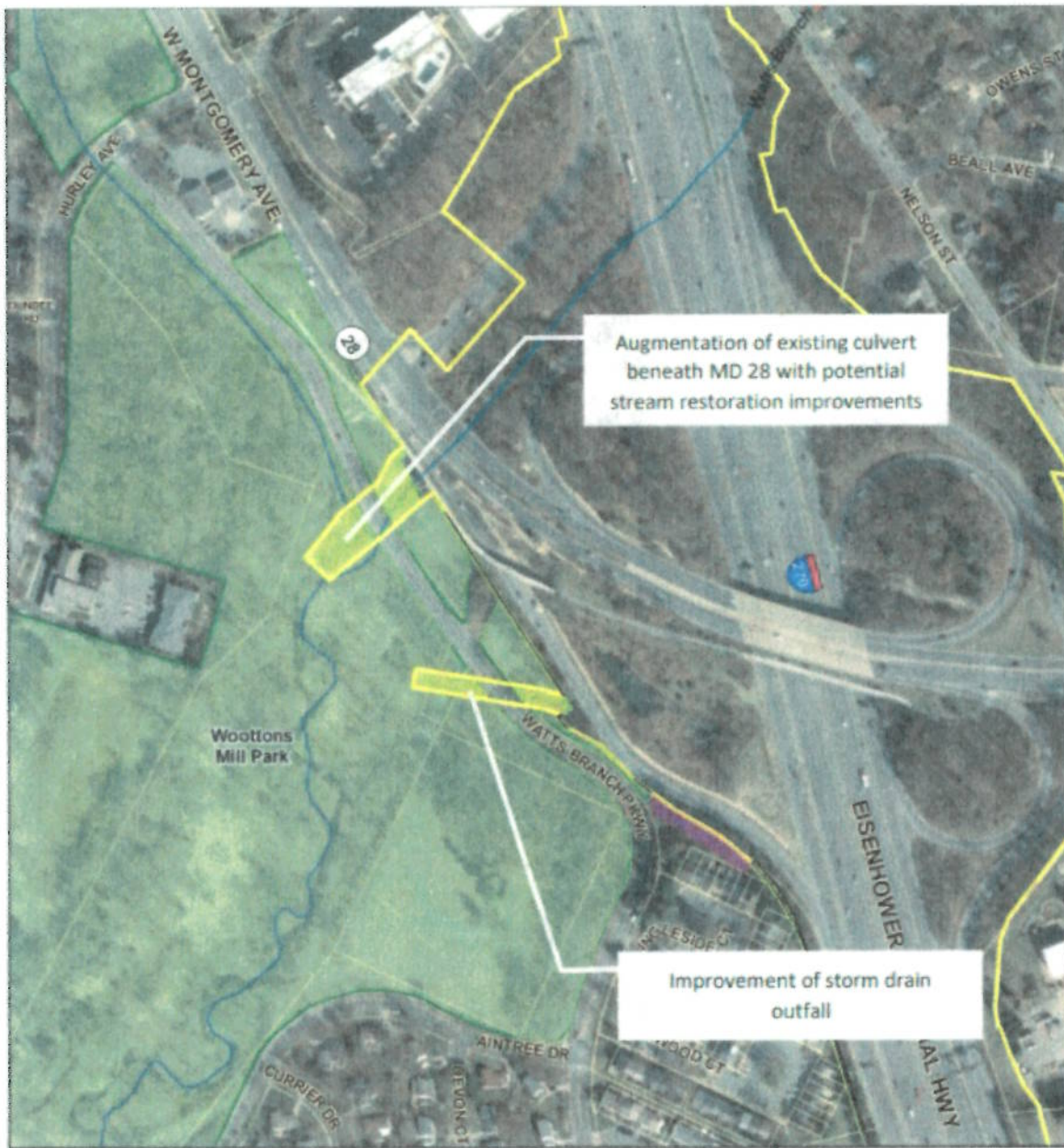
**Section 4(f)
Property**

Rockmead Park

0 0.04 0.08 Miles

MANAGED LANES STUDY

Woottons Mill Park



Legend

Limits of Disturbance	Trails
LOD Decrease from SDEIS	Potential A/S Use
LOD Increase from SDEIS	Property Lines
Historic Property	
Park Property	

