



# KLINGLE VALLEY TRAIL



# FINAL ENVIRONMENTAL ASSESSMENT



DECEMBER 2010



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FOR

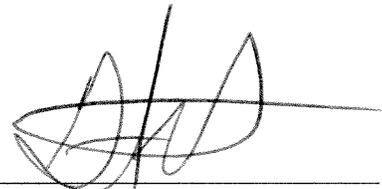
## KLINGLE VALLEY TRAIL WASHINGTON, DC

Prepared pursuant to 42 U.S.C. 4332(2)(c) by:  
U.S. Department of Transportation  
Federal Highway Administration  
and  
District Department of Transportation

In Cooperation with  
The National Park Service

12/29/10

Date of Approval



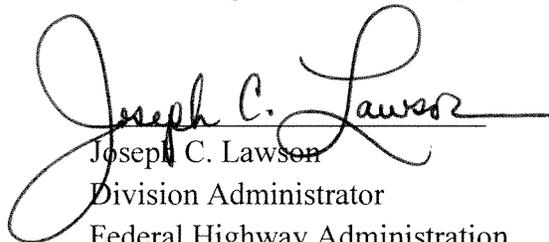
Gabe Klein

Director

District Department of Transportation

1/7/2011

Date of Approval



Joseph C. Lawson

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*Text that has been added or modified since the release of the June 2010 Klinge Valley Trail Environmental Assessment is denoted in bold and italic fonts.*



## EXECUTIVE SUMMARY

### S.1. Preface

The Federal Highway Administration (FHWA) in conjunction with the District Department of Transportation (DDOT), have proposed the construction of a multi-use trail facility within the 0.7 mile barricaded portion of Klingle Road between Porter Street, NW, and Cortland Place, NW and restoration of Klingle Creek in cooperation with the National Park Service (NPS). *In accordance with the National Environmental Policy Act of 1969 (NEPA), the Council of Environmental Quality (CEQ) regulations (40 CFR 1500-1508), and the FHWA's Environmental Impact and Related Procedures (23 CFR 771); the FHWA and DDOT prepared an Environmental Assessment (EA) which was released for agency and public review on June 4, 2010. A public hearing was held on June 23, 2010. Subsequently, this Final EA has been prepared to address agency and public comments received, and identifies FHWA/DDOT's Preferred Alternative and options after consideration of public and agency comments.*

### S.2. Purpose and Need

The purpose of the proposed action is to construct a multi-use trail facility using context sensitive design, to provide safe non-motorized transportation and recreational opportunities to the residents and visitors of the District of Columbia (the District). The project needs are a culmination of safety concerns due to the deteriorated roadway and structures inclusive of culverts, District Water and Sewer Authority (DC Water) appurtenances, and land surrounding the DDOT right-of-way; social demands as presented in the Park and Recreation Open Space District element in the *District Comprehensive Plan*; system linkage provisions tying points west of Connecticut Avenue to the Rock Creek Park multi-use trail system; deficiencies in the existing infrastructure resulting in degraded habitat within Klingle Valley; and legislation: the District's Klingle Road Sustainable Development Act of 2008.

### S.3. Project Background

Klingle Road runs from Beach Drive in Rock Creek Park to the Washington National Cathedral in northwest Washington, DC. The 0.7-mile segment of roadway within Klingle Valley from Porter Street, NW to Cortland Place, NW was barricaded to traffic in 1991 due to severe deterioration of the roadway, headwalls, and underlying stormwater management systems.

Klingle Road is currently impassable for vehicular traffic and is unsafe for pedestrians and cyclists due to heaved and failed pavement as well as extensive erosion beneath and adjacent to the road. DDOT has fenced off the barricaded portion of Klingle Road to discourage public access and to attempt to prevent public exposure to substandard site conditions.

The Klingle Road Restoration Act of 2003 (2003 Act) (DC Law 15-39; DC Official Code § 9-115.11) directed the repair and reconstruction of the barricaded segment of Klingle Road and required reopening of the road to motor vehicle traffic. On March 17, 2004, a Notice of Intent (NOI) was published in the Federal Register declaring FHWA and DDOT's intent to prepare an Environmental Impact Statement (EIS) for the reconstruction of the 0.7-mile portion of Klingle Road between Porter Street, NW and Cortland Place, NW in the District (Volume 69, No. 52). Prior to completion of the Final EIS in support of the 2003 Act, the project was put on hold.

In June 2008, the DC Council passed legislation called the Klingle Road Sustainable Development Amendment Act of 2008 (2008 Act), which was codified into law as part of the FY 2009 Budget Support Act of 2008 (DC Law 17-219; DC Official Code § 9-115.11). This legislation amended the 2003 Act and ended studies to reopen the barricaded segment of Klingle Road to vehicular traffic. The 2008 Act stated the barricaded portion of Klingle Road shall not be re-opened to the public for motor vehicle traffic, but as a multi-use trail.

The project area, which is approximately 10.5 acres, includes the barricaded segment of Klingle Road. In order to provide connections to the existing bicycle and trail network, the project area extends to Woodley Road, NW to the west and to Rock Creek Trail to the east. Klingle Valley is surrounded by the Cleveland Park and Woodley Park neighborhoods to the west and north, the Smithsonian Institution National Zoological Park to the south, and Rock Creek Park to the west and north.

***Erroneously, the following information was listed in the EA, which was released in June 2010:***

***Klingle Road is currently listed on the Federal-aid system functional classification of streets/roadways in the District of Columbia as a local street (DDOT, 2009c). If converted from motorized to non-motorized use under the proposed action, this segment of roadway would have to be officially removed as a local street from the DC functional classification map using the appropriate processes under 23 CFR 470.109(a) and 470.115(a) (Federal Aid Highways re: converting a designated fed-aid highway to non-vehicular trail) and The Street & Alley Closing & Acquisition Procedures Act of 1982. D.C. Code Section 9-201.01 et. Seq. Section 9-202-01 (re: street closings and requirement of public hearing for such act).***

***Klingle Road is currently listed on the Federal-aid highway system functional classification of streets and roadways in the District of Columbia as a collector street and is eligible for Surface Transportation Program (STP) funds. Because the District is proposing to construct a multi-use trail on Klingle Road (i.e., the Klingle Valley Trail), Klingle Road will no longer be eligible for funding under the STP funding program. At the conclusion of the NEPA process regarding this EA for the Klingle Valley Trail, DDOT will propose to FHWA that the segment of Klingle Road between Porter Street, N.W. and Cortland Place, N.W. be removed from the Federal-aid highway system. However, the proposed multi-use trail is eligible for federal-aid***

*funding under the Recreational Trails Program in accordance with SAFETEA-LU Sections 1101(a)(8) and 1109, 23 USC 104(h) & 206, and 23 CFR Part 652.*

*Nevertheless, removal of Klingle Road from the Federal-aid highway system, does not affect the District's ownership and jurisdiction of the Klingle Road right-of-way. Under the proposed action, DDOT will not and does not plan to officially close the barricaded segment of Klingle Road between Porter Street, N.W. and Cortland Place, N.W. pursuant to the procedure outlined in The Street & Alley Closing & Acquisition Procedures Act of 1982 (D.C. Code sections 9-201.01 et. seq.) (see Appendix E). DC Code section 9-202.01 states that the Mayor may close all or part of any street or alley which is determined by the DC Council to be unnecessary for street or alley purposes. The 2008 Act, passed by DC Council, did not deem Klingle Road unnecessary when it authorized the construction of a pedestrian and bicycle trail on Klingle Road between Porter Street, N.W. and Cortland Place, N.W.; therefore, Klingle Road continues to be necessary for street (i.e., public right-of-way) purposes, as defined in DC Code section 9-201.01. Additionally, DDOT will continue to operate, maintain and manage the public right-of-way for both non-motorized transportation and authorized motorized use (i.e. access for emergency, utility, and maintenance vehicles).*

#### **S.4. Alternatives**

Multiple alternatives for the Klingle Valley Trail, options for the environmental restoration of Klingle Valley, and options to provide access to Rock Creek Trail from Klingle Valley Trail were developed in accordance with the project objectives established to meet the project purpose and need. Four trail alternatives, including the No Action Alternative, two options for the Restoration of Klingle Creek, and three options for Access to Rock Creek Trail are analyzed in detail in this EA. Two Lighting Options are also evaluated.

##### **S.4.1. No Action Alternative**

Under the No Action Alternative, the multi-use trail would not be built, although basic maintenance would continue, such as the removal of trees that present a hazard and other debris caused by the deterioration of the roadbed. In addition, fences that prohibit the public from entering this section of Klingle Road would be maintained, and limited steps would be taken to ensure that unsafe conditions within these sections are cordoned off to the public (e.g., jersey barriers and signage). Klingle Creek would not be improved to correct stormwater damage or replacement/repair of the existing retaining walls along the creek. The road would continue to be fenced off and barricaded to public uses.

While the No Action Alternative does not meet the purpose and need of the project, it provides a basis for comparing the management direction and environmental consequences of the proposed Action Alternatives.

### S.4.2. Proposed Action

The Proposed Action is to construct a multi-use trail facility, manage stormwater, and restore Klingle Creek within the 0.7-mile barricaded portion of Klingle Road between Porter Street, NW, and Cortland Place, NW, and to provide connectivity to the existing pedestrian and bicycle network.

The proposed trail alignment for all Action Alternatives lies within the existing DDOT right-of-way, and DDOT would continue to maintain and manage the existing right-of-way.

Prior to any land disturbance activities: tree protection measures, protective fencing, and other best management practices (BMPs) would be installed. The existing infrastructure would be removed from the project area including pavement, concrete barriers, curb and gutter, failed stormwater drainage infrastructure, trees that present a hazard, and debris. DDOT would include in the contractor specifications that removed materials be disposed of or recycled in accordance with the *DDOT Standard Specifications for Highways and Structures* (2009f). Additional grading and placement of clean fill would be necessary.

Trailheads would replace each of the current barricades at the east and west ends of Klingle Valley. A trailhead is an entrance to a trail, and can be marked by signage, plantings, or other features to discern the start of a trail from the surrounding area. The trailheads would clearly identify the entrances to Klingle Valley Trail, while remaining in character with the residential and park surroundings. At the west end near Cortland Place, NW, trailhead landscaping would incorporate bioretention style islands, reducing landscaping maintenance by directing water to these areas and filtering street runoff prior to entering Klingle Valley. Additional signage and/or pavement markings would continue along Cortland Place, NW to the existing signed bike route on Woodley Road, NW. Three options, which are described later in this chapter, are under consideration for connection to Rock Creek Park at the east end.

Trailheads would be designed such that only official motorized vehicles (i.e., utility vehicles and emergency response vehicles) would be granted access to the trail. All Action Alternatives would be designed to accommodate widths and weights of utility maintenance vehicles and emergency response vehicles.

Existing elevations would be raised or lowered in steeper areas to achieve more gradual slopes and a maximum slope of 8 percent within DDOT right-of-way. Beyond the barricaded portions, the existing roadway slope is between 9 to 10 percent, and would not be graded as part of the proposed action.

Consideration was given to design a multi-use trail facility to standards outlined in the ADA Standards for Accessible Design as published in the Title III regulations (28 CFR Part 36, revised July 1, 1994). Because of Klingle Valley site constraints, such as topography, current road grades, and the width of the existing DDOT right-of-way, designing the proposed multi-use trail facility to these standards is not feasible. As a result, DDOT will seek a design exception in accordance with FHWA design exception approval procedures.

Failed stormwater outfalls and culverts would be reconstructed and resized to appropriately convey water. At the Embassy of India property, the trail profile would be elevated or a structure such as a boardwalk would be incorporated to lift the trail out of the floodplain.

Retaining walls would be incorporated where feasible to minimize the limits of disturbance and footprint of the trail. Existing historic stone walls which are presently in disrepair would be reconstructed and rehabilitated or avoided.

All three alternatives would be properly signed and marked as directed by American Association of State Highway and Transportation Officials (AASHTO), DDOT, and the *Manual on Uniform Traffic Control Devices* (MUTCD). Amenities such as trail furniture, lighting, and signage would be incorporated into more detailed design plans.

### **Alternative 2 – 10-Foot Multi-Use Trail (Permeable)**

Under Alternative 2, a 10-foot multi-use trail would be constructed using permeable pavement or materials. The trail would include 2-foot shoulders on either side of the trail. The trail would slope slightly *to the opposite side of* Klingle Creek *toward* a 2-foot wide, 1-foot deep flat bottom drainage swale. *This drainage swale would include check dams and* would run parallel to the north side of the trail to capture runoff from the steep sideslopes on the north side of Klingle Valley *and slow stormwater flow*.

Under this alternative, impervious surface would be removed, and additional stormwater management would not be required. The cost of Alternative 2 would range from \$4,629,545 to \$6,977,595 depending on the Klingle Creek Restoration, Access to Rock Creek Trail, and Lighting Options selected. The duration of construction is anticipated to be 8 to 12 months, and annual maintenance costs are estimated at \$5,840.

### **Alternative 3 – 12-Foot Multi-Use Trail (Permeable)**

Alternative 3 consists of a 12-foot multi-use trail constructed using permeable pavement or materials. As with Alternative 2, the trail footprint would include 2-foot shoulders and a 3-foot clear zone on either side of the trail. *The trail would slope slightly to the opposite side of Klingle Creek toward a 2-foot wide, 1-foot deep flat bottom drainage swale. This drainage swale would include check dams and capture runoff from the steep sideslopes on the north side of Klingle Valley and slow stormwater flow.*

With the exception of Klingle Creek stabilization, Alternative 3 would not require additional stormwater management under current regulations because there would be no impervious surface associated with the project.

The cost of Alternative 3 would range from \$5,373,308 to \$7,721,358 to design and construct, depending on the options selected. The duration of construction is anticipated to be 8 to 12 months, and annual maintenance costs are estimated at \$5,840.

**Alternative 4 – 10-Foot Multi-Use Trail (Non-Permeable)**

Alternative 4 consists of a 10-foot multi-use trail paved with non-permeable materials. As with the other Action Alternatives, Alternative 4 would include 2-foot shoulders and a 3-foot clear zone on either side of the trail. Because stormwater would run off the non-permeable materials rather than be absorbed as with Alternatives 2 and 3, the swale on the north side would capture and transport stormwater runoff from the trail. The trail would therefore slope slightly to the opposite side of Klingle Creek toward the drainage swale. In Alternative 4, the swale would be a 2-foot wide, 1-foot deep flat bottom ditch with check dams to slow stormwater flow.

This alternative would reduce the impervious surface from the existing 1.92 acres to 0.93 acre. Alternative 4 would cost between \$4,524,750 and \$6,872,800 to design and construct, and construction duration would also last from 8 to 12 months. Annual maintenance costs for Alternative 4 are estimated at \$3,940.

**Klingle Creek Restoration Options**

Two options for Klingle Creek restoration are proposed, one to target priority areas for infrastructure protection, and a second to encompass full channel rehabilitation. One of these options must be selected in conjunction with the trail options in order to support a sustainable trail.

**Klingle Creek Restoration Option A – Stabilization of Priority Areas**

Under Option A, three priority areas of Klingle Creek would be stabilized to protect the trail and associated infrastructure. The stream channel would be resized and realigned at Priority Areas 1 and 3 to prevent future damage to new and existing adjacent infrastructure. At Priority Area 2, the Klingle Creek stream bed would be raised in order to cover and protect the existing DC Water sewer encasement pier footings.

A total of 420 linear feet of Klingle Creek would be restored under Option A. The incremental cost of Option A would be approximately \$323,750.

**Klingle Creek Restoration Option B – Full Stream Channel and Bank Stabilization**

Klingle Creek Restoration Option B encompasses everything under Option A for the three priority areas. Furthermore, Option B would repair targeted channel and bank stability problems throughout the project area, for a total of 1,595 linear feet of stream channel restoration. The incremental cost of Option B would be approximately \$1,075,000.

**Access to Rock Creek Trail Options**

Klingle Road is currently barricaded to the east of the driveway at the Klingle Ridge development. One of three options to connect Klingle Valley Trail to the Rock Creek Trail system would be selected in conjunction with Action Alternatives 2, 3, and 4.

### **Access to Rock Creek Trail Option A – Trailhead**

Under Option A, a trailhead would be constructed at the site of the current barricade at the east end of the project area. This trailhead would clearly identify the entrance to Klingle Valley Trail. Signage and other designation would remain in character with the surrounding residential areas and Rock Creek Park. Users would then use the existing roadway network to access the Rock Creek Park Trail System.

### **Access to Rock Creek Trail Option B – Shared-Use Connection**

Option B includes the trailhead described under Option A to identify the entrance to Klingle Trail. Pavement markings would designate a bike lane along existing Klingle Road. The ramp roadway that runs underneath Porter Street, which is currently 20 feet from curb to curb, would be divided into a shared-use roadway. The vehicle travel lane would be reduced to 14 feet in width, and a 6-foot pedestrian and bicycle lane would be designated via pavement markings and a physical barrier, such as a concrete curb and plastic bollards. This configuration would continue along the ramp, allowing access from the multi-use lane to and from Rock Creek Trail. Option B would contribute approximately \$349,000 to the total construction cost for each Action Alternative.

### **Access to Rock Creek Trail Option C – Multi-Use Trail Connection**

Option C would also include a trailhead to Klingle Valley, similar to Option A. A multi-use trail would be constructed along the south side of the existing Klingle Road and continue to the ramp that leads to the Rock Creek Trail below Porter Street, NW. At the ramp, the existing 20-foot travel lane would be redesigned to a 14-foot wide travel lane. A multi-use trail would be constructed on the south side of the ramp, and would be separated via a curb and guardrail from the main travel lane until it connects to Rock Creek Trail. The width of the multi-use trail would vary from 6-10 feet to accommodate constraints and tie-ins at each end. Option C would contribute approximately \$1,430,000 to the total construction cost for each Action Alternative.

### **Lighting Options**

Two options for lighting are under consideration, and one would be selected in conjunction with Action Alternatives 2, 3, and 4.

#### **Lighting Option A – No Lighting**

Under Lighting Option A, more detailed design of the proposed multi-use trail would not include lighting.

