

## **Archeology and Parkland**

The Task Force report is factually incorrect in stating on page 12 that **“the Brown Street option has the smallest impact on parkland and archaeological resources.”** This statement attributed to M-NCPPC Archeologist Heather Bouslog is probably due to a misunderstanding. The statement is misleading on 2 counts.

1) Both routes, Brown St (Option 3), and Railroad St/Salt Barn (Option 1), have no impact on archaeological resources. In the email thread cited by the Task Force (ref 42), Heather Bouslog is understandably cautious in identifying the location of sensitive archeological sites, which in all probability is the chief source of misunderstanding. Furthermore, the statement is contradicted by the Task Force itself earlier on page 10 **“Option 1 avoids archeologically sensitive sites along the forested hedgerow.”**

2) That the **“Brown St. option has the smallest impact on parkland”** implies that in contrast to Brown St, parkland will be disturbed by the Railroad St/Salt Barn route (Option 1), which is demonstrably false, as shown by the Task Force’s description of the routes. From Crabbs Branch, the 2 routes are parallel. Option 1 subsequently runs directly behind the Salt Barn towards Railroad St, while Option 3 continues another 30 feet to Brown St. The difference between the two routes is that Brown St (Option 3) requires the “removal of small stand of mature trees” on Washington Grove land (Page 12 TF report) while the Railroad St/Salt Barn (Option 1) requires clearing the strip of land between the Brown St homes and the Salt Barn. That land is the remnant of a parking lot, rented by Roberts Oxygen to Asplundh Tree Service prior to the building of the County’s EMOC facility approximately 10 years ago. Clearly, no parkland will be affected by the Railroad St/Salt Barn route. (The adverse negative impacts of the Brown St. route will be discussed in the next section)

Type I evidence is rated by the Task Force as its strongest, most reliable evidence. But this statement about the Brown St route, rated as Type I, is demonstrably false, raising serious questions about the methodology employed by the Task Force to ensure accuracy and verifiability of what it has presented. What assurance should Town residents have about the reliability of other statements and conclusions of the Task Force? When two different sources disagree, how does the TF resolve the differences?

The issue of protection of the archeological sites was raised by the HPC in its report of August 29 to the Task Force, entitled “Historic and Environmental Impacts.” However, this report was not referenced by the Task force, nor does the TF rate the HPC as a source of Type I evidence. Nevertheless, the National Register Historic District designation which was compiled by the HPC, is referenced as Type I evidence. (references 35, 49) and has information about these sites. Similarly, reference 48 cited as Type I evidence, which describes the archeological site, is based on information provided to Kyle Lukacs by Wendy Harris, one of the members of the HPC. Wendy is a certified archeologist, with equivalent credentials to Heather Bouslog. In fact, the

additional information that the Task Force was seeking was provided and documented by the HPC to the Task force in the August 29th submission. “As discussed in both the 2020 Updated and Expanded National Register Historic District: [NR-617 \(maryland.gov\)](https://www.maryland.gov) (see Section 7, pg. 21 and the Draft Washington Grove Comprehensive Plan – Section 6.3.5 “Archaeological Concerns and the Presence of Indigenous People”), this portion of the forested buffer zone lies within an area considered archaeologically sensitive, due especially to the presence of the Washington Grove Steatite Quarry Site (Maryland Site #18MO6221), located within its northern portion.” In the report and documentation, the information provided by the HPC is more complete than what the Task Force was able to find on its own.

How typical is this of the methodology employed by the TF? If products of HPC, such as the National Register designation or communication with Kyle Lucas, are considered type I evidence (references 35, 48, 49) why is HPC input ignored or not even referenced in others?

### **Historic and Environmental Impacts**

On August 29, the Washington Grove’s Historic Preservation Commission (HPC) submitted input to the Task Force in the form of an analysis of historical and environmental impacts. Based on the contents of the Task Force Report, it appears that the HPC’s input was not consulted in drafting the report. The HPC conclusions contradict the TF findings on the historic and environmental impacts.

The TF misidentifies the HPC as a committee rather than a Commission. The distinction has import. In contrast to a committee, the HPC is established by Town Ordinance. Among the responsibilities assigned to the HPC are to act as a “source and repository of information, expertise, and guidance regarding issues of historic preservation within the Town.”

The HPC also provides reviews of Subdivision Plans and Public Right of Way Permits, bringing its expertise on the historic character of the Town to municipal decisions.