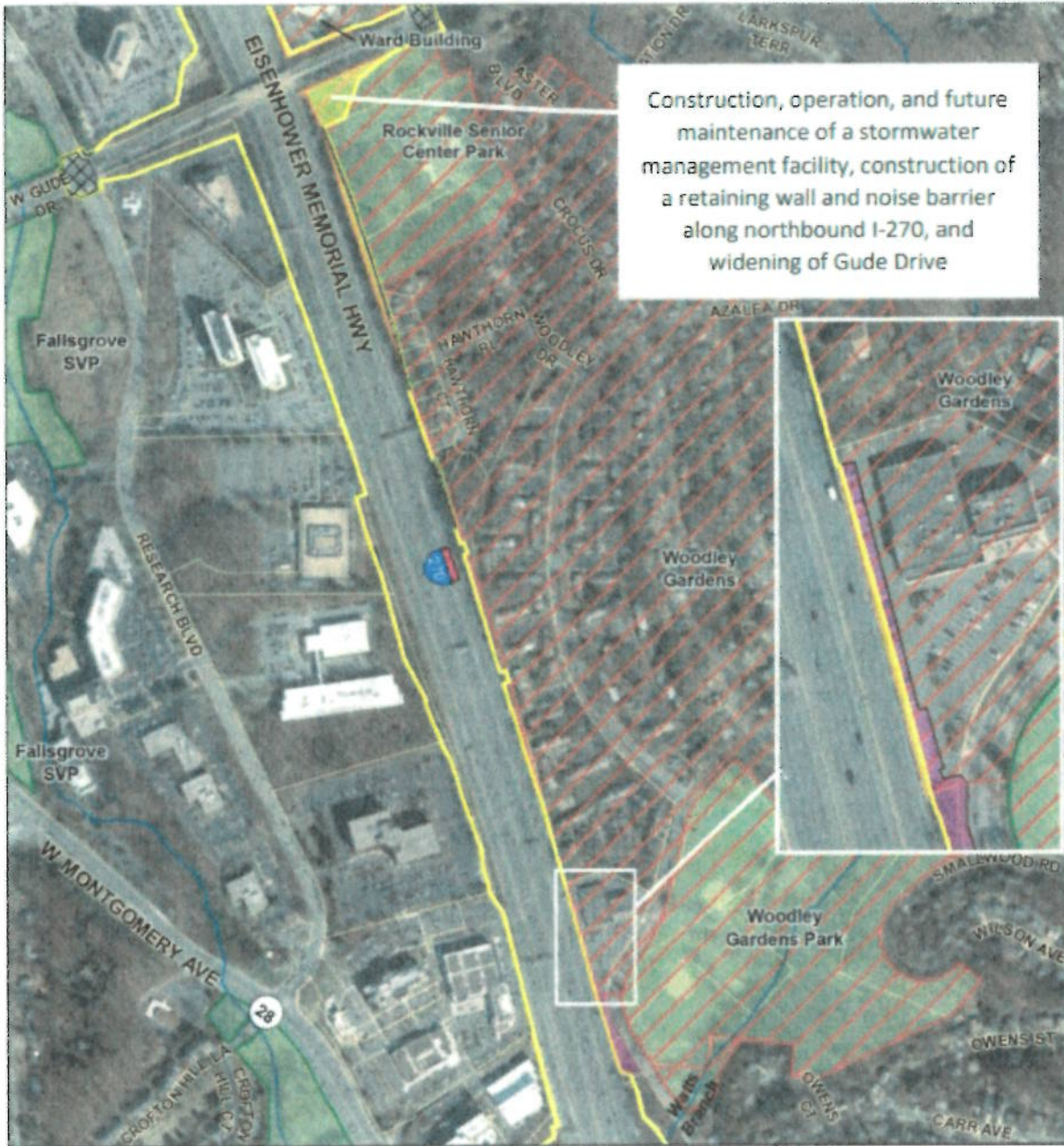
**Section 4(f)
Property**

Woottons Mill Park

0 200 400 Feet

495 270
MANAGED LANES STUDY

Rockville Senior Center and Park



Construction, operation, and future maintenance of a stormwater management facility, construction of a retaining wall and noise barrier along northbound I-270, and widening of Gude Drive

Legend	
	Limits of Disturbance
	LOI Decrease from SOEIS
	LOI Increase from SOEIS
	Historic Property
	Park Property
	Trails
	Potential 4(f) Use
	Property Lines

Section 4(f)
Property
 Woodley
 Gardens

0 0.075 0.15 Miles

MANAGED LANES STUDY