#### **Lighting Option B – Pole and/or Bollard Lighting**

Under Lighting Option B, pole lighting and/or bollard lighting along the proposed multi-use trail would be included in more detailed design of the project. Low impact lighting techniques, such as solar cells, which are powered by converting sunlight into electricity, or light-emitting diodes (LEDs) would be considered under this Option. *The lighting of the proposed multi-use trail would be timed to correspond with commuter use of the facility and to limit the hours of*

**illumination.** The estimated cost for the installation of energy efficient lighting ranges from \$142,300 to \$166,800.

### **S.4.3. Preferred Alternative and Options**

*Following the public comment period on the EA, DDOT identified the following as the preferred alternative and preferred options. A complete description of each alternative and option is provided in Section 2.2 of the Final EA. Responses to public and agency comments are provided in Appendices A and B, respectively.*

#### **Alternative 2 – 10-Foot Multi-Use Trail (Permeable) (Preferred Alternative)**

*The preferred trail alternative is Alternative 2, the 10-foot multi-use trail, which would be constructed using permeable pavement or materials within the existing DDOT right-of-way. The trail would include 2-foot shoulders on either side of the trail. The trail would slope slightly to the opposite side of Klingle Creek toward a 2-foot wide, 1-foot deep flat bottom drainage swale. This drainage swale would include check dams and capture runoff from the steep sideslopes on the north side of Klingle Valley and slow stormwater flow.*

#### **Klingle Creek Restoration Option B (Preferred Option)**

*The Klingle Creek Restoration Option B – Full Stream Channel and Bank Stabilization is the preferred option. Under this option, DDOT will repair targeted channel and bank stability problems throughout the project area, for a total of 1,595 linear feet of stream channel restoration.*

#### **Access to Rock Creek Trail Option C-Modified (Preferred Option)**

*DDOT decided on a combination of Option B – Shared-Use Connection and Option C – Multi-Use Trail Connection, referred to as Access to Rock Creek Trail Option C-Modified, as the preferred option to allow access to Rock Creek Trails. This modified option would include a trailhead to Klingle Valley. Under this option, a multi-use trail 6 to 8 feet in width would be constructed along the south side of Klingle Road and continue along the ramp before connecting with the Rock Creek Trail below Porter Street, NW. The existing 20-foot wide vehicle travel lane will be redesigned to 12 to 14 feet wide, and the trail would be separated from the existing vehicular travel lane by a curb. The trail would be constructed within the existing footprint of the existing roadway, and no new impervious surface would be added. Option C-Modified would contribute approximately \$1,216,228 to the total construction cost for each Action Alternative.*

#### **Lighting Option B (Preferred Option)**

*The preferred lighting option is Lighting Option B – Pole or Bollard Lighting. Under Lighting Option B low impact pole lighting would be incorporated into the proposed multi-use trail design. Low impact lighting techniques, such as solar cells, which are powered by converting sunlight into electricity, LEDs would be considered under this Option. The lighting*

*of the proposed multi-use trail would be timed to correspond with commuter use of the facility to limit the hours of illumination.*

*The total cost of the Preferred Alternative and options will be approximately \$6,763,823. The annual cost of maintaining the trail will be approximately \$5,840. The duration of construction is anticipated to be 8 to 12 months.*

## **S.5. Summary of Impacts**

A comparison of impacts associated with the alternatives and options evaluated in this EA is summarized in the following sections and in **Table 1**, following this summary.

### **S.5.1. Natural Resources**

Natural Resources affected by the project include *geology*, *soils*, and *topography*; *water resources*; *wildlife*; and *vegetation*.

The No Action Alternative would have a minor long-term site-specific impact to *geology*, *soils*, and *topography* due to continued erosion and stream channel widening. Alternatives 2 (**Preferred Alternative**), 3 and 4 would have minimal short-term site-specific impacts on the topography and soils in and around the Klingle Valley Trail study area as a result of construction activities, resulting in exposed soils, which could result in erosion. Impacts would be short-term and minor since the project area has previously been disturbed as a result of construction and degradation of the existing roadway. Alternatives 2 (**Preferred Alternative**), 3 and 4 would have long-term benefits as the project would reduce future soil erosion in Klingle Valley.

The Klingle Valley Trail Project would not result in impacts to *prime farmland soils* as defined by the U.S. Department of Agriculture and regulated under the Federal Farmland Protection Policy Act. Therefore, there would be no impact under any of the Alternatives.

The No Action Alternative would have minor long-term impacts to *water resources* due to continued erosion, sedimentation, and degraded water quality. Alternatives 2 (**Preferred Alternative**), 3 and 4 would result in minor to moderate long-term benefits to ground water, surface waters, and water quality within the project area due to a reduction in impervious surfaces and the stabilization of the stream channel, which would reduce erosion and sedimentation.

Stream restoration activities associated with this project would be considered beneficial to water resources under Section 404. Based on consultations with the COE, the proposed stabilization of Klingle Creek and the resulting impacts would be considered minor and would likely be authorized under Nationwide Permit No. 27 (Aquatic Habitat Restoration, Establishment, and Enhancement Activities). Alternatives 2 (**Preferred Alternative**), 3 and 4 involve the removal of debris and asphalt; increasing flood storage capacity on the site. The benefits to floodplains would be long-term, but minor for the region and watershed.

Short-term minor site-specific impacts during construction would result from stream disturbance, clearing of riparian vegetation, and increased soil erosion as a result of the restoration of 420 linear feet of stream for Klingle Creek Restoration Option A and 1,595 linear feet of stream for Klingle Creek Restoration Option B (***Preferred Option***). The benefits from the stream stabilization would be moderate and long-term.

The Wetland Delineation performed in September 2009 determined that no wetlands were present within the study area under USACE definition, which is used by FHWA and DDOT. Therefore, there would be no impacts to wetlands. Klingle Creek was delineated as a jurisdictional Waters of the US. However, under NPS definition, Klingle Creek is considered a riverine wetland. Impacts to Klingle Creek are described under Section 4.1.3 of this EA.

Since no surface waters near the proposed project area are designated as a Wild and Scenic River, there would be no impacts to this resource.

The District of Columbia does not have a designated Coastal Zone, thus no impacts to Coastal Zone would occur as a result of the No Action or Action Alternatives.

The No Action Alternative would have minor to moderate long-term impacts on aquatic organisms because the on-going sedimentation and resulting water quality degradation would continue. The No Action Alternative would have a minor long-term impact on terrestrial wildlife because of continued degradation of the riparian habitats through erosion and sedimentation.

Alternatives 2 (***Preferred Alternative***), 3 and 4 would have a minor long-term benefit to aquatic habitat because the project would reduce the area of non-permeable surface and would result in stable soils and reduced erosion. Klingle Creek Restoration Options A and B (***Preferred Option***) would have minor short-term impacts during construction, but stabilization measures would provide moderate long-term benefits to aquatic organisms. The Action Alternatives would result in minor short-term site-specific impacts to terrestrial wildlife due to construction disturbance. However, a minor long-term benefit to terrestrial wildlife and habitat would occur as a result of reduced erosion, improved riparian habitat, and the revegetation of the disturbed area with native species. Lighting Option B (***Preferred Option***) would have a negligible long-term site-specific impact on aquatic and terrestrial organisms because lighting may disrupt the functions of nocturnal animals. The project is not expected to impact the Hay's spring amphipod, since no suitable habitat (i.e. groundwater seeps) is present within the proposed project area.

The No Action Alternative would have a minor long-term impact on vegetation as a result of continued accelerated soil erosion; causing the loss of vegetation, degradation of riparian habitat, and spread of invasive species.

Alternatives 2 (***Preferred Alternative***), 3 and 4 would have a moderate long-term impact to vegetation as a result of trail construction and stream stabilization. The Action Alternatives in conjunction with Klingle Creek Restoration Option B (***Preferred Option***) would result in 2.57 acres of impact to vegetation and Klingle Creek Restoration Option A would have 1.36 acres

acre of impact to vegetation. Current impacts to specimen trees within the limits of disturbance include the removal of up to 37-54 large trees, of which 7-21 are located on NPS property. These impacts are conservatively estimated based on generalized design concepts. They represent the worst-case scenario and do not include avoidance measures or best management practices. It is anticipated that as designs for the trail and stream restoration are refined, opportunities to preserve large trees will be actively pursued.

### S.5.2. Cultural Resources

Cultural resources affected by the project include *historic structures*, *cultural landscape*, and *archeological resources*.

The No Action Alternative would have a minor long-term adverse impact on *historic structures and cultural landscapes* because of the continual deterioration of the road infrastructure, natural setting, and historic retaining walls.

The Action Alternatives would include rehabilitation of some of the retaining walls and culvert features that border on the proposed trail alignment as part of the efforts to remediate the valley, providing a net benefit to historic structures.

In general, Alternatives 2 (***Preferred Alternative***), 3 and 4 would have an overall long-term benefit on cultural landscapes because of the removal and restoration of deteriorated infrastructure in Klingle Valley, as well as bank stabilization of the Klingle Creek. In terms of the Section 106 analysis, Alternatives 2 (***Preferred Alternative***), 3 and 4 would have no adverse effect. Klingle Creek Restoration Options A and B (***Preferred Option***) would have no adverse effect. Access to Rock Creek Options A, B, and ***preferred option C-Modified*** would have no impact, and Option C would have no adverse effect. Lighting Options A would have no impact on cultural landscapes and Option B would have no adverse effect.

There is a low to moderate potential for intact *archaeological resources* within the footprint of the proposed trail in Alternatives 2 (***Preferred Alternative***), 3 and 4. There is a moderate to high potential for intact archeological resources within the footprint of the Klingle Creek Restoration Options. ***The proposed undertaking would include a geoarcheological survey of the project area. If the geoarcheological survey determines that the project limit of disturbance retains subsurface integrity and has the potential for previously unrecorded archeological resources, additional archeological survey will occur.*** If archeological resources are found, FHWA would continue consultation with DC HPO on measures to avoid the potential impacts to these resources.

No known *paleontological resources* exist within Klingle Valley, and therefore paleontological resources would not be impacted by the No Action or Action Alternatives.

### S.5.3. Socioeconomic Resources

Socioeconomic resources affected by the project include land use; aesthetics and visual quality; health and safety; community resources; and utilities and infrastructure.

Klinge Road has been barricaded to traffic since 1991 and land use has not changed significantly during the 19 years of closure. Therefore, the No Action Alternative would have a negligible impact on future land use, ***including the development of the subdivision of the Tregaron Estate.***

Alternatives 2 (***Preferred Alternative***), 3 and 4 would have negligible impacts on land use due to the conversion of the existing motorized transportation use of Klinge Road to a non-motorized transportation use. The impact would be negligible since use of the roadway as a motorized transportation route has been nonexistent since 1991. ***Additionally, potential impacts to the proposed Tregaron Property subdivision are expected to be negligible because of the fact that Klinge Road was closed to traffic as acknowledged and known at the time the land owner donated the property in exchange for the subdivision.***

The No Action or Action Alternatives would not change zoning within the project area; therefore, no impact would occur.

The construction of the trail under the Action Alternatives would occur within existing DDOT right-of-way and would not result in any residential relocations, nor would it directly affect populations in the project area. Therefore, there would be no impact on demographics.

The No Action or Action Alternatives would not have disproportionately high and/or adverse health or environmental impacts on minority or low-income populations or communities.

While construction activities have the potential to be beneficial, the relatively small scope of the project makes economic benefits negligible and short-term in nature.

Currently there are no proposed or existing joint developments in or adjacent to Klinge Valley in which the implementation of the Klinge Valley Trail Project would assist with future development or enhancement of these resources. Therefore, there would be no impact.

The No Action Alternative will continue to have a long-term impact on visual quality within the project area as unchecked stormwater continues to cause erosion of the existing roadbed and slopes.

Minor short-term site-specific impacts to visual quality would occur due to construction related activities resulting from Alternatives 2 (***Preferred Alternative***), 3 and 4. The Action Alternatives would have long-term site-specific benefits since they include the removal of the degraded road and infrastructure and the restoration of Klinge Valley, which would provide aesthetics that are consistent with the natural surroundings of the adjacent Rock Creek Park. Lighting Option B (***Preferred Option***) would have a minor long-term site-specific impact on views to the project area.

The No Action Alternative would have a moderate long-term local impact to public health and safety since the project area would remain in hazardous condition posing a continued threat to public safety for those who use Klingle Road illegally.

Alternatives 2 (***Preferred Alternative***), 3 and 4 would result in a long-term moderate regional benefit to public health and safety over existing conditions because a new multi-use trail would provide legal and safe access to Klingle Valley for bicyclists and pedestrians, as well as emergency response and utility vehicles. Access to Rock Creek Trail Option A would have no impact to health and safety. Access to Rock Creek Trail Options B, C, ***and C-Modified (Preferred Option)*** would result in a minor long-term local benefit to health and safety due to the addition of clearly marked shared lanes and physical barriers. Lighting Option A would result in a minor long-term site-specific impact to health and safety, since there would be no lighting at night. Lighting Option B (***Preferred Option***) would result in a minor long-term site-specific benefit to health and safety by providing lighting.

The No Action Alternative would have a minor long-term local impact to emergency services as it would continue to limit access of emergency services to the bottom of Klingle Valley because of existing barricades and roadway conditions.

Under Alternatives 2 (***Preferred Alternative***), 3 and 4, there would be a minor long-term local benefit because emergency response vehicles would have adequate access to the bottom of the valley in an emergency situation via a 10-foot or 12-foot wide multi-use trail with 2-foot shoulders. Lighting Option B (***Preferred Option***) would provide a negligible benefit by providing lighting at night.

Under the No Action Alternative, the project area would remain closed to the public; therefore, it is not anticipated that this alternative would have any appreciable impact to schools.

Alternatives 2 (***Preferred Alternative***), 3 and 4 would provide a minor long-term benefit by providing a new east-west pedestrian and bicycle route, which would connect to the larger area pedestrian and bicycle network, and may provide a shorter or more appealing route to access local schools for some users.

Under the No Action Alternative, there would continue to be impacts to parkland caused by unmanaged stormwater flows from the nearby urban watershed causing bank erosion and degradation of the Klingle Creek. Implementation of the No Action Alternative would have moderate long-term impacts to parkland because of continued bank erosion causing impacts to natural and biological resources, and the water quality of Klingle Creek and Rock Creek.

Alternatives 2 (***Preferred Alternative***), 3 and 4 would include short-term impacts to parkland during construction as each alternative includes stream restoration activities. The stream restoration activities would be of short duration and would allow Klingle Creek and Valley to be returned to a state better than the existing condition. Alternatives 2 (***Preferred Alternative***), 3 and 4 would have minor short-term impacts to the National Zoological Park due to noise generated from construction equipment and from general construction activities associated with

building the trail and restoring Klingle Creek. There would be a minor long-term site-specific impact to parkland from Lighting Option B (*Preferred Option*). Impacts under Lighting Option B would be minimized using minimal-impact lighting techniques.

The No Action Alternative would continue to have minor to moderate impacts to utilities due to continued threat by water being conveyed through Klingle Creek which in turn is causing stream bank failure and other erosion and restricted access to conduct maintenance on the utilities.

Under all Action Alternatives, a 10-foot to 12-foot multi-use trail with 2-foot shoulders would be designed to accommodate utility vehicles. A minor long-term site-specific benefit would result because of the minor improvements to utility infrastructure and the improved access to utility vehicles. Lighting Option B (*Preferred Option*) would have no to negligible impacts on utilities.

There are no known Indian Trust Resources within the project area, and so no impact would occur under the No Action or Action Alternatives.

Under Secretarial Order 3206, no American Indian Sacred Sites are known to occur within the proposed project area, and so no impact would occur under the No Action or Action Alternatives.

#### **S.5.4. Transportation**

Transportation resources affected by the project include bicycle and pedestrian network, roadway network and traffic, and transit.

The No Action Alternative would have minor long-term regional impacts to the pedestrian and bicycle network, because there is a lack of east-west recreational pedestrian and bicycle routes serving the area.

Alternatives 2 (*Preferred Alternative*), 3 and 4 would have a long-term regional benefit on the pedestrian and bicycle network from the increased east to west connectivity to the larger north-south Rock Creek multi-use trail.

Under the No Action Alternative, a minor long-term local impact would occur to the roadway network and traffic because of existing traffic levels surrounding the project area. It should be noted that this is an existing condition common to all the alternatives for the project.

Alternatives 2 (*Preferred Alternative*), 3 and 4 would result in minor short-term local impacts to the roadway network during removal of the road and stormwater infrastructure and construction of the trail. Impacts would be the result of hauling construction materials to and from the site. The long-term impacts are the same as those for the No Action Alternative.

Access to Rock Creek Trail Option A would have a negligible impact to roadway network and traffic because Klingle Valley is already used to access Rock Creek Trail by pedestrians and bicyclists. Access to Rock Creek Trail Options B, C and C-Modified (*Preferred Option*) would have a minor long-term local impact on the roadway network and traffic because of the reduced

lane width and construction of a trail or bike lane with barriers along the roadway. The impact is minor because the volume of traffic that utilizes the ramp is low.

The No Action Alternative would have no impact on *transit* operations or the public's ability to use transit in the study area. Alternatives 2 (***Preferred Alternative***), 3 and 4 would have a long-term minor regional benefit on transit because the alternatives would provide additional access to service vehicles via the multi-use trail to WMATA infrastructure for the Red Line, which runs along Connecticut Avenue and under the project area, and an east-west route for the public to access existing bus stops surrounding the project area.

#### **S.5.5. Air Quality**

The No Action Alternative would have no impact to *air quality* since the Klingle Valley study area would remain in its current state, including closure of Klingle Road to vehicles.

Short-term impacts to air quality through the generation of airborne dust and through a slight increase of emission levels from construction equipment would occur with any of the Action Alternatives. Long-term impacts from Alternatives 2 (***Preferred Alternative***), 3 and 4 would be negligible; access to the trail by vehicle is expected to be low due to the surrounding residential area coupled with the high number of existing sidewalks, bike lanes, and trail connections in and around the project area.

