



United States Department of the Interior

Office of the Secretary
Washington, D.C. 20240

July 12, 2022

IN REPLY REFER TO:
ER 21/0425

4111

Via Electronic Mail Only

Ms. Caryn J. G. Brookman
Environmental Program Manager
707 North Calvert Street, P-601
Baltimore, MD 21202

RE: I-495 and I-270 Managed Lanes Study Final Environmental Impact Statement (FEIS) and Section 4(f) Evaluation

Dear Ms. Brookman:

The U.S. Department of the Interior (Department) has reviewed the Federal Highway Administration's (FHWA) and Maryland Department of Transportation State Highway Administration's (MDOT SHA) I-495 and I-270 Managed Lanes Study Final Environmental Impact Statement (FEIS) and Section 4(f) Evaluation. The Department submits the following comments on behalf of the National Park Service (NPS).

The Department submitted formal comments during the public scoping period on May 1, 2018, on the Draft Environmental Impact Statement/Section 4(f) Evaluation on November 9, 2020, and on the Supplemental Draft Environmental Impact Statement/Section 4(f) Evaluation on November 10, 2021. In addition to monthly Cooperating Agency meetings, the NPS has extensively coordinated with MDOT SHA separately to further minimize any impacts to NPS parklands and resources. The Department understands that the FHWA and MDOT SHA have worked closely with the NPS in preparing both the Supplemental Draft Environmental Impact Statement as well as the FEIS and final Section 4(f) Evaluation. Resulting from this coordination, impacts to national park land have been reduced from approximately 99 acres to 16.48 acres (2.8 acres permanent, 13.77 acres temporary) for the proposed replacement of the American Legion Bridge and the installation of infrastructure for a shared use pedestrian path to the C&O Canal towpath. Most of these impacts will be mitigated through measures implemented as part of the Section 106 Programmatic Agreement, the Wetlands Statement of Findings, and the Mitigation Agreement that the NPS and MDOT SHA are developing, which will include the measures listed on pages 6-18 through 6-21 of the FEIS. The FEIS was developed in coordination with the NPS and meets NPS requirements; therefore, the Department has no further comments on the FEIS but would like to note that the NPS and MDOT SHA will need to coordinate on design development and construction methodology to continue effort to reduce impacts.

SECTION 4(f) EVALUATION

Upon review of the Final Section 4(f) Evaluation, the Department agrees that there is no feasible and prudent alternative to use of Section 4(f) properties in the project study area, the proposed action includes all possible planning to minimize harm to lands and resources, and that the Preferred Alternative, Alternative 9, Phase 1 South, is the alternative with least overall harm.

The Department notes that continued coordination between the NPS and MDOT SHA is required as the study moves into developing designs and prepares construction methodology to further minimize and avoid impacts to NPS resources. In particular, the NPS has specific concerns regarding the sensitive resources found on Plummers Island, located beneath the American Legion Bridge, and requests input in the continuing refinement of the designs and construction methodology in order to ensure impacts are kept at a minimum, or to avoid impacts to the island all together. In addition, as referenced in the Section 4(f) Evaluation, the MDOT SHA and the developer will continue to coordinate with the NPS to review the condition of the existing connection between the C&O towpath and MacArthur Boulevard side path outside this project study area.

Thank you for the opportunity to provide comments and for your consideration of our important resources. We also appreciate the close coordination that the FHWA and MDOT SHA have had with the NPS on this project, and we look forward to future continued collaboration in these planning efforts. Any further coordination should be handled through Tammy Stidham, Deputy Associate Regional Director, Lands and Planning, National Capital Region, National Park Service, 1100 Ohio Drive SW, Washington, D.C. 20242, (202) 619-7474 or tammy_stidham@nps.gov.

Sincerely,

Stephen G. Tryon
Director, Office of Environmental
Policy and Compliance

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