

# Friends of the Cabin John Creek

P.O. Box 267, Cabin John, MD 20818

Incorporated 2013

Burr Gray - President  
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September 29, 2022

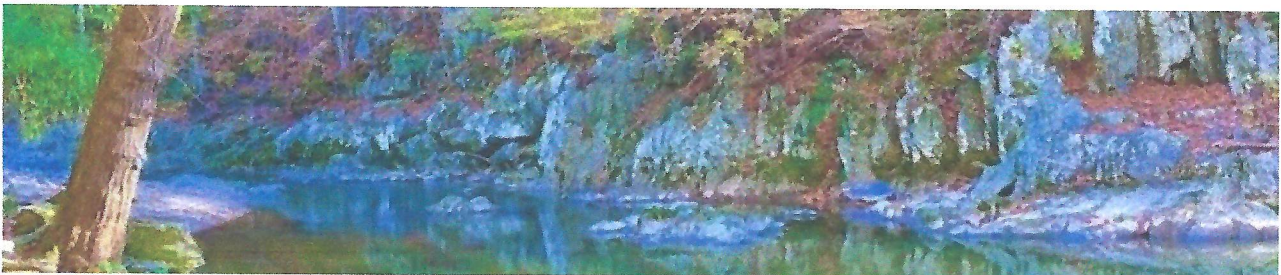
U.S. Army Corps of Engineers Baltimore District  
Attn: Mr. Nicholas Ozburn  
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Maryland Department of the Environment Wetlands and Waterways Program  
Attn: Mr. Steve Hurt  
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**SUBJECT:** USACE Application Number (NAB-2018-02152), MDE Tracking Numbers 20-NT-0114 / 202060649; Public comments on Joint Federal/State Application for the Alteration of Any Floodplain, Waterway, Tidal or Nontidal Wetland in Maryland, also known as the Joint Federal/State Permit Application (JPA) for the I-495 & I-270 Managed Lanes Study.  
<https://oplanesmd.com/environmental/jpa/>

Dear Mr. Ozburn and Mr. Hurt:

Friends of Cabin John Creek (FoCJC) is a 501(c)3 organization consisting of local residents and volunteers dedicated to the restoration, preservation, and stewardship of the Cabin John Creek Watershed (CJCW). We submitted comments November 4, 2020 on the Draft Environmental Impact Statement (DEIS) for the I-495 & I-270 Managed Lanes Study, and also submitted comments on the Supplemental EIS (SDEIS) on November 30, 2021. Contained below are our comments and concerns regarding the JPA.



As background, the SDEIS confirmed that Cabin John Creek and its watershed will be the most impacted of the various waterways studied.

- Cabin John Creek will be the most affected waterway, with 31,429 linear feet (or 495,512 square feet) of waterway impacts. (SDEIS p. 4-66).
- The Preferred Alternative would add the most impervious surface to the CJCW, with 98.2 acres (over 4 million sq ft) added. (See SDEIS p. 4-70 and 71.) According to Montgomery County's 2012 Cabin John Creek Implementation Plan, there were 3,402 acres of impervious cover in the CJ Creek watershed at that time. The additional impervious surface will add another 3% to that amount. We noted in our previous comments, but it bears worth repeating one more time: the opportunity to address not only any new pavement but also the existing I-495 and I-270 pavement regarding stormwater runoff is unique and should be seized upon and not be wasted.

FoCJC is a co-signer to the comments submitted by the Stormwater Partners Network and we include those comments by reference here. We emphasize in particular aspects of those comments as mentioned below.

- The compensatory mitigation options proposed in the JPA package are grossly inappropriate to the needs of the impacted resources. It makes no sense when mitigation projects within the same watershed or even along the same creek are possible to talk about engaging in compensatory mitigation in areas many miles away. There is no benefit from such a distant effort to the areas that are going to be actually impacted. Residents who rely on the CJ Creek for emotional respite and restoration will not benefit even a little bit unless the mitigation occurs in the CJ watershed. Additionally, longer monitoring than the two years proposed of any stream restoration projects is needed.
- Over the past 10 years, and particularly since getting grants starting in 2015, FoCJC has worked hard to explain the issue of stormwater runoff to local residents, many of whom take walks and interact with our beautiful stream. (Hope you like the embedded photo.) We've installed 60+ rain barrels, various rain gardens, rain planters, etc. with the help of funding from the Chesapeake Bay Trust. While it is no easy thing to have an impact on actual stormwater runoff, we have been successful in educating and engaging many people who live in the watershed. The highway expansion project impacts, unless carefully and meticulously controlled through the Joint Permit, will likely counter the gains we have made in the community. Again, assuming the Beltway expansion moves forward, now is the time to not only control runoff from any new added pavement, but also to better control runoff from existing pavement. There will be no better opportunity.

Thank you for considering our comments and concerns.

Sincerely,



Sandra Laden

Vice President

Friends of Cabin John Creek, Inc.

cc:

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