#### **S.5.6. Noise and Vibration**

The No Action Alternative would not impact existing noise levels because no new *noise* sources would be created in the Klingle Valley study area. Alternatives 2 (***Preferred Alternative***), 3 and 4 would have a short-term impact to noise levels in the study area during the construction phase. Long-term impacts to the existing noise level from any of the Action Alternatives would be negligible because the recessed location of the study area coupled with the thick vegetation would minimize any affect usage of the trail may have on existing noise levels. Impacts resulting from *vibration* attributed to construction activity under the Action Alternatives would be negligible and short-term in nature. There would be no long-term change in vibration resulting from the use of the trail.

#### **S.5.7. Hazardous Waste/Materials**

Based on a review of available data and site inspection, no evidence of recognized environmental concerns was identified within the project area; therefore there would be no impacts due to *hazardous materials*.

### S.5.8. Energy Conservation

There is currently no *energy consumption* within the barricaded portion of Klingle Road. Any energy consumed by lighting the trail under Lighting Option B (***Preferred Option***) would have a negligible impact on the quantity of energy consumed or available within the project area.

## S.6. Cumulative Effects

Cumulative effects would result from the Action Alternative impacts to *soils*, *vegetation*, *cultural resources*, and *land use*. From a regional context, the incremental impact on *soils* from the Action Alternatives would be negligible and would not cause the cumulative impact to be significant. The incremental impacts on *vegetation* from the Action Alternatives is small because of the area of trees and vegetation clearing is a small portion of the larger Rock Creek Park system and green space in the District. As a result, the Action Alternatives, when added to other past, present or future projects, would have a minor cumulative effect to vegetation. The impacts of the Action Alternatives when added to other past, present and future projects outlined in this EA, would have a net benefit on *cultural resources* and would not diminish the integrity of the historic resources in the project vicinity. The change in *land use* of the Action Alternatives is neither considered beneficial or adverse but in general the change and overall effect on land use in the study area is minor. The incremental impact on land use from the Action Alternatives when added to other past, present and future actions would have a minor cumulative effect on land use.

The Action Alternatives would have no long-term impacts to *water resources*, *biological resources*, *aesthetics and visual quality*, *health and safety*, *community resources*, *utilities and infrastructure*, *transportation*, *air quality*, or *noise*. Therefore, there would be no cumulative effect to these resources.

A summary of impacts is presented in **Table 1**.

**Table 1. Summary of Impacts**

Resource	Alternative 1 – No Build	Alternative 2 – 10-Foot Permeable Multi-Use Trail <i>(Preferred Alternative)</i>	Alternative 3 – 12-Foot Permeable Multi-Use Trail	Alternative 4 – 10-Foot Non-Permeable Multi-Use Trail
<b>Natural Resources</b>				
Geology, Soils, and Topography	Minor long-term site-specific impact to soils due to continued erosion.	Minor short-term and long-term site-specific impacts due to construction activities. Minor long-term site-specific benefits due to reduced erosion.	Minor short-term and long-term site-specific impacts due to construction activities. Minor long-term site-specific benefits due to reduced erosion.	
		Klinge Creek Restoration Option A: impacts to 2.88 acres of soil. Klinge Creek Restoration Option B ( <i>Preferred Option</i> ): impacts to 4.09 acres of soil.		
		Access to Rock Creek Trail Options A, B and C-Modified ( <i>Preferred Option</i> ): No additional impact. Access to Rock Creek Trail Option C: Additional 0.49 acres of soil.		
		Lighting Options: No additional impact.		
Farmland	No impact; no prime farmland soils within project area.	No impact; no prime farmland soils within project area.	No impact; no prime farmland soils within project area.	
		Klinge Creek Restoration Options: No impact.		
		Access to Rock Creek Trail Options: No impact.		
		Lighting Options: No impact.		
Ground Water	No impact to groundwater volume or quality.	No impact; net decrease of 1.92 acres of impermeable surface.	No impact; net decrease of 1.92 acres of impermeable surface.	No impact; net decrease of 0.99 acre of impermeable surface.
		Klinge Creek Restoration Options: No impact.		
		Access to Rock Creek Trail Options: No impact.		
		Lighting Options: No impact.		
Surface Water	Long-term moderate impact to surface waters due to increased sediment loads and	Minor to moderate long-term benefit from reduction of impervious surface.	Minor to moderate long-term benefit from reduction of impervious surface.	

**Table 1. Summary of Impacts**

Resource	Alternative 1 – No Build	Alternative 2 – 10-Foot Permeable Multi-Use Trail <i>(Preferred Alternative)</i>	Alternative 3 – 12-Foot Permeable Multi-Use Trail	Alternative 4 – 10-Foot Non-Permeable Multi-Use Trail
Surface Water (cont.)	degraded water quality.	Klinge Creek Restoration Option A: Minor short-term site-specific construction impacts to 420 linear feet of stream. Minor to moderate long-term benefit from stream restoration. Klinge Creek Restoration Option B ( <i>Preferred Option</i> ): Minor short-term site-specific construction impacts to 1,595 linear feet of stream. Minor to moderate long-term benefit from stream restoration.		
		Access to Rock Creek Trail Options: No impact.		
		Lighting Options: No impact.		
Floodplains	Long-term minor impact to floodplain functions.	Short-term impact from the removal of existing roadway infrastructure. Minor long-term benefit to floodplains within the watershed due to increased flood storage capacity and other floodplain functions.	Short-term impact from the removal of existing roadway infrastructure. Minor long-term benefit to floodplains within the watershed due to increased flood storage capacity and other floodplain functions.	
		Klinge Creek Restoration Options: Minor long-term regional benefit.		
		Access to Rock Creek Trail Options: No impact.		
		Lighting Options: No impact.		
Water Quality	Minor long-term impacts due to continued erosion, sedimentation, and degraded water quality.	Minor short-term impacts during construction because of potential release of sediments caused by earth disturbance. Moderate long-term benefits with reduction of impervious surface.	Minor short-term impacts during construction because of potential release of sediments caused by earth disturbance. Moderate long-term benefits with reduction of impervious surface.	
		Klinge Creek Restoration Option A: 420 linear feet of minor short-term impacts due to stream restoration, moderate long-term benefit.		
		Klinge Creek Restoration Option B ( <i>Preferred Option</i> ): 1,595 linear feet of minor short-term impacts due to stream restoration, moderate long-term benefit.		
		Access to Rock Creek Trail Options: No impact.		
		Lighting Options: No impact.		

**Table 1. Summary of Impacts**

<b>Resource</b>	<b>Alternative 1 – No Build</b>	<b>Alternative 2 – 10-Foot Permeable Multi-Use Trail (Preferred Alternative)</b>	<b>Alternative 3 – 12-Foot Permeable Multi-Use Trail</b>	<b>Alternative 4 – 10-Foot Non-Permeable Multi-Use Trail</b>
Wetlands*	No impact, no wetlands identified within the project area.*	No impact, no wetlands identified within the project area.	No impact, no wetlands identified within the project area.	
		Klinge Creek Restoration Options: No impact.		
		Access to Rock Creek Trail Options: No impact.		
		Lighting Options: No impact.		
Navigable Waters	No impact, no navigable waters present.	No impact, no navigable waters present.	No impact, no navigable waters present.	
		Klinge Creek Restoration Options: No impact.		
		Access to Rock Creek Trail Options: No impact.		
		Lighting Options: No impact.		
Wild and Scenic Rivers	No impact, no Wild and Scenic Rivers within project area.	No impact, no Wild and Scenic Rivers within project area.	No impact, no Wild and Scenic Rivers within project area.	
		Klinge Creek Restoration Options: No impact.		
		Access to Rock Creek Trail Options: No impact.		
		Lighting Options: No impact.		
Coastal Zone	No impact. The District does not have a designated Coastal Zone.	No impact. The District does not have a designated Coastal Zone.	No impact. The District does not have a designated Coastal Zone.	
		Klinge Creek Restoration Options: No impact.		
		Access to Rock Creek Trail Options: No impact.		
		Lighting Options: No impact.		
Aquatic Organisms	Minor to moderate long-term impact due to ongoing sedimentation.	Negligible short-term impacts during construction activities. Minor long-term benefit due to soil stabilization and reduced erosion resulting in improved habitat.	Negligible short-term impacts during construction activities. Minor long-term benefit due to soil stabilization and reduced erosion resulting in improved habitat.	

**Table 1. Summary of Impacts**

Resource	Alternative 1 – No Build	Alternative 2 – 10-Foot Permeable Multi-Use Trail <i>(Preferred Alternative)</i>	Alternative 3 – 12-Foot Permeable Multi-Use Trail	Alternative 4 – 10-Foot Non-Permeable Multi-Use Trail
Aquatic Organisms (cont.)		Klinge Creek Restoration Option A: 420 linear feet of minor short-term impacts due to in-stream construction, moderate long-term benefit. Klinge Creek Restoration Option B ( <i>Preferred Option</i> ): 1,595 linear feet of minor short-term impacts due to in-stream construction, moderate long-term benefit.		
		Access to Rock Creek Trail Options: No impact.		
		Lighting Option A: No impact. Lighting Option B ( <i>Preferred Option</i> ): Negligible long-term site-specific impacts due to disturbance of nocturnal organisms.		
Terrestrial Organisms	Minor long-term impact due to continued degradation of habitats.	Minor short-term site-specific impact due to construction disturbance. Minor long-term benefit to wildlife and habitat.	Minor short-term site-specific impact due to construction disturbance. Minor long-term benefit to wildlife and habitat.	
		Klinge Creek Restoration Options: Minor short-term impact due to construction disturbance. Minor long-term benefit to wildlife and habitat.		
		Access to Rock Creek Trail Options: No impact.		
		Lighting Option A: No impact. Lighting Option B ( <i>Preferred Option</i> ): Negligible long-term site-specific impacts due to disturbance of nocturnal organisms.		
Rare, Threatened and Endangered Species.	No impact.	No impact to threatened or endangered species.	No impact to threatened or endangered species.	
		Klinge Creek Restoration Options: No impact.		
		Access to Rock Creek Trail Options: No impact.		
		Lighting Options: No impact.		
Vegetation	Minor long-term impact from continued soil erosion, degradation of riparian habitat, and the spread of	Moderate long-term site-specific impacts resulting from the removal of vegetation during construction.	Moderate long-term site-specific impacts resulting from the removal of vegetation during construction.	

**Table 1. Summary of Impacts**

Resource	Alternative 1 – No Build	Alternative 2 – 10-Foot Permeable Multi-Use Trail <i>(Preferred Alternative)</i>	Alternative 3 – 12-Foot Permeable Multi-Use Trail	Alternative 4 – 10-Foot Non-Permeable Multi-Use Trail
Vegetation (cont.)	invasive species.	<p>Klinglet Creek Restoration Option A: Moderate long-term site-specific impacts to vegetation would occur to 1.36 acres of vegetation involving the removal of up to 37 large trees, of which up to 7 are located on NPS property.</p> <p>Klinglet Creek Restoration Option B (<i>Preferred Option</i>): Site-specific, moderate, long-term impacts to vegetation would occur to 2.57 acres of vegetation involving the removal of up to 54 large trees, of which 24 are located on NPS property.</p> <p>Access to Rock Creek Trail Options A, B and C-Modified (<i>Preferred Option</i>): No additional impact.</p> <p>Access to Rock Creek Trail Option C: Additional 0.22 acre impact.</p> <p>Lighting Options: No impact.</p>		
<b>Cultural Resources</b>				
Historic Structures	Minor long-term impact because of the continual deterioration of the historic retaining walls.	<p>Long-term benefit because of the retaining wall rehabilitation.</p> <p>Klinglet Creek Restoration Option A: No impact.</p> <p>Klinglet Creek Restoration Option B (<i>Preferred Option</i>): Net benefit due to the stabilization, rehabilitation, or rebuilding of retaining walls and culverts.</p> <p>Access to Rock Creek Trail Options A, B and C-Modified (<i>Preferred Option</i>): No impact.</p> <p>Access to Rock Creek Trail Option C: Additional disturbance of 0.22 acre would have a limited effect on retaining walls, and culvert features.</p> <p>Lighting Option A and B: No impact.</p>	<p>Long-term benefit because of the retaining wall rehabilitation.</p> <p>Overall long-term benefit because of the removal and restoration of deteriorated infrastructure in Klinglet Valley as well as bank stabilization of the Klinglet Creek.</p>	
Cultural Landscapes	Minor long-term impact because of the continual deterioration of the road infrastructure and natural setting.	<p>Overall long-term benefit because of the removal and restoration of deteriorated infrastructure in Klinglet Valley as well as bank stabilization of the Klinglet Creek.</p> <p>Klinglet Creek Restoration Option A: No adverse effect.</p> <p>Klinglet Creek Restoration Option B (<i>Preferred Option</i>): No adverse effect.</p>	<p>Overall long-term benefit because of the removal and restoration of deteriorated infrastructure in Klinglet Valley as well as bank stabilization of the Klinglet Creek.</p>	

**Table 1. Summary of Impacts**

Resource	Alternative 1 – No Build	Alternative 2 – 10-Foot Permeable Multi-Use Trail <i>(Preferred Alternative)</i>	Alternative 3 – 12-Foot Permeable Multi-Use Trail	Alternative 4 – 10-Foot Non-Permeable Multi-Use Trail
Cultural Landscapes (cont.)		Access to Rock Creek Trail Options A, B and <i>C-Modified (Preferred Option)</i> : No impact. Access to Rock Creek Trail Option C: No adverse effect.		
		Lighting Option A: No impact. Lighting Option B ( <i>Preferred Option</i> ): No adverse effect.		
Archeology	Indirect effect from the gradual loss of unknown archeological resources, caused by continued erosion.	Low to moderate potential for intact archeological resources to be present.	Low to moderate potential for intact archeological resources to be present.	
		Klinge Creek Restoration Options: Moderate to high potential for archeology. <i>A geoarcheological survey of the project area will be completed within the project limit of disturbance. Should it be determined that the project area retains subsurface integrity and has the potential for previously unrecorded archeological resources, additional archeological survey will occur. If archeological resources are found, FHWA would continue consultation with DC HPO on measures to avoid the potential impacts to these resources</i>		
		Access to Rock Creek Trail Options A, B and <i>C-Modified (Preferred Option)</i> : No impact. Access to Rock Creek Trail Option C: Additional disturbance of 0.22 acre would have limited potential to impact archeological resources.		
		Lighting Options: No impact.		
Paleontology	No impact.	No impact; No paleontological resources are known to exist within the project area.	No impact; No paleontological resources are known to exist within the project area.	
		Klinge Creek Restoration Options: No impact.		
		Access to Rock Creek Trail Options: No impact.		
		Lighting Options: No impact.		

**Table 1. Summary of Impacts**

<b>Resource</b>	<b>Alternative 1 – No Build</b>	<b>Alternative 2 – 10-Foot Permeable Multi-Use Trail (Preferred Alternative)</b>	<b>Alternative 3 – 12-Foot Permeable Multi-Use Trail</b>	<b>Alternative 4 – 10-Foot Non-Permeable Multi-Use Trail</b>
<b>Socioeconomic Resources</b>				
Land Use	Negligible impact on future land use.	Negligible impact on future land use.	Negligible impact on future land use.	
		Klinge Creek Restoration Options: No impact.		
		Access to Rock Creek Trail Options: No impact.		
		Lighting Options: No impact.		
Zoning	No impact.	No impact.	No impact.	
		Klinge Creek Restoration Options: No impact.		
		Access to Rock Creek Trail Options: No impact.		
		Lighting Options: No impact.		
Demographics	No impact.	No impact.	No impact.	
		Klinge Creek Restoration Options: No impact.		
		Access to Rock Creek Trail Options: No impact.		
		Lighting Options: No impact.		
Environmental Justice	No impact.	No impact.	No impact.	
		Klinge Creek Restoration Options: No impact.		
		Access to Rock Creek Trail Options: No impact.		
		Lighting Options: No impact.		

**Table 1. Summary of Impacts**

Resource	Alternative 1 – No Build	Alternative 2 – 10-Foot Permeable Multi-Use Trail <i>(Preferred Alternative)</i>	Alternative 3 – 12-Foot Permeable Multi-Use Trail	Alternative 4 – 10-Foot Non-Permeable Multi-Use Trail
Economics and Development	No impact.	Negligible benefit from potential short-term employment opportunities during construction.	Negligible benefit from potential short-term employment opportunities during construction.	
		Klinge Creek Restoration Options: No impact.		
		Access to Rock Creek Trail Options: No impact.		
		Lighting Options: No impact.		
Joint Development	No impact.	No impact.	No impact.	
		Klinge Creek Restoration Options: No impact.		
		Access to Rock Creek Trail Options: No impact.		
		Lighting Options: No impact.		
Aesthetics and Visual Quality	Minor long-term impact as visual quality would continue to degrade.	Minor short-term site-specific visual impacts during construction. Minor long-term site-specific benefits since Action Alternative will enhance views.	Minor short-term site-specific visual impacts during construction. Minor long-term site-specific benefits since Action Alternative will enhance views.	
		Klinge Creek Restoration Options: Minor long-term site-specific benefit.		
		Access to Rock Creek Trail Option A: No impact.		
		Access to Rock Creek Trail Options B, C and C-Modified ( <i>Preferred Option</i> ): Construction impacts would be negligible short-term and site-specific. Negligible long-term impacts.		
		Lighting Option A: No impact. Lighting Option B ( <i>Preferred Option</i> ): Minor long-term site-specific impact on views to the project area.		

