



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

6611 Kenilworth Avenue • Riverdale, Maryland 20737

Commission Meeting
Open Session Minutes
October 17, 2018

The Maryland-National Capital Park and Planning Commission met at the Montgomery Regional Office Auditorium in Silver Spring, Maryland.

PRESENT

Prince George's County Commissioners

Elizabeth M. Hewlett, Vice-Chair (arrived 10:16)
Dorothy Bailey
William Doerner
Manuel Geraldo

Montgomery County Commissioners

Casey Anderson, Chair
Gerald Cichy
Norman Dreyfuss
Natali Fani-Gonzalez
Tina Patterson

NOT PRESENT

A. Shuanise Washington

Chair Anderson convened the meeting at 10:09 a.m.

ITEM 1

APPROVAL OF COMMISSION AGENDA

Chair Anderson added "Resolution 18-36 – Resolution of Appreciation for Patricia Colihan Barney" to the agenda (Item 5c).

ACTION: Motion of Fani-Gonzalez to approve the amended Commission agenda
Seconded by Bailey
8 approved the motion

ITEM 2

APPROVAL OF COMMISSION MINUTES

Open Session – September 26, 2018

Closed Session – September 26, 2018

ACTION: Motion of Fani-Gonzalez to approve the Commission minutes
Seconded by Geraldo
8 approved the motion

ITEM 3

GENERAL ANNOUNCEMENTS

- a) Breast Cancer Awareness Month – October
- b) American Indian Festival October 20 at Patuxent River Park
American Indian Heritage Month – November
- c) Upcoming Prince George's County Department of Parks and Recreation Winter Festival of Lights at Watkins Park, Upper Marlboro. M-MNCPPC Employee Day will be held November 19.
- d) Upcoming Montgomery County Department of Parks Winter Garden Walk Through Holiday Light Display at Brookside Gardens, Wheaton
- e) M-NCPPC Service Recognition Ceremony (at Brookside Gardens, following October Commission Meeting)

The following announcements were added late in the meeting by Vice-Chair Hewlett (after Item 5a):

- f) Polish American Heritage Month – October
- g) Domestic Violence Awareness Month's Shatter the Silence Run/Walk at 7:30 a.m., on Saturday, October 27 at Watkins Regional Park
- h) Disability Employment Awareness Month – October

ITEM 4

COMMITTEE MINUTES/BOARD REPORTS (For Information Only)

- a) Executive Committee – Open Session – October 8, 2018

ITEM 5

ACTION AND PRESENTATION ITEMS (taken out of order)

- b) Resolution #18-32 Recommendation for Adoption of Employees' Retirement System Plan Documents Amendments Effective July 1, 2018 and October 1, 2018 (Rose)
Approved without discussion. Executive Director Barney noted that the changes had already been described to the Commission and discussed during its September 2018 meeting, and this Resolution was simply to adopt the language.

ACTION: Motion of Cichy to approve Resolution #18-32
Seconded by Doerner
8 approved the motion

- a) I-495/I-270 Managed Lanes Update (Rubin/Borden)
Special Project Manager Carol Rubin introduced Principal Counsel Debra Borden, Transportation Engineer Stephen Aldrich and Planning Supervisor Tom Masog. Ms. Rubin discussed the background and timeline of the project, sharing that it had an extremely aggressive schedule as set forth in the memorandum to the Commission dated October 11, 2018.

Ms. Rubin stated staff will make certain the State Highway Administration (SHA) remains cognizant of the M-NCPPC's role as both a regulatory agency and a steward of natural and cultural resources in Montgomery and Prince George's Counties. All four operating departments and the Legal Department are working closely together on this project. Rubin praised the staff from all departments participating in this project.

Ms. Rubin explained that the Inter-Agency Work Group (IAWG) monthly meetings held by the SHA, with Lead, Sponsoring, Cooperating and Participating agencies throughout Maryland, allow involved agencies to collaborate, identify and resolve environmental issues in an open and frank discussion among themselves. Since MDOT SHA considers these meetings part of their deliberative process, the discussions and materials presented therein remain confidential. During the November 14 IAWG meeting, SHA will present their recommended Alternatives Retained for Detailed Study (ARDS) to the participating agencies. Agencies owe their comments to the SHA by December 12. The SHA is looking for agency concurrence by January 23, after which it will release the ARDS selection to the public. Therefore, staff sought guidance from the Commissioners based on information that is publicly available.

Ms. Rubin reported that The National Capital Planning Commission encouraged the SHA to consider retaining sustainable transportation options and to limit the impact to Capper-Crampton land.