Among the members of the HPC who drafted the August 29 report are the following: a licensed architect specializing in historic preservation, who has supervised major renovations at iconic national sites in Washington DC; a credentialed archaeologist with over 35 years of experience, including 12 years serving as staff archaeologist for the New York District U.S. Army Corps of Engineers; a credentialed U.S. Navy historic preservation analyst; a professional journalist; and a Ph.D. in the biological sciences, who as senior editor at the National Academy of Sciences has wide experience in assessing evidence. Because the evidence that the HPC provided would clearly qualify as falling within the Type 1 category (Expert Opinion), it’s unfortunate that the Task Force did not avail themselves the material presented in the HPC’s analysis. Consulting with the HPC would have greatly improved the quality of those sections of the Report that dealt with such issues. Given the above, we do not understand why the preparers of the Task Force’s Report did not at least query the HPC when they received conflicting evidence before coming to a conclusion.

On page 12 of the TF Report, the Brown Street option is ranked as having the least Environmental and Historic Impacts. “The pathway connection from the end of Brown St would require removal of a small stand of mature trees. MC DoT ranked the Brown St option, overall,

as covering the least surface area and having **the lowest forest and meadow impact among its three proposed options.** *Type I Evidence.*

However, the HPC comes to an opposite conclusion. Of the three proposed alternative bike path routes, Railroad Street/Salt Barn (Option 1) will have no anticipated impact on historic or environmental resources. This is because its alignment is located within an area whose terrain and hydrology have been extensively engineered, especially during construction of EMOC and the salt barn and its prior history as part of an Industrial Zone.

It should also be noted that unlike Option One (Railroad Street/Salt Barn), the Brown Street Option will have an adverse impact upon a significant historical resource described in the National Register Historic District Designation (Section 7, pgs. 43-52) and its accompanying Phase II Viewshed Documentation (on file at the Town Office). As explained in the first two pages of the HPC's August 29 analysis of historical/archaeological impacts, the "small stand of mature trees" is considered part of a larger forested buffer that represents a critical aspect of Washington Grove's setting and character. The removal of this portion of the forested buffer constitutes a loss to the forested buffer's integrity and further exposes the surrounding neighborhood and the Conservation Meadow to the high density industrial and highway development lying just beyond the Town's borders.

The conclusion that the Brown St Option has the least environmental impact by MCDOT (and supported by TF) is based on the calculation of surface area. The wedge of trees to be removed at lower Brown St equals 12,000 square feet, while the strip of land behind the Salt Barn equals 26,000 square feet (reference 41). Is it correct that this is the sole basis of analysis? From the HPC perspective, the disturbed strip of land behind the Salt Barn is not equivalent in value to the forested buffer. But even from the point of view of loss of trees, did MCDOT take any inventory of actual trees, noting the quality of trees that would be lost in the two areas? The conclusion of the Task Force appears to rely solely on the square footage of two parcels of land that are not equal in terms of environmental or historic impact, or quality and size of trees. But even on scoring how many trees must be replaced, absent an inventory there is no evidence as to which option removes a greater quantity of trees or any accounting for the quality of the trees to be removed.

### **Easement Omission**

The HPC notes that in a query to Kyle Lukacs by Patty Klein (dated 11/8/21) it was revealed that an easement or agreement with the County will be necessary to assure right of entry and access to Town streets. This is the kind of information that the Task Force should have gathered and provided to the Town, but with a great deal more detail prior to any decision about routes. Why did the Task Force not discuss this issue with MCDOT?

### **Funding and Staging**

The TF report repeats several times that "Lower Brown St ...is the only option funded by MC DoT for design and construction, with completion in FY2024." This is contradicted by the fact that the project remains in Phase I, which is a planning phase. Final route selection is not

required until Phase 2, which is the design phase. However with regards to the Brown St and Railroad St/Salt Barn routes, 90% of the design is the same (reference 31), so even then a decision to reconsider which route to take could be possible.

Certainly the action of the Town Council in March made alternatives more difficult, setting in motion the preliminary approval of the Brown St option by MNCPPC at the end of April. However, it does not follow that reconsidering the route will cancel the funding that has already been allocated for planning and design. Nor is it clear that construction is fully funded for completion in FY2024, whichever route is finally selected. Why did the Task Force simply repeat the same statement, rather than provide a more nuanced and impartial analysis that acknowledges the challenges in changing course, but also provides guidance to the Town, if it were to make an alternative selection for the route?