**Table 1. Summary of Impacts**

Resource	Alternative 1 – No Build	Alternative 2 – 10-Foot Permeable Multi-Use Trail <i>(Preferred Alternative)</i>	Alternative 3 – 12-Foot Permeable Multi-Use Trail	Alternative 4 – 10-Foot Non-Permeable Multi-Use Trail
Health and Safety	Moderate long-term local impact due to continued unauthorized access to Klingle Valley.	A moderate long-term regional benefit by providing legal and safe access to Klingle Valley for bicyclists, pedestrians, emergency response vehicles, and utility vehicles.	A moderate long-term regional benefit by providing legal and safe access to Klingle Valley for bicyclists, pedestrians, emergency response vehicles, and utility vehicles.	
		Klingle Creek Restoration Options: Minor long-term site-specific benefit.		
		Access to Rock Creek Trail Option A: No impact. Access to Rock Creek Trail Options B, C and C-Modified ( <i>Preferred Option</i> ): Minor long-term local benefit due to the addition of clearly marked shared lanes and physical barriers separating motorized and non-motorized users.		
		Lighting Option A: Minor long-term site-specific impacts because DDOT trails are generally accessible 24 hours a day and night use could be hazardous without lighting. Lighting Option B ( <i>Preferred Option</i> ): Minor long-term site-specific benefit because lighting would provide a safer atmosphere for night use.		
Emergency Services	Minor long-term impact; limited access of emergency services to the bottom of Klingle Valley.	Minor long-term local benefit because emergency response vehicles would have adequate access to the bottom of Klingle Valley.	Minor long-term local benefit because emergency response vehicles would have adequate access to the bottom of Klingle Valley.	
		Klingle Creek Restoration Options: No impact.		
		Access to Rock Creek Trail Options: No impact.		
		Lighting Option A: Negligible impact. Lighting Option B ( <i>Preferred Option</i> ): Negligible benefit.		

**Table 1. Summary of Impacts**

Resource	Alternative 1 – No Build	Alternative 2 – 10-Foot Permeable Multi-Use Trail <i>(Preferred Alternative)</i>	Alternative 3 – 12-Foot Permeable Multi-Use Trail	Alternative 4 – 10-Foot Non-Permeable Multi-Use Trail
Schools	No impact.	Minor long-term benefit by adding a new east-west pedestrian and bicycle trail which may provide a shorter or more appealing route to access local schools.	Minor long-term benefit by adding a new east-west pedestrian and bicycle trail which may provide a shorter or more appealing route to access local schools.	
		Klinge Creek Restoration Options: No impact.		
		Access to Rock Creek Trail Options: No impact.		
		Lighting Options: No impact.		
Parks and Recreation Areas	No direct impact. Moderate long-term indirect impact if area is not maintained or cleaned up.	Short-term impact to NPS lands during construction. Minor short-term impact to the National Zoological Park.	Short-term impact to NPS lands during construction. Minor short-term impact to the National Zoological Park.	
		Klinge Creek Restoration Options: Long-term local benefit		
		Access to Rock Creek Trail Options: Negligible impact.		
		Lighting Option A: No impact. Lighting Option B ( <i>Preferred Option</i> ): Minor long-term site-specific impacts.		
Utilities and Infrastructure	Moderate site-specific impact due to continued threat of stream bank failure and erosion, and restricted access to conduct maintenance on the utilities.	Minor long-term site-specific benefit because of improvements to utility infrastructure.	Minor long-term site-specific benefit because of improvements to utility infrastructure.	
		Klinge Creek Restoration Options: No impact.		
		Access to Rock Creek Trail Options: No impact.		
		Lighting Option A: No impact. Lighting Option B ( <i>Preferred Option</i> ): No to negligible impact.		

**Table 1. Summary of Impacts**

<b>Resource</b>	<b>Alternative 1 – No Build</b>	<b>Alternative 2 – 10-Foot Permeable Multi-Use Trail (Preferred Alternative)</b>	<b>Alternative 3 – 12-Foot Permeable Multi-Use Trail</b>	<b>Alternative 4 – 10-Foot Non-Permeable Multi-Use Trail</b>
Indian Trust Resources	No impact.	No impact.	No impact.	
		Klinge Creek Restoration Options: No impact.		
		Access to Rock Creek Trail Options: No impact.		
		Lighting Options: No impact.		
American Indian Sacred Sites	No impact.	No impact.	No impact.	
		Klinge Creek Restoration Options: No impact.		
		Access to Rock Creek Trail Options: No impact.		
		Lighting Options: No impact.		
<b>Transportation</b>				
Bicycle and Pedestrian Network	Minor long-term regional impacts from lack of east-west routes.	Negligible short-term impacts. Long-term regional benefit from additional east to west connectivity to the larger Rock Creek multi-use trail.	Negligible short-term impacts. Long-term regional benefit from additional east to west connectivity to the larger Rock Creek multi-use trail.	
		Klinge Creek Restoration Options: No impact.		
		Access to Rock Creek Trail Option A: No impact. Access to Rock Creek Trail Options B, C and C-Modified (Preferred Option): Negligible short-term impact, moderate long-term regional benefit.		
		Lighting Options: No impact.		

**Table 1. Summary of Impacts**

Resource	Alternative 1 – No Build	Alternative 2 – 10-Foot Permeable Multi-Use Trail <i>(Preferred Alternative)</i>	Alternative 3 – 12-Foot Permeable Multi-Use Trail	Alternative 4 – 10-Foot Non-Permeable Multi-Use Trail
Roadway Network and Traffic	Minor long-term impact because of existing traffic levels surrounding the project area (An existing condition for all alternatives).	Minor short-term impacts because of temporary traffic delays and congestion during the hauling in and out of construction materials. Long-term impacts are the same as the No Action Alternative.	Minor short-term impacts because of temporary traffic delays and congestion during the hauling in and out of construction materials. Long-term impacts are the same as the No Action Alternative.	
		Klinge Creek Restoration Options: No impact.		
		Access to Rock Creek Trail Option A: Negligible impact; similar to existing conditions. Access to Rock Creek Trail Options B, C and C-Modified ( <i>Preferred Option</i> ): Minor long-term impact on the local roadway network because of the reduction in lane width and construction of a trail or bike lane with barrier along the roadway. Short-term minor impacts from added construction traffic.		
		Lighting Options: No impact.		
Transit	No impact.	Minor long-term regional benefit on transit because the alternatives would provide additional access to service vehicles via the multi-use trail to WMATA infrastructure for the Red Line.	Minor long-term regional benefit on transit because the alternatives would provide additional access to service vehicles via the multi-use trail to WMATA infrastructure for the Red Line.	
		Klinge Creek Restoration Options: No impact.		
		Access to Rock Creek Trail Options: No impact.		
		Lighting Options: No impact.		

**Table 1. Summary of Impacts**

<b>Resource</b>	<b>Alternative 1 – No Build</b>	<b>Alternative 2 – 10-Foot Permeable Multi-Use Trail (Preferred Alternative)</b>	<b>Alternative 3 – 12-Foot Permeable Multi-Use Trail</b>	<b>Alternative 4 – 10-Foot Non-Permeable Multi-Use Trail</b>
<b>Air Quality</b>	No impact.	There would be no impact from any of the Alternatives to CO conformity, PM <sub>2.5</sub> conformity, MSATs, or GHGs.	There would be no impact from any of the Alternatives to CO conformity, PM <sub>2.5</sub> conformity, MSATs, or GHGs.	
		Klinge Creek Restoration Options: No impact.		
		Access to Rock Creek Trail Options: No impact.		
		Lighting Options: No impact.		
<b>Noise and Vibration</b>	No impact.	Short-term negligible impact during construction phase. Long term impacts would be negligible.	Short-term negligible impact during construction phase. Long term impacts would be negligible.	
		Klinge Creek Restoration Options: No impact.		
		Access to Rock Creek Trail Options: No impact.		
		Lighting Options: No impact.		
<b>Hazardous Waste and Materials</b>	No impact.	No impact.	No impact.	
		Klinge Creek Restoration Options: No impact.		
		Access to Rock Creek Trail Options: No impact.		
		Lighting Options: No impact.		
<b>Energy Conservation</b>	No impact.	No impact.	No impact.	
		Klinge Creek Restoration Options: No impact.		
		Access to Rock Creek Trail Options: No impact.		
		Lighting Option A: No impact. Lighting Option B ( <i>Preferred Option</i> ): Negligible impact from energy consumed by lighting the trail.		

**Table 1. Summary of Impacts**

Resource	Alternative 1 – No Build	Alternative 2 – 10-Foot Permeable Multi-Use Trail <i>(Preferred Alternative)</i>	Alternative 3 – 12-Foot Permeable Multi-Use Trail	Alternative 4 – 10-Foot Non-Permeable Multi-Use Trail
Cost		\$4,629,545 to \$6,977,595	\$5,373,308 to \$7,721,358	\$4,524,750 to \$6,872,800
		Klinge Creek Restoration Option A: \$323,750		
		Klinge Creek Restoration Option B ( <i>Preferred Option</i> ): \$1,075,000		
		Access to Rock Creek Trail Option A: \$0 Access to Rock Creek Trail Option B: \$349,000 Access to Rock Creek Trail Option C: \$1,430,000 <b>Access to Rock Creek Trail Option C-Modified (<i>Preferred Option</i>): \$1,216,228</b>		
		Lighting Option A: \$0 Lighting Option B ( <i>Preferred Option</i> ): \$142,300 to <b>\$166,800 (<i>Pole Lighting</i>)</b>		

\*FHWA/DDOT follows the 1987 Army Corps of Engineers' *Wetland Delineation Manual* and all subsequent guidance and clarifications. The *Wetland Delineation Manual* utilizes a three-parameter approach to identifying wetlands, which includes the presence of dominant hydrophytic vegetation, hydric soils, and wetland hydrology.

NPS officially recognizes the wetlands definition developed by Cowardin and used by U.S. Fish and Wildlife Service (FWS) as outlined in *Classification of Wetlands and Deepwater Habitats of the United States* (Cowardin, 1979). This system generally states that wetlands are lands where saturation with water is the dominant factor determining the nature of soil development and the types of plant and animal communities living in the soil and on its surface (FWS, 1979). Under the Cowardin Classification System and per NPS definition, Klinge Creek is considered a riverine wetland. Impacts to Klinge Creek are described in Section 4.1.3 of this EA.

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**ACRONYMS AND ABBREVIATIONS**

ACHP	American Council on Historic Preservation
AASHTO	American Association of State Highway and Transportation Officials
ADA	Americans with Disabilities Act
ADT	Average Daily Traffic
ANC	Advisory Neighborhood Commission
APE	Area of Potential Effects
BMP	Best Management Practices
CAA	Clean Air Act of 1970
CAAA	1990 Clean Air Act Amendments
CEQ	Council on Environmental Quality
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
CFA	Commission of Fine Arts
CFR	Code of Federal Regulations
cfs	Cubic feet per second
CISEH	Center for Invasive Species and Ecosystem Health
CLI	Cultural Landscape Inventory
COE	U.S. Army Corps of Engineers
CWA	Clean Water Act
dba	decibels
dbh	Diameter at Breast Height
DEP	Pennsylvania Department of Environmental Protection
DC HPO	District of Columbia Historic Preservation Office
DC Water	District of Columbia Water and Sewer Authority
DCMR	DC Municipal Regulations
DDOE	DC Department of the Environment
DDOH	DC Department of Health
DDOT	District Department of Transportation
The District	District of Columbia
DO	Director's Order
EA	Environmental Assessment
EDR	Environmental Data Resources, Inc.
EIS	Environmental Impact Statement
EO	Executive Order
EPA	U.S. Environmental Protection Agency
ESA	Endangered Species Act
FEMA	Federal Emergency Management Agency
FHWA	Federal Highway Administration
FONSI	Finding of No Significant Impact
FWS	U.S. Fish and Wildlife Service
FY	Fiscal Year
GMP	General Management Plan
LOS	Level of Service

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msl	Mean sea level
MUTCD	Manual on Uniform Traffic Control Devices
NAAQS	National Ambient Air Quality Standards
NBS	National Biological Survey
NCPC	National Capital Planning Commission
NEPA	National Environmental Policy Act
NHPA	National Historic Preservation Act
NOI	Notice of Intent
NPDES	National Pollutant Discharge Elimination System
NPS	National Park Service
NRHP	National Register of Historic Places
OHWM	Ordinary high water mark
PEPCO	Potomac Electric Power Company
PM <sub>10</sub>	particulate matter less than or equal to 10 microns
PM <sub>2.5</sub>	particulate matter less than or equal to 2.5 microns
SI	Smithsonian Institution
SIP	State Implementation Plan
SWDC	Special Waters of the District of Columbia
TMDL	Total Maximum Daily Load
USDA	U.S. Department of Agriculture
USDOT	U.S. Department of Transportation
USGS	U.S. Geological Survey
WMATA	Washington Metropolitan Area Transit Authority

## 1.0 PURPOSE AND NEED

The Federal Highway Administration (FHWA) in conjunction with the District Department of Transportation (DDOT), have proposed the construction of a multi-use trail facility within the 0.7 mile barricaded portion of Klingle Road between Porter Street, NW, and Cortland Place, NW and restoration of Klingle Creek in cooperation with the National Park Service (NPS). The FHWA has oversight responsibility for the Federal aid program and is participating in funding the project. Klingle Road lies within the DDOT right-of-way and is maintained by DDOT. Approximately 70 percent of the existing DDOT right-of-way in Klingle Valley is bordered by Rock Creek Park, including Klingle Creek. Rock Creek Park is a unit of the NPS. This Environmental Assessment (EA) is prepared in accordance with the National Environmental Policy Act of 1969 (NEPA), the Council of Environmental Quality (CEQ) regulations (40 Code of Federal Regulations (CFR) 1500-1508), the FHWA's *Environmental Impact and Related Procedures* (23 CFR 771), FHWA *Technical Advisory Guidance for Preparing and Processing Environmental and Section 4(f) Documents* (T6640.8A), and DDOT's *Environmental Policy and Process Manual*. ***The FHWA and DDOT prepared an EA which was released for agency and public review on June 4, 2010. A public hearing was held on June 23, 2010. This Final EA has been prepared to address agency and public comments received, and identifies FHWA/DDOT's Preferred Alternative and options after consideration of public and agency comments.***

The 0.7 mile segment of roadway within Klingle Valley from Cortland Place, NW to Porter Street, NW, has been barricaded to traffic since 1991 due to severe deterioration of the roadway, headwalls, and underlying stormwater management systems. The proposed action includes the construction of a multi-use trail facility within DDOT right-of-way; the removal of existing roadway pavement and debris from failed infrastructure within Klingle Valley; installation of stormwater management infrastructure to reduce the erosive effects of uncontrolled stormwater flows; and stream restoration of Klingle Creek, a tributary to Rock Creek. Proposed improvements would occur within the barricaded segment of roadway, with tie-ins to existing bicycle and pedestrian systems on the east and west ends. The project area is surrounded by the Cleveland Park and Woodley Park neighborhoods to the west, portions of Rock Creek Park, and the Smithsonian Institution National Zoological Park to the south. Located nearby to the east are the neighborhoods of Crestwood and Mount Pleasant (**Figure 1**).

### 1.1 Purpose of the Proposed Action

The purpose of the proposed action is to construct a multi-use trail facility using context sensitive design, to provide safe non-motorized transportation and recreational opportunities to the residents and visitors of the District of Columbia (the District).

## **1.2 Needs for the Proposed Action**

### **1.2.1 Safety**

Due to recurring stormwater events, the existing roadway surface, sub-grade, associated drainage structures, and retaining walls have sustained severe damage. Continuing deterioration has resulted in heaved and failed pavement and extensive erosion beneath and adjacent to the road, causing a safety hazard to the public.

Although, the area is closed off by a chain-link fence, jersey barriers, and “No Trespassing” signs, the barricaded roadway segment within Klingle Valley is still used by citizens who circumvent the barriers for recreational purposes such as running, dog-walking, and biking. Additionally, the existing infrastructure does not meet current American Association of State Highway and Transportation Officials (AASHTO) guidelines for multi-use paths. Safety hazards for unauthorized walkers and cyclists include broken pavement and potholes, as well as areas weakened by subsurface erosion.

The relative isolation of this barricaded area of Klingle Valley and the current condition of Klingle Road poses additional risks to public safety because it cannot be easily or safely accessed by emergency response vehicles. In addition, the seclusion of the area could lead to situations where crime is more likely to occur.

### **1.2.2 Social Demands**

The Park and Recreation Open Space District element in the *District Comprehensive Plan* emphasizes the need and importance of open space, including the creation of trails, to better connect the city’s open spaces with city residents (DCOP, 2006). Multi-use trails offer District residents transportation, commuting, and recreational opportunities for walking, jogging, biking, in-line skating, and other non-motorized uses. One of the primary benefits of a multi-use trail is the separation of trail users from motorized vehicles giving users a sense of safety and added enjoyment. Presently, the condition of Klingle Road prohibits recreational use of Klingle Valley. Klingle Valley is also green space in the District, which offers other recreational benefits such as bird watching and wildlife viewing.

### **1.2.3 System Linkage**

The open sections of Klingle Road through the surrounding neighborhoods have existing city sidewalks connecting to Woodley Road and Porter Street. Site observations have revealed that the barricaded portion of Klingle Road has been a popular travel mode, including walking and bicycling, for area residents, but with the erection of protection fencing, fewer residents have access to the area. Currently, limited transportation access exists from points west of Connecticut Avenue to Klingle Valley and Rock Creek Park. According to the March 2009 DC Bicycle Map, the nearest designated east-west bicycle routes/bike lanes crossing Connecticut Avenue into the Rock Creek Park multi-use trail system are located at Tilden Street the north, and off of Calvert Street at 24<sup>th</sup> Street to the south, leaving an approximate 1 mile gap. Smaller

trails created by users crisscross the parkland adjacent to the Klingle Valley, and connect with a frequently used NPS multi-use trail on Beach Drive, located to the east of the project area. While the Bicycle Map also identifies an access point to the Rock Creek multi-use trail at Klingle Road/Porter Street, there is presently no trailhead or clear marker at this location.