Ms. Rubin and the team presented their recommendations on which alternatives should be abandoned and which should be advanced. Ms. Rubin stressed they were *not* currently

asking Commissioners to consider whether, and to what a degree, there will be impact on parkland and other environmental and cultural resources. This analysis focuses on function over form and to influence SHA's decision-making process in ARDS selection. The team reviewed the alternatives under the view of the National Environmental Policy Act (NEPA) and best practices, and based on those factors, as reflected in the attached Power Point presentation, eliminated eleven alternatives 3, 5, 6, 7, 8, 9, 10 without modification, 11, 12a, 12b, and 15), and recommended advancing the following alternatives (1, 2, 4, 10 as modified, 13A, 13B, and 14A-C with more specific detail).

Ms. Borden noted one of the issues with selecting an option is that the transit system being studied is so large and so varied. Multiple options might be considered for the project, as different alternatives may work better in certain segments, depending upon current infrastructure.

Commissioner Doerner shared concerns that it appeared the SHA had not examined immediate or long-term environmental impacts brought up by the Purpose & Needs (P&N) Statement. Ms. Rubin stated staff at both Parks, and Parks and Recreation departments are looking at this closely. Commissioner Doerner recommended that Planning staff should be included in the process. Mr. Aldridge indicated that Planning staff will be included and will reiterate some of the critical environmental impact issues identified in the P&N Statement when making their ARDS recommendation. Ms. Rubin stressed that a greater environmental impact study would be made on the ARDS after they are selected by SHA. Mr. Aldridge added they will not want to constrain the P3 contractor from innovating transportation alternatives such as vertical separation, tunnels, bridges, etc. and the P3 contractor will be required to address environmental impact concerns.

Chair Anderson inquired how anyone would know the environmental impact of a project without knowing the footprint of the project as laid out by the P3 contractor. While the geometric constraint will affect the P3 contractor's options to innovate, in some ways the solution could be worse than the problem it solves. Moreover, how will the environmental impacts be known or anticipated before the P3 contractor even has an opportunity to submit design plans? Ms. Rubin responded that staff has requested strong and broad language in our P&N comments to ensure the P3 contractor addresses those impacts.

Commissioner Cichy agreed, stating the environmental impact should be defined within the relationship with the P3, the review, and participation in the process. Ms. Rubin shared staff will push the environmental impact mitigation as an absolute requirement. She added that Department Heads would be meeting in mid-November with the Maryland Transportation Secretary and the SHA Administrator to discuss these issues in relation to the alternatives.

Commissioners raised various concerns in relation to specific roadways and interchanges. Ms. Borden stated staff included the concerns of Commissioners in their comments submitted to the SHA. Staff listed upcoming and proposed projects in both counties for the purpose of letting the SHA consider helping integrate these other projects with this one, through funding, design tie-in, or other efforts to make sure these projects are aligned with the managed lanes project. Mr. Aldridge added that a combination of alternatives may work depending upon existing conditions.

Commissioner Dreyfuss asked what input Commissioners have, if they disagreed with the recommendation of staff as to whether an alternative should be advanced to the ARDS level. Ms. Rubin suggested contacting her and Ms. Borden after the meeting to address concerns.

Ms. Rubin said they will continue to meet and work, with the IAWG. On Jan 23, SHA wants concurrence or concurrence with comment on the ARDS prior to public release. She reiterated that discussing the alternatives in detail during the Commission meeting takes the discussion public before the SHA is ready to do so, and therefore asked if the comments collected during the Commission meeting could be used to inform the recommendations staff will present to the SHA on the ARDS.

ACTION: Motion of Hewlett to approve authorizing Staff to concur or concur with comment to with the ARDS recommendations by SHA as proposed by staff and based on the Commissioners' comments.

Seconded by Geraldo
9 approved the motion


- c) Resolution #18-35* Resolution of Appreciation for Patricia Colihan Barney
Chair Anderson introduced the Resolution for retiring Executive Director Barney, which Vice-Chair Hewlett read, thanking her for her leadership and service over a 35-year career. Executive Director Barney thanked Commissioners, adding that the agency has been an amazing place to work and thanked all of the people she worked with for their support and engagement.

ACTION: Motion of Chair Anderson to approve Resolution #18-35*
Seconded by Vice-Chair Hewlett
9 approved the motion

ITEM 6 **OFFICERS' REPORTS**

- a) Executive Director's Report (for information only)
Employee Evaluations Not Completed by Due Date (September 2018)
- b) Secretary Treasurer (for information only)
- c) General Counsel (for information only)
Litigation Report (July and August)

There being no further business to discuss, the meeting ended at 11:53 a.m.



James F. Adams, Senior Administrative Specialist



Patricia Colihan Barney, Executive Director

* This item was originally listed incorrectly in the packet as Resolution 18-36.