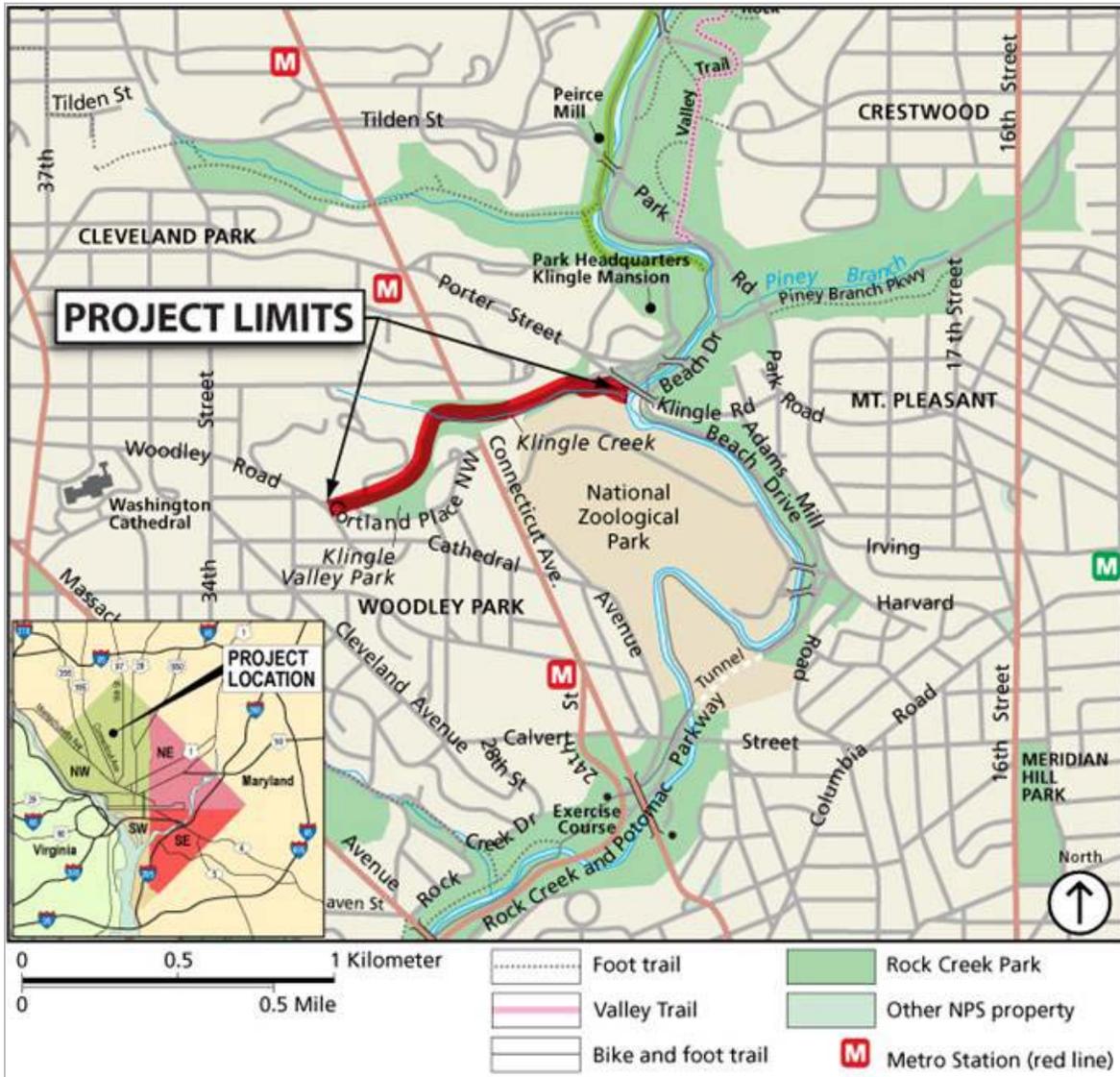


Figure 1. Location Map

### **1.2.4 Infrastructure Deficiencies**

The deteriorating roadway infrastructure is degrading habitat within Klingle Valley. Stormwater management improvements are needed to protect environmental resources within Klingle Valley and to ensure that the trail would not be subjected to the destructive force of uncontrolled runoff generated within the Klingle Valley watershed. The stormwater flowing through the Klingle Valley watershed into Klingle Creek has contributed to the degradation of Klingle Road and continue to degrade Klingle Valley including DDOT roadbed and culverts, a DC Water manhole and sewer line encasements, and NPS-owned land surrounding the DDOT right-of-way. Uncontrolled stormwater flow has degraded existing water quality, eroded stream banks, and undermined vegetation adjacent to the creek and stormwater infrastructure.

Sediments deposited into Klingle Creek and Rock Creek have created areas where stormwater can no longer be effectively conveyed through the creek, increasing impacts to NPS lands and other adjacent properties and further exacerbating the erosion problem. Flood events are not mitigated by adequate stormwater management, contributing to the continued degradation of the pavement and the stream valley. The resultant flow of stormwater discharge into Klingle Valley creates hazardous conditions for the public with unpredictable erosion of the existing pavement and streambanks. Additionally, debris is washed into Klingle Creek, which flows into Rock Creek. The flow of untreated stormwater within the watershed degrades water quality, posing risks to human and environmental health. Access to existing utilities is impeded by the current condition of Klingle Road. Currently, maintenance vehicles lack safe access to utilities located under the Connecticut Avenue Bridge and throughout Klingle Valley. As the road bed continues to deteriorate and soils are eroded within the project area, complications with utilities increases.

Stream bank stabilization of Klingle Creek and restoration of features such as failed retaining walls and culverts in Klingle Valley are needed to remedy the ongoing degradation of existing infrastructure and property within Klingle Valley. Furthermore, remediation actions of Klingle Creek and Valley would be necessary for the sustainability of a new multi-use trail and related infrastructure.

### **1.2.5 Legislation**

Construction of a multi-use trail in Klingle Valley, including environmental remediation of Klingle Valley, is consistent with the District of Columbia's Klingle Road Sustainable Development Amendment Act of 2008, which specifies that DDOT shall allocate and use Federal aid highway funds for the environmental remediation of Klingle Valley and construction of a pedestrian and bicycle trail along the closed portion of Klingle Road.

## 1.3 Project Overview

### 1.3.1 Background

Klinge Road runs from Beach Drive in Rock Creek Park to the Washington National Cathedral in northwest Washington, DC. The 0.7 mile segment of roadway within Klinge Valley from Porter Street, NW to Cortland Place, NW was barricaded to traffic in 1991 due to severe deterioration of the roadway, headwalls, and underlying stormwater management systems. Prior to *the barricades, that segment of* Klinge Road provided additional east-west access between Tilden Road and Calvert Street. Klinge Road is currently impassable for vehicular traffic and is unsafe for pedestrians and cyclists due to heaved and failed pavement and extensive erosion beneath and adjacent to the road. DDOT has fenced off the barricaded portion of Klinge Road to discourage public access and to attempt to prevent public exposure to substandard site conditions. However, the barricaded roadway continues to be used by the public.

In November 2003, The Klinge Road Restoration Act of 2003 (2003 Act) was codified into law as part of the Fiscal Year (FY) 2004 Budget Support Act of 2003 (DC Law 15-39; DC Official Code § 9-115.11). The 2003 Act directed the repair and reconstruction of the barricaded segment of Klinge Road and required reopening of the road to motor vehicle traffic.

Additionally, the 2003 Act required an establishment of a DDOT stormwater management plan for Klinge Road. On March 17, 2004, a Notice of Intent (NOI) was published in the Federal Register declaring FHWA and DDOT's intent to prepare an Environmental Impact Statement (EIS) for the reconstruction of the 0.7-mile portion of Klinge Road between Porter Street, NW and Cortland Place, NW in the District (Volume 69, No. 52). Prior to completion of the Final EIS in support of the 2003 Act, the project was put on hold.

In June 2008, the DC Council passed legislation called the Klinge Road Sustainable Development Amendment Act of 2008 (2008 Act), which was codified into law as part of the FY 2009 Budget Support Act of 2008 (DC Law 17-219; DC Official Code § 9-115.11). This legislation amended the 2003 Act and ended studies to reopen the barricaded segment of Klinge Road to vehicular traffic. Section 6017 of the 2008 Act reads as follows: "Notwithstanding any other law, the portion of Klinge Road, NW, between Porter Street, NW on the east, to Cortland Place, NW on the west, which portion is currently closed to motor vehicle traffic, shall not be reopened to the public for motor vehicle traffic. No funding, District, Federal, or otherwise, shall be expended or accepted for the planning, design, construction, or reconstruction of this portion of Klinge Road for motor vehicle traffic."

*Erroneously, the following information was listed in the EA, which was released in June 2010:*

*Klingle Road is currently listed on the Federal-aid system functional classification of streets/roadways in the District of Columbia as a local street (DDOT, 2009c). If converted from motorized to non-motorized use under the proposed action, this segment of roadway would have to be officially removed as a local street from the DC functional classification map using the appropriate processes under 23 CFR 470.109(a) and 470.115(a) (Federal Aid Highways re: converting a designated fed-aid highway to non-vehicular trail) and The Street & Alley Closing & Acquisition Procedures Act of 1982. D.C. Code Section 9-201.01 et. Seq. Section 9-202-01 (re: street closings and requirement of public hearing for such act).*

*Klingle Road is currently listed on the Federal-aid highway system functional classification of streets and roadways in the District of Columbia as a collector street and is eligible for Surface Transportation Program (STP) funds. Because the District is proposing to construct a multi-use trail on Klingle Road (i.e., the Klingle Valley Trail), Klingle Road will no longer be eligible for funding under the STP funding program. At the conclusion of the NEPA process regarding this EA for the Klingle Valley Trail, DDOT will propose to FHWA that the segment of Klingle Road between Porter Street, N.W. and Cortland Place, N.W. be removed from the Federal-aid highway system. However, the proposed multi-use trail is eligible for federal-aid funding under the Recreational Trails Program in accordance with SAFETEA-LU Sections 1101(a)(8) and 1109, 23 USC 104(h) & 206, and 23 CFR Part 652.*

*Nevertheless, removal of Klingle Road from the Federal-aid highway system, does not affect the District's ownership and jurisdiction of the Klingle Road right-of-way. Under the proposed action, DDOT will not and does not plan to officially close the barricaded segment of Klingle Road between Porter Street, N.W. and Cortland Place, N.W. pursuant to the procedure outlined in The Street & Alley Closing & Acquisition Procedures Act of 1982 (D.C. Code sections 9-201.01 et. seq.) (see Appendix E). DC Code section 9-202.01 states that the Mayor may close all or part of any street or alley which is determined by the DC Council to be unnecessary for street or alley purposes. The 2008 Act, passed by DC Council, did not deem Klingle Road unnecessary when it authorized the construction of a pedestrian and bicycle trail on Klingle Road between Porter Street, N.W. and Cortland Place, N.W.; therefore, Klingle Road continues to be necessary for street (i.e., public right-of-way) purposes, as defined in DC Code section 9-201.01. Additionally, DDOT will continue to operate, maintain and manage the public right-of-way for both non-motorized transportation and authorized motorized use (i.e. access for emergency, utility, and maintenance vehicles).*

### 1.3.2 Description of Project Area

The project area is approximately 10.5 acres and it is the barricaded segment of Klingle Road, which consists of DDOT right-of-way and surrounding NPS property. In order to provide connections to existing pedestrian and bicycle networks, the project area extends to Woodley Road, NW to the west and to Rock Creek Trail to the east (**Figure 2**). The larger study area for the proposed project is comprised of Klingle Valley and the surrounding parkland and neighborhoods. Klingle Valley is surrounded by the Cleveland Park and Woodley Park neighborhoods to the west and north, the Smithsonian Institution National Zoological Park to the south, and Rock Creek Park to the west and north. Topography on and adjacent to the project area ranges from moderately to steeply sloped terrain bisected by Klingle Creek. The slope of the valley floor ranges from approximately 2 percent to 12 percent (USGS, 1983).

Properties that are adjacent to the project area include Tregaron Property/Washington International School, the Embassy of India Property, and Klingle Ridge Development on the north side of Klingle Valley, and the Woodley Park Towers, Kennedy Warren Apartments, and the National Zoological Park on the south side of Klingle Valley. The Tregaron Property is located adjacent to the barricaded portion of Klingle Road at the west end of the project area, and now serves as the Washington International School campus. The Embassy of India property, which now serves as the Ambassador's Residence, is located north of Klingle Valley at 2700 Macomb Street, NW. The Klingle Ridge Development consists of six private residences. The driveway to access these homes is located just outside to the east of the barricaded portion of Klingle Road. The Kennedy-Warren Apartment Building and Woodley Park Towers are located to the east and west of the Connecticut Avenue Bridge, respectively, and the rear of both properties sit atop a steep slope above Klingle Valley. The National Zoological Park consists of 170 acres, and abuts the top of the ridge at the east end of Klingle Valley. Properties adjacent to the project area are described in more detail in the Affected Environment section of this EA.

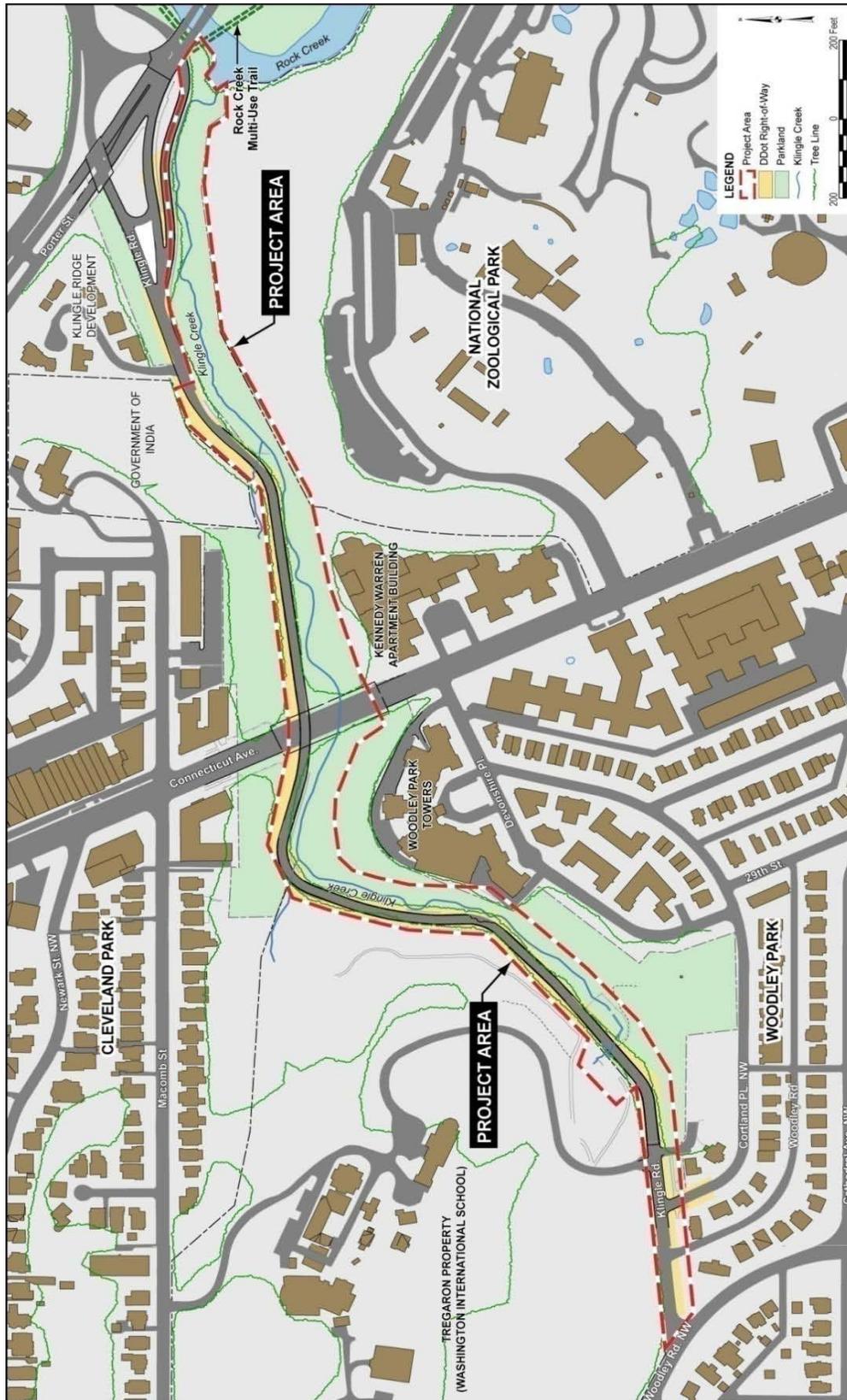


Figure 2. Project Area

### Present State of Klingle Road

The portion of Klingle Road that is currently barricaded and signed to restrict vehicular and pedestrian access is approximately 25 feet wide. The roadway is deteriorating, mostly due to slope instability. Concrete barriers have been placed along the roadway in an attempt to stabilize areas where erosion is extreme. There are numerous stone and mortar or concrete retaining walls throughout the project site on both sides of the roadway and stream (**Figure 3**). A visual inspection of the retaining walls was conducted in October 2009. All of the walls observed are in various states of disrepair, and many lack a supporting foundation of any kind. Some of the walls have either collapsed or are in the early stages of collapse.



**Figure 3. Existing Infrastructure**

### Factors that Caused Road and Stormwater Infrastructure Deterioration

With the exception of the area in the immediate vicinity of the buried culvert near the Embassy of India property, the Klingle Creek discharge estimates indicate that the entire existing stream channel conveys discharges exceeding the 25 year flood. Most sections of the stream also convey the 50 year flood and about half of the channel length is currently conveying the 100 year flood. The majority of Klingle Road is only flooded by the stream during recurrence intervals greater than the 100 year flood.

A large volume of stormwater flow is currently funneled through the stream channel, which has mostly unprotected banks made of erodible sediments. Since bedrock prevents the channel from further incising downward, the stream energy has led to channel widening from bank erosion, which caused undercutting of road and stormwater infrastructure (currently located under the roadway) where not protected by retaining walls. Frequent road flooding near the Embassy of India property is the result of a flatter slope, and therefore does not have the capacity to move sediments. Excessive sediment deposition in the channel, which has blocked a cross culvert under the roadway, has caused sinkhole formation in the road and road gutter collapse.

Steep and unstable valley hillslopes have also contributed to road failure along the stream. As the stream channel erodes the steep slopes adjacent to the road, the slope fails. Guard rails and portions of the road have collapsed into the stream. Road and related infrastructure failures due to both bank erosion and slope failure have resulted in a significant amount of debris in the stream channel. In addition, the road deterioration is currently exacerbated by uncontrolled storm flows and overland flows, as well as freeze and thaw during colder months.

Approximately half of the currently barricaded section of Klingle Road is within the 100-year floodplain. Flood flows are modified where the existing road occurs within the 100-year floodplain because of the degraded condition and collapse of the road into the creek in a number of locations.

### **Condition of Klingle Creek**

Klingle Creek runs through a narrow, steep, and bedrock-controlled valley bordered by forested hillslopes. Eroded banks are prevalent along the stream channel, particularly in the upper reaches, and channel widening has led to road failure in some areas. Urban development is immediately adjacent to the edge of the top of the valley hillslopes, and the lowest level of the Woodley Towers and Kennedy-Warren Apartment Buildings abut the Klingle Creek floodplain. Stormwater outfalls empty into Klingle Creek in several locations along the project area. Near the Embassy of India property, Klingle Creek had been directed under Klingle Road through a culvert. Because the culvert has been buried with sediments, Klingle Creek has been redirected along the valley wall (**Figure 4**).

Bedrock has restricted the depth of Klingle Creek, and so the channel is widening and cutting into the stream banks, causing a large amount of sediment to erode into the stream channel. Most of the sediment is funneled through the length of the stream. However, the slope is flatter in the area by the Embassy of India property, and the stream does not have the capacity to move sediment through this section of the channel. As a result, a culvert where the stream used to cross under Klingle Road has been buried by the eroded sediments, forcing the stream to cut along the valley wall and flow over the pavement at this location.



**Figure 4. Klingle Creek Existing Conditions**

### **Existing Right-of-Way**

The existing DDOT right-of-way is a constant fifty feet wide, based on survey information provided for the project. *Under this proposed action, DDOT will continue to own and maintain the existing right-of-way.* Washington Metropolitan Area Transit Authority (WMATA) has a permanent surface easement under Connecticut Avenue, on the south side. This easement is mostly on NPS right-of-way, with approximately 107 square feet within DDOT right-of-way. WMATA also has an underground easement upper elevation under the Connecticut Avenue bridge. In addition, DC Water maintains a sewer line that runs through the project area. A sewer encasement bridge crosses over Klingle Creek, and a raised manhole is also located within Klingle Creek. Klingle Creek is primarily outside of the DDOT right-of-way, residing on NPS property. Required permits and authorizations associated with the proposed project are discussed in Section 4.11 of this EA.

## **1.4 Project Objectives**

To help develop the design concepts presented in this EA, the project study team established a set of project objectives that considered agency/public comments, the 2008 Act, and project area constraints. These objectives guided the project team throughout the planning and preliminary design to identify a reasonable range of alternatives that best satisfy the project's purpose and need. *Ultimately, after the public and agency review of the EA, these objectives helped FHWA*

*and DDOT in identifying a Preferred Alternative to carry forward through design and construction.* The objectives for the Klingle Valley Trail project are listed below:

- Develop a sustainable trail solution
- Create an accessible and safe multi-use trail
- Consider multiple types of non-motorized trail use/users (pedestrians, cyclists, skaters, etc.)
- Effectively manage stormwater
- Avoid/minimize use of parkland by staying within the DDOT right-of-way
- Maintain environmental setting and protect existing resources
- Utilize environmentally sensitive materials and practices
- Incorporate site restoration into design
- Provide access for utilities and emergency response
- Connect to adjacent and regional trail networks

In addition to the project objectives, the alternatives for the Klingle Valley Trail consider design criteria outlined in the AASHTO *Guide for the Development of Bicycle Facilities* (AASHTO, 1999), DDOT *Design and Engineering Manual*, Chapter 28 (DDOT, 2009b), DDOT *Bicycle Master Plan* (Toole Design, 2005), DDOT *Bicycle Facility Design Guide* (DDOT, 2005a), DDOT *Environmental Policy and Process Manual*, the *Manual on Uniform Traffic Control Devices (MUTCD) Traffic Controls for Bicycle Facilities, Part 9* (FHWA, 2003), *District of Columbia Pedestrian Master Plan* (DDOT, 2009e), *AASHTO Guide for the Planning, Design, and Operation of Pedestrian Facilities*, (AASHTO, 2009), other design guidance.

## **1.5 Design Considerations**

Based on data collection and study, the project team considered a number of factors while formulating the alternatives and options for the Klingle Valley Trail EA. A *Design Concept Report* was prepared in the winter of 2009 detailing such considerations that led to the formation of concepts that were either incorporated into the alternatives and options carried forward for detailed study or dismissed (Appendix B *of the June 2010 EA*). To assist in understanding some of the design concepts and alternatives presented in this EA, highlights of the design considerations are described below.

### **1.5.1 Trail Users, Width, and Materials**

#### **Users**

Typical users of a multi-use trail include bicyclists, pedestrians, runners, and skaters. Common trip purposes include commuting, leisure, exercise and fitness, and to enjoy the parklands.

Consideration was given to design a multi-use trail facility to standards outlined in the ADA Standards for Accessible Design as published in the Title III regulations (28 CFR Part 36, revised July 1, 1994). Because of Klingle Valley site constraints, such as topography, current

road grades, and the width of the existing DDOT right-of-way, designing the proposed multi-use trail facility to these standards is not feasible. As a result, DDOT will seek a design exception in accordance with FHWA design exception approval procedures, if needed.

### **Width**

AASHTO recommends a minimum pavement width of 10 feet for a multi-use trail. This width allows for two bicyclists to pass one another with a one or two foot buffer, without forcing one bicyclist to leave the trail. Wider typical sections of either 12 or 14 feet are suggested in areas where high traffic demands are expected and/or steep grades are proposed. Widths of less than 10 feet may be acceptable in areas where the right-of-way is limited.

A three-foot wide clearzone should be provided on either side of the trail. Within this clearzone, no signs, posts, fences, guardrails, or other devices should be installed.

### **Materials**

#### Permeable

The 2008 Act, states “the pedestrian and bicycle trail shall be surfaced with a water-permeable material”. Permeable paving is a traffic bearing surface that allows precipitation to seep through areas that would traditionally be impervious. Permeable surfaces have many benefits. These surfaces help reduce erosion, minimize stormwater management needs, and keep pollutants in soil from washing downstream. **Figure 5** presents an illustration depicting how precipitation is absorbed through permeable pavement.

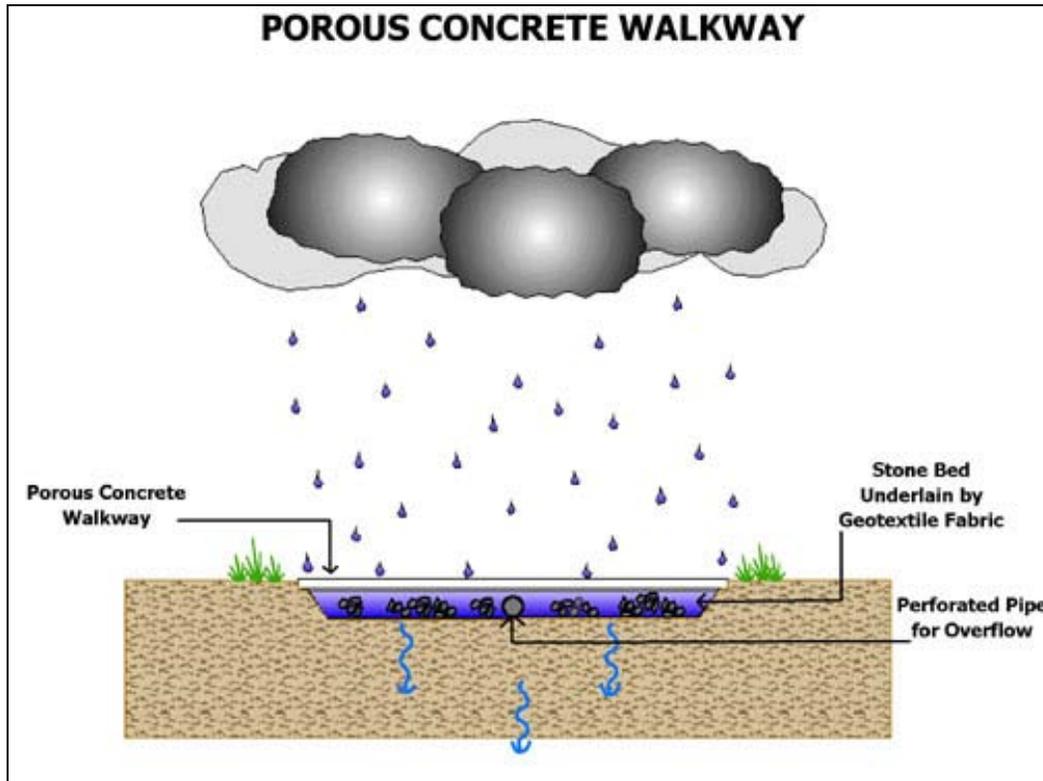
A disadvantage of permeable pavement over non-permeable is an increased need for maintenance. Sediment and other materials can block open pores, and if not maintained, porous openings can become filled and cause runoff. Permeable materials are typically not used in areas where the surrounding land exceeds a 20 percent slope, as drainage from the surrounding area should not be directed onto the permeable surface. Cold climates can also influence the effectiveness of permeable materials. Water freezing within and below the porous material can expand and cause damage such as cracking or heaving. While permeable surfaces are generally 10 to 20 percent greater in cost than standard asphalt, this cost is typically offset by the reduced need for land and infrastructure for stormwater management (DEP, 2005). Permeable surfaces for trails could consist of asphalt, concrete, rubber, or other materials.

#### Non-Permeable

Although the 2008 Act specifies the use of a water-permeable material for the trail surface, conventional non-permeable asphalt is used on the majority of the multi-use trails in the District including the adjacent Rock Creek Trail. Non-permeable asphalt is durable, low-maintenance, and has a long history of use in this type of application.

Under District requirements, stormwater management is required for any impervious surface within the limits of disturbance of a construction project (DDOE, 2009). The use of non-permeable materials would generally require construction of water quality swales. The cost of

constructing and maintaining the swales is a consideration when comparing the relative benefits of permeable versus non-permeable pavement.



**Figure 5. Cross Section of Permeable Material**

Source: Cahill, 2003

### 1.5.2 Lighting

Lighting can provide functional illumination and security of the trail during evening and night hours, as well as accent trail signage, benches, or other amenities. According to AASHTO, lighting for multi-use trails should be considered where night usage is expected.

Generally, DDOT trails are lit and remain open 24 hours a day. Conversely, the adjacent Rock Creek Park and trails are closed from dusk to dawn. In accordance with *NPS Management Policies* (NPS, 2006), the use of artificial lighting in NPS parks is generally restricted to areas where it is required for human security and safety.

In consideration of the general NPS policy to not light parks, DDOT would work with the NPS to determine which lighting options, if any, are best for this location. Maintenance requirements would also be considered. An easily maintained system would help assure the lighting functions as originally intended. In accordance with *AASHTO Guide for the Development of Bicycle Facilities*, illumination levels between 5-22 lux would be recommended for the proposed facility. If a lighting option were selected as part of the Klingle Valley Trail Project, DDOT would investigate energy efficient means to provide lighting such as solar energy, light emitting diode (LED), or compact fluorescent lighting. Types of lighting could include energy-efficient pole

lighting and/or bollard lighting along the proposed trail (see **Figure 6**). The use of solar cells, which are powered by converting sunlight into electricity, can be installed without infrastructure conduit, thus reducing installation costs and ground disturbance. Fixtures can also include measures such as reflectors to direct light where desired, thus minimizing light disturbance to wildlife and the dissipation of light into the atmosphere.



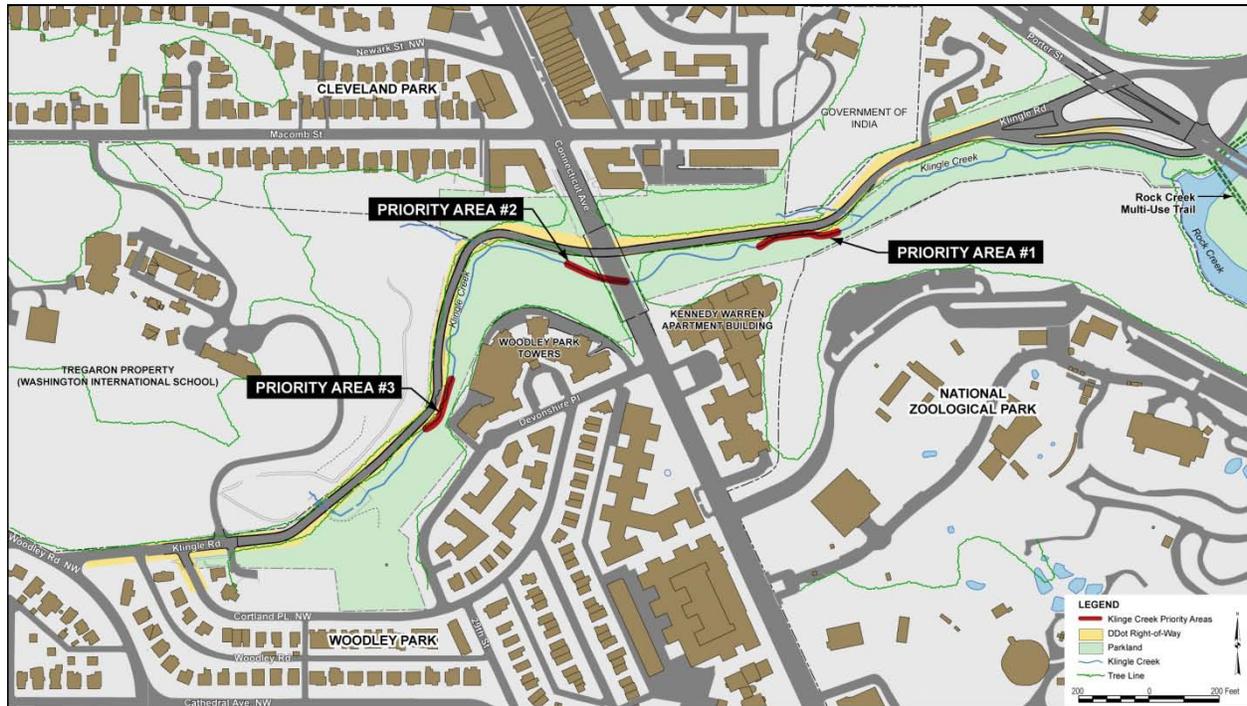
**Figure 6. Examples of Energy Efficient Lighting**

### 1.5.3 Sustainability

A detailed stream assessment and hydrologic analysis was undertaken by the project team. Several reaches of Klingle Creek were identified for detailed assessment and description based on changes in channel slope. The geomorphic assessment for each study reach included a determination of the overall stream state and pattern, survey of the channel longitudinal profile and cross section dimensions, bed material characterization, stream classification, and visual identification of areas of streambank erosion. The full *Stream Assessment Report* can be found in Appendix C of the *June 2010 EA*.

Based on the detailed hydrologic analysis and geomorphic assessment, it was determined that Klingle Creek has the capacity to convey much of the stormwater entering the valley, however it currently doing so in an unstable way. As part of the proposed action, rehabilitation of Klingle Creek would allow the stream to continue to convey stormwater while stabilization measures would address sedimentation issues caused by eroding stream banks as described in Section 1.3.2 “Current Condition of Klingle Creek.” The *Stream Assessment Report* lists three areas of Klingle Creek as “Priority Areas”, where a planned trail would be threatened by the current unstable conditions. Priority Area #1 is located by the Embassy of India Property, Priority Area #2 is located below and to the west of the Connecticut Avenue Bridge, and Priority Area #3 is located between the Woodley Park Towers and Tregaron Property. All trail alternatives would

require, at a minimum, stabilization or other corrective measures of these areas to ensure project sustainability. The locations of the priority areas are depicted in **Figure 7**. The *Stream Assessment Report* also describes a full restoration option for Klingle Creek.



**Figure 7. Klingle Creek “Priority Areas”**

## 1.6 Relationship to Other Plans and Studies

The project is consistent with the District’s planning documents and projects, including the following.

### 1.6.1 Comprehensive Plan for the National Capital

The *Comprehensive Plan of the National Capital*, which was first adopted in 1984 and 1985 and is updated periodically, is a general policy document that provides overall guidance for future planning and development of the city. The plan is comprised of two parts, the District Elements and the Federal Elements, which are adopted by the D.C. Council and the National Capital Planning Commission (NCPC), respectively.

The *Comprehensive Plan of the National Capital: District Elements* contains 11 citywide elements that provide goals, objectives and policies for land use issues that impact the whole city, e.g. transportation, environment, parks and open space, arts and culture. The Parks, Recreation and Open Space Element in the *District Comprehensive Plan* addresses the importance of open space for recreation, aesthetics, neighborhood character, and environmental quality and includes language on the creation of trails to better connect the city’s open spaces and neighborhood (DCOP, 2006). These include:

- Coordination between the District of Columbia and the Federal government on park and open space planning and management,
- Providing additional recreational land and facilities in areas of the city that are currently underserved and in newly developing areas, and
- Maintaining, upgrading, and improving existing parks and recreation facilities as key features of successful neighborhoods in the District.

The NCPC adopted the *Comprehensive Plan for the National Capital: Federal Elements* on August 5, 2004 (NCPC, 2004). The Federal Parks and Open Space Element establishes policies to protect, enhance, and expand the region's parks and open space system, including trails.

### **1.6.2 District of Columbia Bicycle Master Plan**

The DDOT *2005 Bicycle Master Plan* includes several core goals and recommendations in order to establish a world-class bicycle transportation in the District of Columbia. Several strategies are named to increase bicyclist safety and security while improving the connectivity and accessibility of destinations and activity centers within the District of Columbia. At the time the *2005 Bicycle Master Plan* was prepared, the reopening of Klingle Road to motor vehicle traffic was under consideration, and therefore a multi-use trail project within Klingle Valley is not included in the *Bicycle Master Plan*. However, the proposed action is consistent with the goals and recommendations of the Plan.

Multi-use trails are specifically cited to provide a high quality walking and bicycling experience in an environment separated from traffic. These types of paths can be constructed within a roadway corridor right-of-way, in their own corridor (such as a greenway trail or rail-trail), or be a combination of both. Shared-use paths should not be used to preclude on-road bicycling but rather to supplement a system of on-road bicycle facilities for less experienced cyclists.

### **1.6.3 District of Columbia Pedestrian Master Plan**

The Klingle Valley Trail Project is consistent with the *District of Columbia Pedestrian Master Plan* (Toole Design Group, 2009), which seeks to reduce the number of pedestrian/motor vehicle crashes, and increase pedestrian activity by making walking a comfortable and accessible mode of travel throughout all parts of the District. The Plan also encourages improved facilities and policies to promote the benefits of walking for transportation, recreation, and health.

### **1.6.4 Rock Creek Trail Project**

DDOT and NPS are developing plans to rehabilitate the Rock Creek Multi-Use Trail and Rose Park Trail in Rock Creek Park from M Street, NW on the south end to Broad Branch Road/Beach Drive on the north end, including a spur trail along the Piney Branch Parkway. The design plan will address several key elements, including development of new trail connections. The proposed Klingle Valley Trail would provide additional access to and from the multi-use trail system in Rock Creek Park.

### 1.6.5 Draft Rock Creek Watershed Implementation Plan

The DDOE Watershed Protection Division (WPD) operates under a mission to conserve the soil and water resources of the District of Columbia and to protect its watersheds from nonpoint source pollution. Consistent with that mission, WPD has prepared a *Rock Creek Watershed Implementation Plan* (DDOE, 2010). The plan states that “The Watershed Implementation Plan is an effort to create a watershed-based non-point source pollution control plan that meets EPA’s requirements for acceptance while providing a realistic and adaptable guide for agencies responsible for the restoration of Rock Creek at the local level”. The plan also provides a monitoring component.

Klinge Creek is identified as one of twelve subwatersheds of Rock Creek within the District. This plan set goals for the implementation of Low Impact Development (LID) techniques throughout the watershed, including incorporation of general management measures such as spill prevention plans, catch basin cleaning, street sweeping, erosion and sediment control, etc. Furthermore, the plan describes DDOE existing programs that are targeted to help with restoring watershed such as the RiverSmart Homes Program, Rain Leader Disconnect Program, Green Roof Retrofit Programs and other community outreach/education efforts. It specifies low impact development practices focused on four practices: cistern/rain barrel installation, establishment of bioretention cells, green roofs, and installation of permeable pavement. The plan also provides recommendations for stream restoration, reforestation and riparian buffer improvements, wetland creation, removal of fish barriers, and trash removal. The plan specifically targets Klinge Creek for restoration and ranks it as a high priority. The Report estimates that stream restoration reduces the amount of nitrogen by 0.02 lbs/linear foot, phosphorous by 0.0035 lbs/linear foot, and total suspended solids by 2.55 tons/linear foot.

The proposed Klinge Valley Trail project is consistent with the District’s goals of improving water quality and managing nonpoint source pollution. The restoration of Klinge Creek would support the goals set forth in the Draft *Rock Creek Watershed Implementation Plan*. The removal of impervious surfaces and the “greening” of the District’s Klinge Road right-of-way is consistent with the National Pollutant Discharge Elimination System (NPDES) and Total Maximum Daily Loads (TMDL) programs.

## 2.0 PROPOSED ACTION AND ALTERNATIVES

This section describes the alternatives for the Klingle Valley Trail and for the environmental restoration of Klingle Valley. Alternatives for this project were developed in accordance with the project objectives established to meet the project purpose and need. In this EA, a No Action Alternative and three Alternatives are considered for a multi-use trail in conjunction with Klingle Creek and Valley restoration.

### 2.1 No Action Alternative

Under the No Action Alternative (Alternative 1), the multi-use trail would not be built, although basic maintenance would continue, such as the removal of fallen trees and other debris caused by the deterioration of the roadbed. In addition, fences that prohibit the public from entering this section of Klingle Road would be maintained, and limited steps would be taken to ensure that unsafe conditions within these sections are cordoned off to the public (e.g., jersey barriers and signage). Klingle Creek would not be improved to correct stormwater damage or replacement/repair of the existing retaining walls along the creek. The road would continue to be fenced off and barricaded to public uses.

While the No Action Alternative does not meet the purpose and need of the project, it provides a basis for comparing the management direction and environmental consequences of the Proposed Action Alternatives.

### 2.2 Proposed Action

The Proposed Action is to construct a multi-use trail facility, manage stormwater, and restore Klingle Creek within the 0.7 mile barricaded portion of Klingle Road between Porter Street, NW, and Cortland Place, NW. The proposed trail alignment for all Action Alternatives lies within the existing DDOT right-of-way, which DDOT would continue to maintain and manage.

In order to ensure sustainability of the proposed trail, any of the Action Alternatives (Alternatives 2, 3, and 4) would need to be selected in combination with Klingle Creek Restoration Option A or B. Three options are also under consideration for connectivity to the Rock Creek Park Trail system, located at the east end of the project area, as well as two options which consider lighting or no-lighting for the proposed trail. Each of these options is described later in this chapter.

Prior to any land disturbance activities: tree protection measures, protective fencing, and other best management practices (BMPs) would be installed. The existing infrastructure within the project area would be removed including pavement, concrete barriers, curb and gutter, failed stormwater drainage infrastructure, trees that present a hazard, and debris. DDOT would include in the contractor specifications that removed materials be disposed of or recycled in accordance with the DDOT *Standard Specifications for Highways and Structures* (2009).

Trailheads would replace each of the current barricades at the east and west ends of Klingle Valley. A trailhead is an entrance to a trail, and can be marked by signage, plantings, or other features to discern the start of a trail from the surrounding area. The trailheads would clearly identify the entrances to Klingle Valley Trail, while remaining in character with the residential and park surroundings. At the west end near Cortland Place, NW, trailhead landscaping would incorporate bioretention style islands, reducing landscaping maintenance by directing water to these areas and filtering street runoff prior to entering Klingle Valley. Additional signage and/or pavement markings would continue along Cortland Place, NW to the existing signed bike route on Woodley Road, NW. Three options, which are described later in this chapter, are under consideration for connection to Rock Creek Park at the east end.

Trailheads would be designed such that only official motorized vehicles (i.e., utility vehicles and emergency response vehicles) would be granted access to the trail. All Action Alternatives would be designed to accommodate widths and weights of utility maintenance vehicles and emergency response vehicles.

Grading and placement of clean fill would be necessary to prepare a stable trail bed and to provide adequate drainage. Existing elevations would be raised or lowered in steeper areas to achieve more gradual slopes and a maximum slope of 8 percent within DDOT right-of-way. Beyond the barricaded portions, the existing roadway slope is between 9 to 10 percent, and would not be graded as part of the proposed action.

Failed stormwater outfalls and culverts would be reconstructed and resized to appropriately convey water, including but not limited to the culvert located at the Tregaron Property where a side tributary of Klingle Creek is currently flowing over the deteriorated road. At the Embassy of India property, the trail profile would be elevated or a structure such as a boardwalk would be incorporated to lift the trail out of the floodplain. If the trail is elevated on fill, another new culvert will be provided in this location. During detailed design, if other crossings are deemed necessary to the stability of the system, culverts will be designed for the appropriate locations.

Retaining walls would be incorporated where feasible to minimize the limits of disturbance and footprint of the trail. Any new retaining walls would complement the setting of Rock Creek Park and surrounding historic stone walls in Klingle Valley by using stone facing or other such materials. Existing historic stone walls and culvert features would be avoided to the extent possible. Where avoidance is not possible, retaining walls and culvert features would be stabilized and rehabilitated following the *Secretary of the Interior's Guidelines for the Treatment of Historic Properties* (36 CFR 68).

Following construction, additional restoration of Klingle Valley would include replanting of native tree species and vegetation. Species would be selected in consideration of the natural and cultural landscapes, as well as the aesthetics of Klingle Valley and Rock Creek Park.

All three Action Alternatives would be properly signed and marked as directed by American Association of State Highway and Transportation Officials (AASHTO), DDOT, and the *Manual*

on *Uniform Traffic Control Devices* (MUTCD). Amenities such as trail furniture, lighting, and signage would be incorporated into more detailed design plans. Public interpretation would also be incorporated into more detailed design plans, and displays would call attention to historical and natural features of Klingle Valley. Examples of amenities and displays are pictured in **Figure 8**.



**Figure 8. Examples of Trail Amenities and Interpretation Displays**

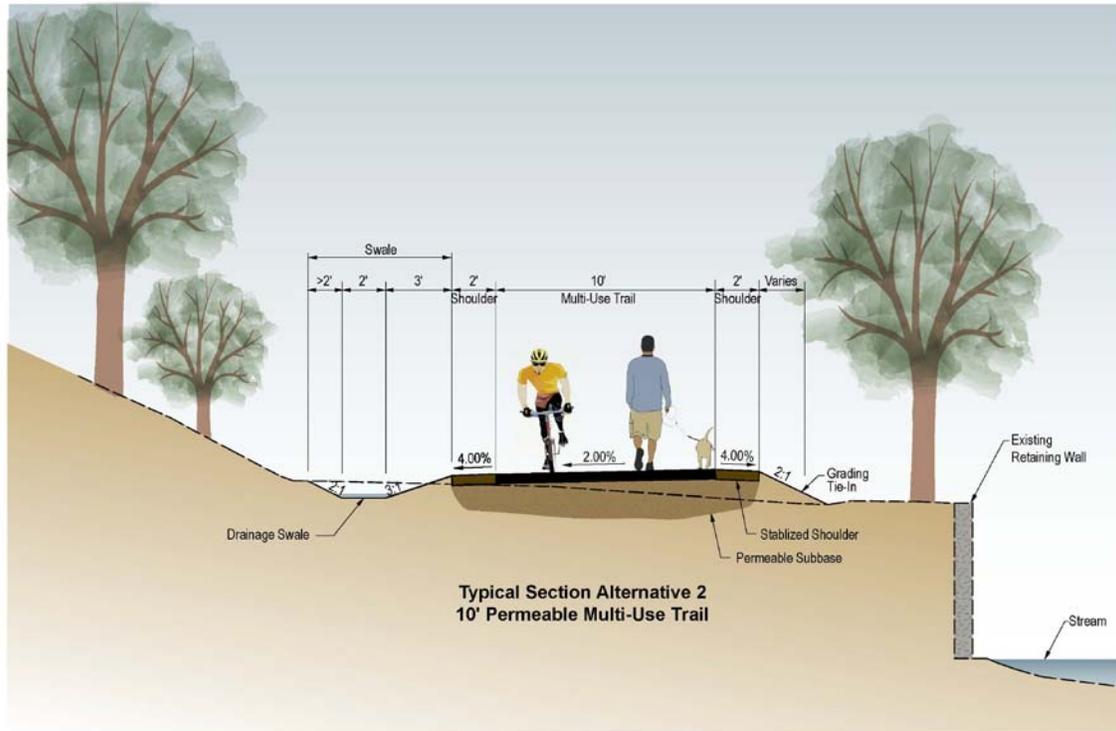
### 2.2.1 Trail Alternatives

#### Alternative 2 – 10-Foot Multi-Use Trail (Permeable)

Under Alternative 2, a 10-foot multi-use trail would be constructed using permeable pavement or materials. The trail would include 2-foot shoulders on either side of the trail. The trail would slope slightly *to the opposite side of* Klingle Creek *toward* a 2-foot wide, 1-foot deep flat bottom drainage swale *running parallel to the north side of the trail*. *This drainage swale would include check dams and capture potential runoff from the trail* and steep sideslopes on the north side of Klingle Valley *and slow stormwater flow*. The application of the provisions and the procedures stated in 21 DCMR, Chapter 5, together with the specific design criteria stated in the *Stormwater Guidebook* (DDOE, 2009), establishes the District’s Storm Water Management

program. Under this alternative, all impervious surfaces would be removed, and additional stormwater management would not be required. **Alternative 2 is the Preferred Alternative for the proposed action.**

The cost of Alternative 2 would range from \$4,629,545 to \$6,977,595 depending on the Klingle Creek Restoration, Access to Rock Creek Trail, and Lighting Options selected. The annual cost of maintaining the trail would be approximately \$5,840. The duration of construction is anticipated to be 8 to 12 months. The typical section for this alternative is presented in **Figure 9**.



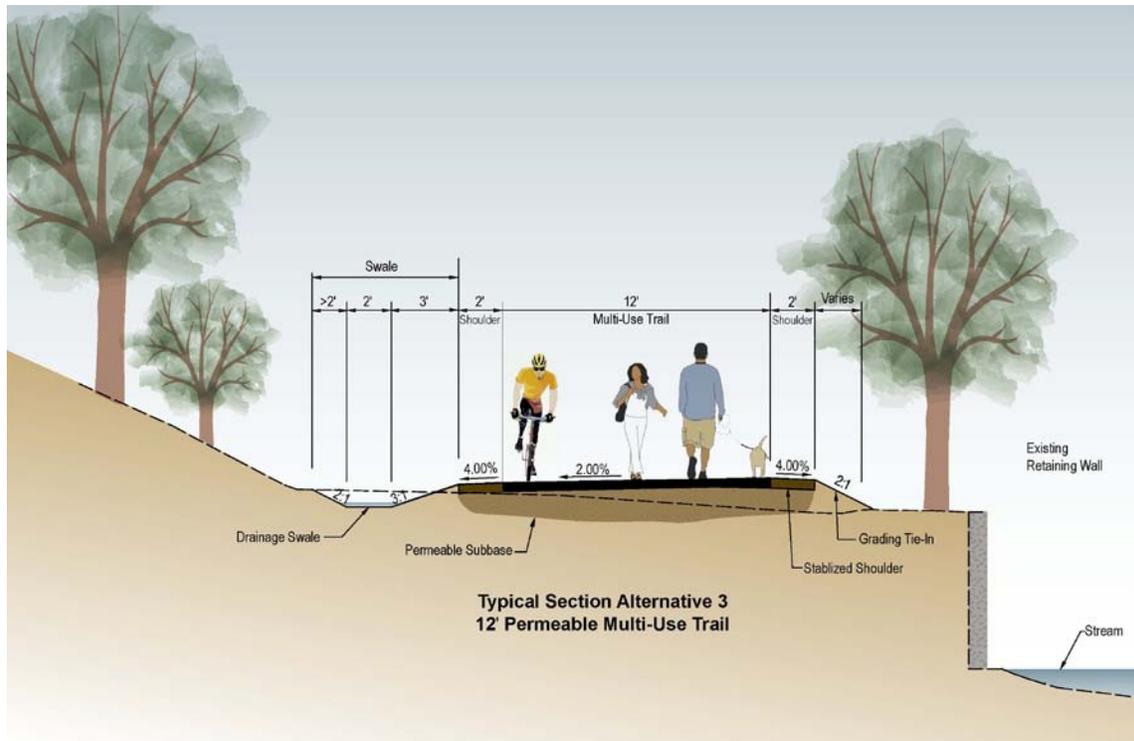
**Figure 9. Typical Section Alternative 2**

### **Alternative 3 – 12-Foot Multi-Use Trail (Permeable)**

Alternative 3 consists of a 12-foot multi-use trail constructed using permeable pavement or materials. As with Alternative 2, the trail footprint would include 2-foot shoulders and a 3-foot clear zone on either side of the trail, and a 2-foot wide, 1-foot deep flat bottom drainage swale would run parallel to the north side of the trail. **Similar to Alternative 2, the trail would slope slightly to the opposite side of Klingle Creek toward the drainage swale. This drainage swale would include check dams capture potential runoff from the trail and steep sideslopes on the north side of Klingle Valley and slow stormwater flow.** A typical section is presented in **Figure 10**.

The application of the provisions and the procedures stated in 21 DCMR, Chapter 5, together with the specific design criteria stated in the *Storm Water Guidebook* (DDOE, 2009), establishes the District's Storm Water Management program.

The cost of Alternative 3 would range from **\$5,373,308 to \$7,721,358** to design and construct, depending on the options selected. The duration of construction is anticipated to be 8 to 12 months, and annual maintenance costs are estimated at \$5,840.

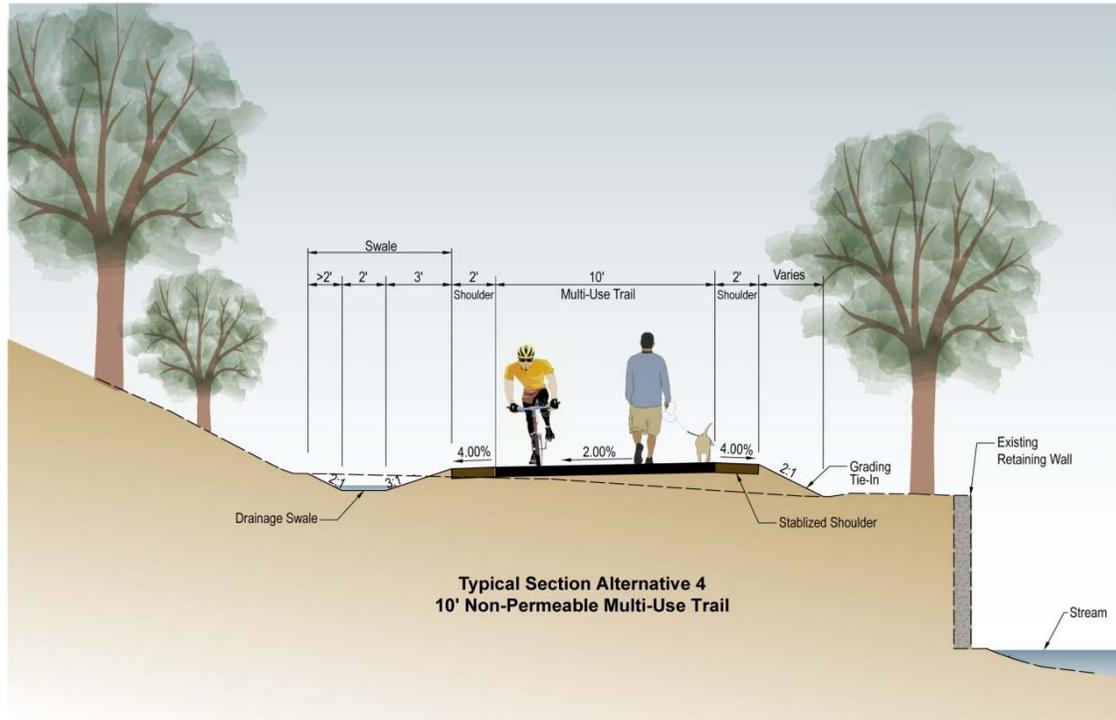


**Figure 10. Typical Section Alternative 3**

#### **Alternative 4 – 10-Foot Multi-Use Trail (Non-Permeable)**

Alternative 4 consists of a 10-foot multi-use trail paved with non-permeable materials. As with the other Action Alternatives, Alternative 4 would include 2-foot shoulders on either side of the trail. Because stormwater would run off the non-permeable materials rather than be absorbed as with Alternatives 2 and 3, the swale on the north side would capture and transport stormwater runoff from the trail. The trail would therefore slope slightly to the opposite side of Klingle Creek toward the drainage swale. The drainage swale would be a 2-foot wide, 1 foot deep flat bottom ditch with check dams to impede stormwater flow. A typical section of Alternative 4 is presented in **Figure 11**.

This alternative would reduce the impervious surface from the existing 1.92 acres to 0.93 acre. Alternative 4 would cost between \$4,524,750 and \$6,872,800 to design and construct, and construction duration would also last from 8 to 12 months. Annual maintenance costs for Alternative 4 are estimated at \$3,920.



**Figure 11. Typical Section Alternative 4**

### 2.2.2 Klingle Creek Restoration Options

Two options for Klingle Creek restoration are proposed, one to target priority areas for infrastructure protection, and a second to encompass full channel rehabilitation. One of these options must be selected in conjunction with the trail options in order to support a sustainable trail. Future design efforts will consider each specimen tree individually, using techniques such as imbricated riprap walls, minor relocations of the stream channel, or building banks out from large trees in order to protect healthy specimen trees while simultaneously stabilizing the stream channel.

#### **Klingle Creek Restoration Option A – Stabilization of Priority Areas**

Under Option A, three priority areas of Klingle Creek (see **Figure 7**) would be stabilized to protect the trail and associated infrastructure. The stream channel would be resized and realigned at Priority Areas 1 and 3 to prevent future damage to new and existing adjacent infrastructure. Because of the narrow valley width in these two areas, the channel would be armored to ensure stability during all flows for the proposed trail alternatives. Stream bank and bed armoring would include a step-pool configuration to create a natural-looking channel, and the channel would be reconstructed with adequate capacity to prevent sediment accumulation in the channel at these locations.

At Priority Area 2, the Klingle Creek stream bed would be raised in order to cover and protect the existing DC Water sewer encasement pier footings. Appropriate bank protection would be installed adjacent to the riffle grade control. The outfall at the upstream side of the crossing would be reconstructed to prevent burial.

A total of 420 linear feet of Klingle Creek would be restored under Option A. The incremental cost of Option A would be approximately \$323,750.

### **Klingle Creek Restoration Option B – Full Stream Channel and Bank Stabilization**

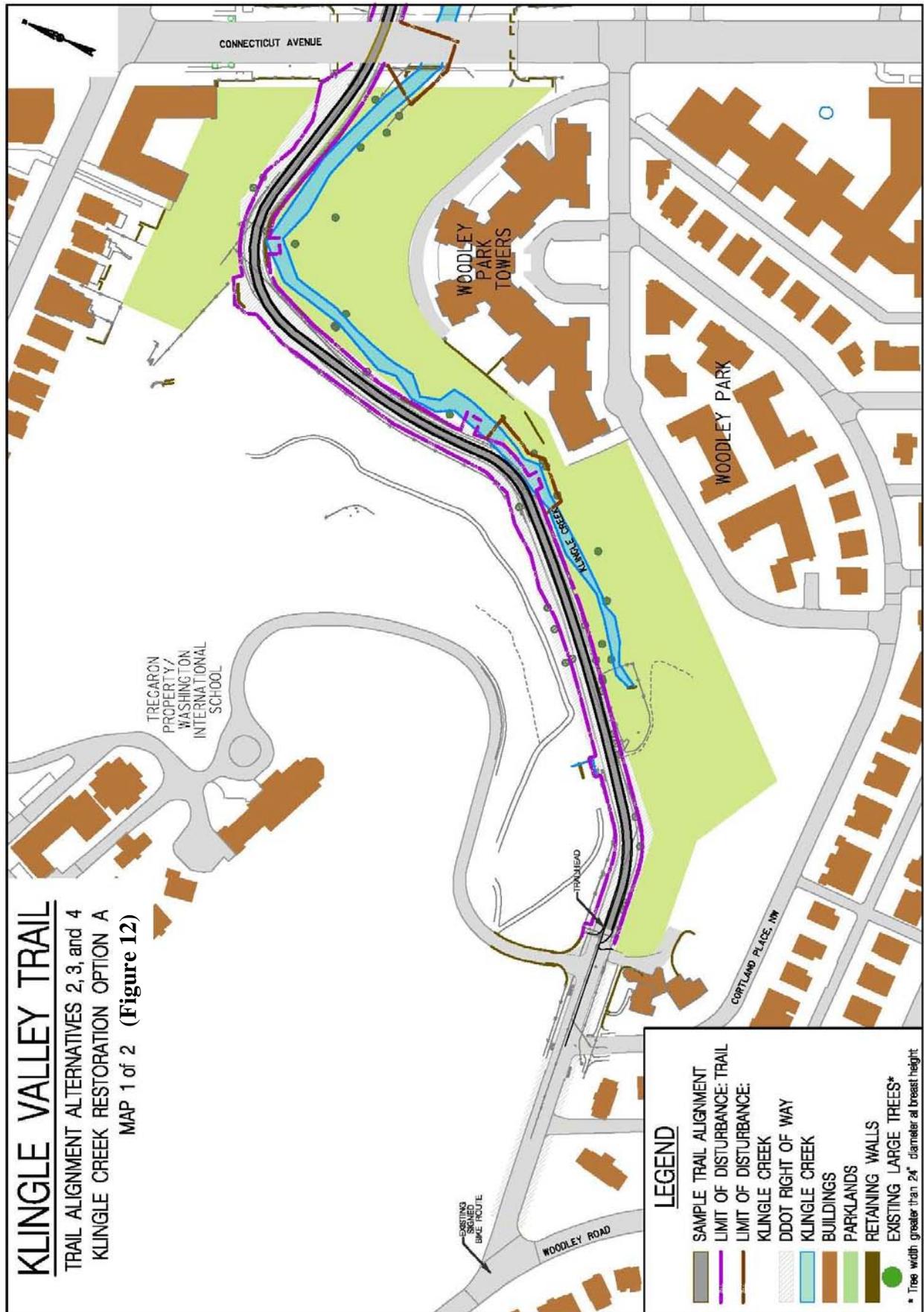
*Klingle Creek Restoration Option B is the preferred option selected to be implemented in conjunction with the Preferred Alternative, in order to support a sustainable trail.* Klingle Creek Restoration Option B encompasses everything under Option A for the three priority areas. Furthermore, Option B would repair targeted channel and bank stability problems throughout the project area, for a total of 1,595 linear feet of stream channel restoration.

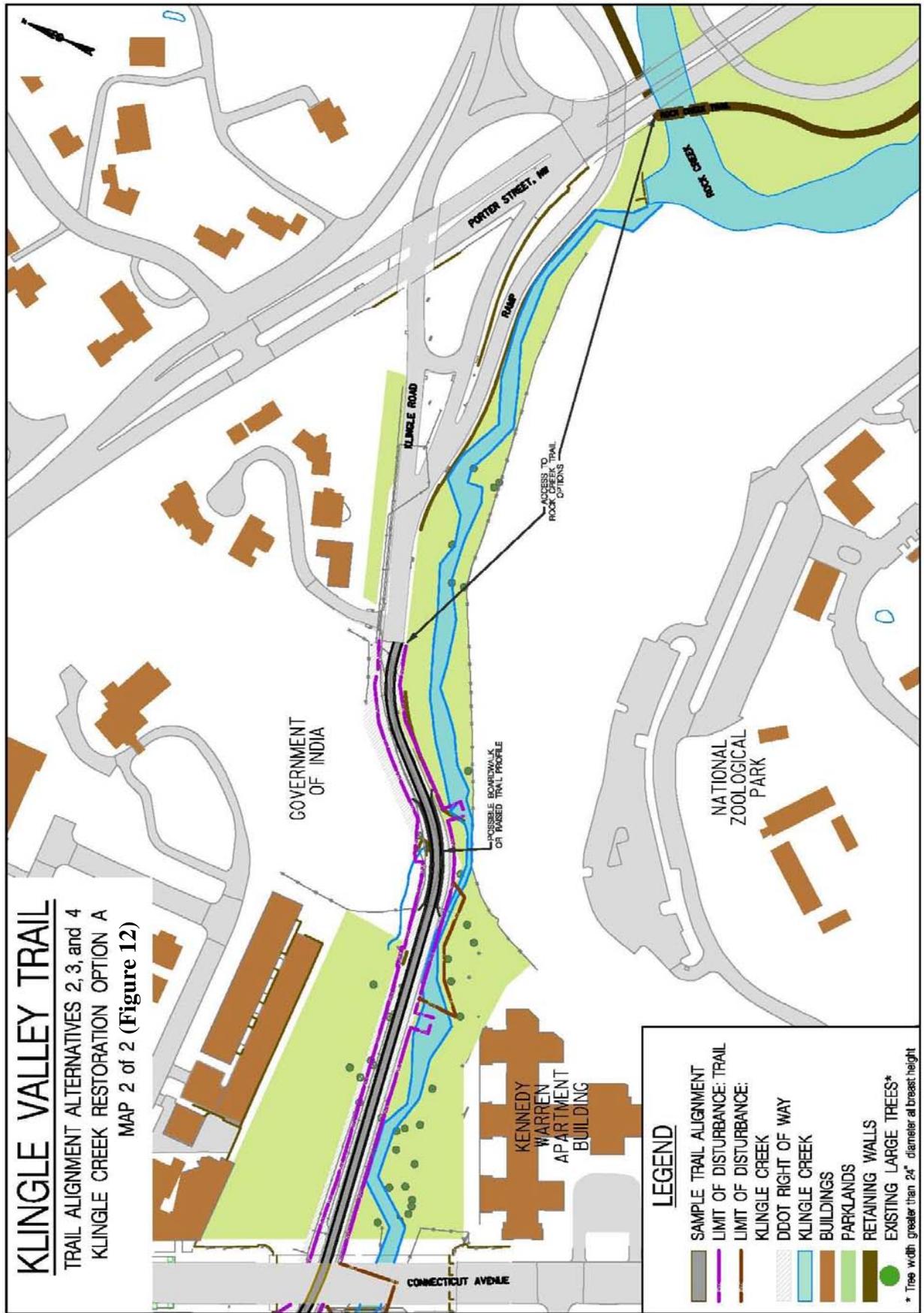
In areas not protected by bedrock, the channel would be reconstructed using step-pools to maintain a natural channel appearance, dissipate water energy, and protect stream banks. Bank stabilization techniques, such as but not limited to imbricated riprap, would be used in constricted areas. In wider valley areas, stream bank and adjacent hill slopes would be graded back at a 3:1 slope for improved stability. Bioengineering techniques and native plantings would be incorporated where possible.

The incremental cost of Option B would be approximately \$1,075,000.

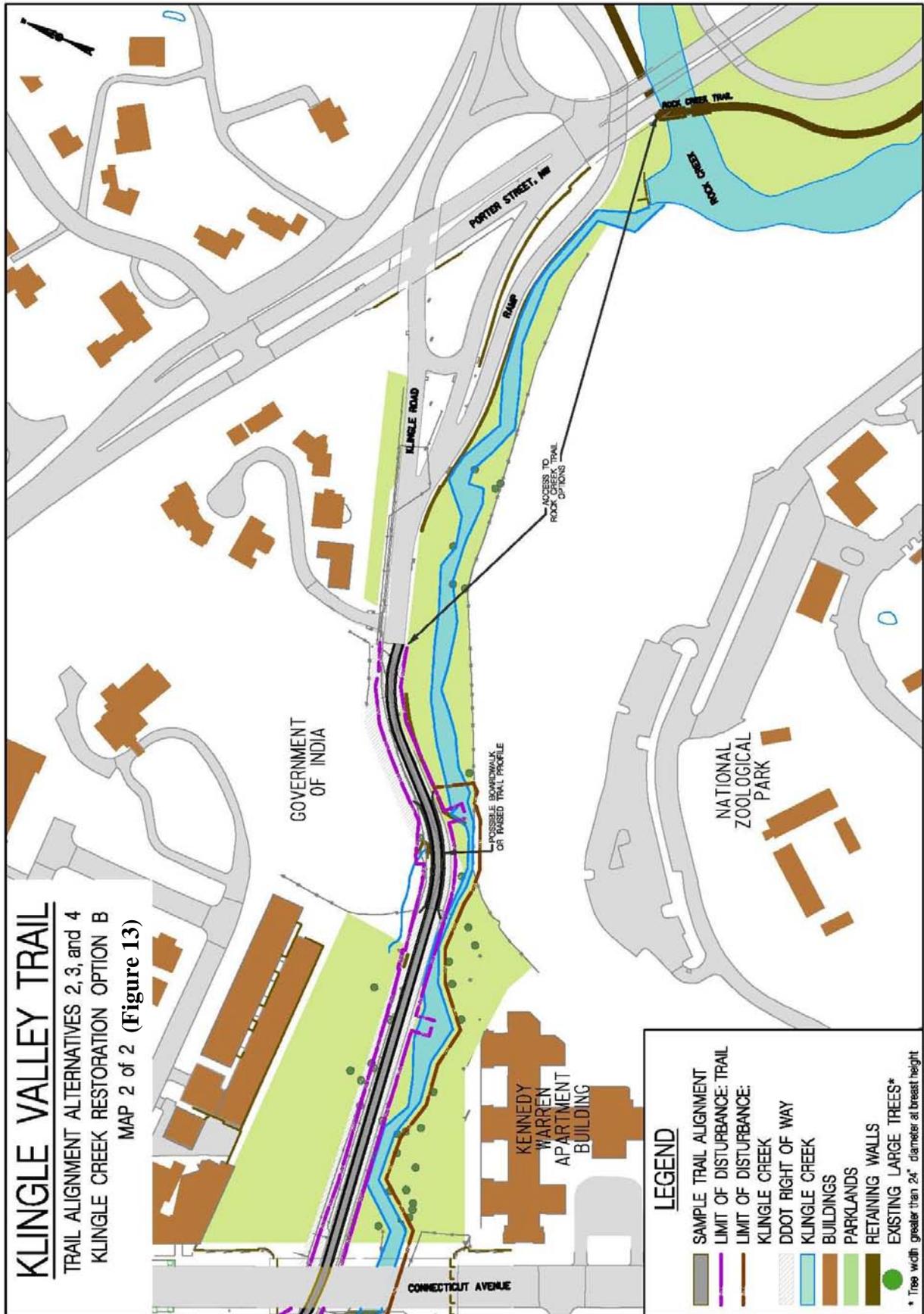
Maps depicting the Action Alternatives trail alignments in combination with Klingle Creek Restoration Options A and B are presented in **Figure 12** and **Figure 13**.

A cost estimate summary is presented in **Table 2**. Detailed cost estimates for all Alternatives and Options are presented in Appendix A *of the June 2010 EA*.









**Table 2. Alternatives and Options Cost Summary**

<b>CATEGORY</b>	<b>ALTERNATIVE 2 (PREFERRED ALTERNATIVE)</b>	<b>ALTERNATIVE 3</b>	<b>ALTERNATIVE 4</b>
Trail Improvements	\$1,018,811	\$1,223,951	\$989,863
Stormwater Management Improvements (infrastructure such as pipes, culverts, etc.)	\$296,900	\$348,185	\$289,663
Utility Improvements	\$356,280	\$417,822	\$347,596
Retaining Wall Construction	\$168,790	\$168,790	\$168,790
Landscaping	\$668,025	\$783,417	\$651,742
<b>Subtotal</b>	<b>\$2,508,807</b>	<b>\$2,942,166</b>	<b>\$2,447,655</b>
Contingency (45%)	\$1,128,963	\$1,323,975	\$1,101,445
<b>Total Direct Cost Subtotal</b>	<b>\$3,637,770</b>	<b>\$4,266,141</b>	<b>\$3,549,100</b>
Engineering Design and Construction Services	\$668,025	\$783,417	\$651,742
Total Including Contingency and Design Services	\$4,305,795	\$5,049,558	\$4,200,842
<b>Total Cost Contingency and Design/Services</b>	<b>\$4,305,795</b>	<b>\$5,049,558</b>	<b>\$4,201,000</b>
Klingle Creek Restoration Option 1: Priority Stream Restoration*	\$323,750	\$323,750	\$323,750
Klingle Creek Restoration Option 2: Full Stream Restoration*	\$1,075,000	\$1,075,000	\$1,075,000
Access to Rock Creek Trail Option A: Trailhead*	\$0	\$0	\$0
Access to Rock Creek Trail Option B: Shared Use*	\$349,000	\$349,000	\$349,000
Access to Rock Creek Trail Option C: Multi-Use Trail*	\$1,430,000	\$1,430,000	\$1,430,000
<b>Access to Rock Creek Trail Option C-Modified*</b>	<b>\$1,216,228</b>	<b>\$1,216,228</b>	<b>\$1,216,228</b>
Lighting Option A: No Lighting*	\$0	\$0	\$0
Lighting Option B: Pole and/or Bollard Lighting**	\$142,300 - <b>\$166,800</b>	\$142,300 - <b>\$166,800</b>	\$142,300 - <b>\$166,800</b>
<b>TOTAL COST</b>	<b>\$4,629,545 – \$6,977,595</b>	<b>\$5,373,308 – \$7,721,358</b>	<b>\$4,524,750 – \$6,872,800</b>
<b>ANNUAL MAINTENANCE COSTS – Action Alternatives</b>	<b>\$5,840</b>	<b>\$5,840</b>	<b>\$3,940</b>
<b>ANNUAL MAINTENANCE COSTS – Access to Rock Creek Trail Options</b>	<b>Option A - \$0</b>	<b>Option B - \$2,020</b>	<b>Option C - \$3,920</b>

\*One Klingle Creek Restoration Option, one Access to Rock Creek Trail Option, and one Lighting Option would be selected in conjunction with Alternatives 2, 3, or 4.

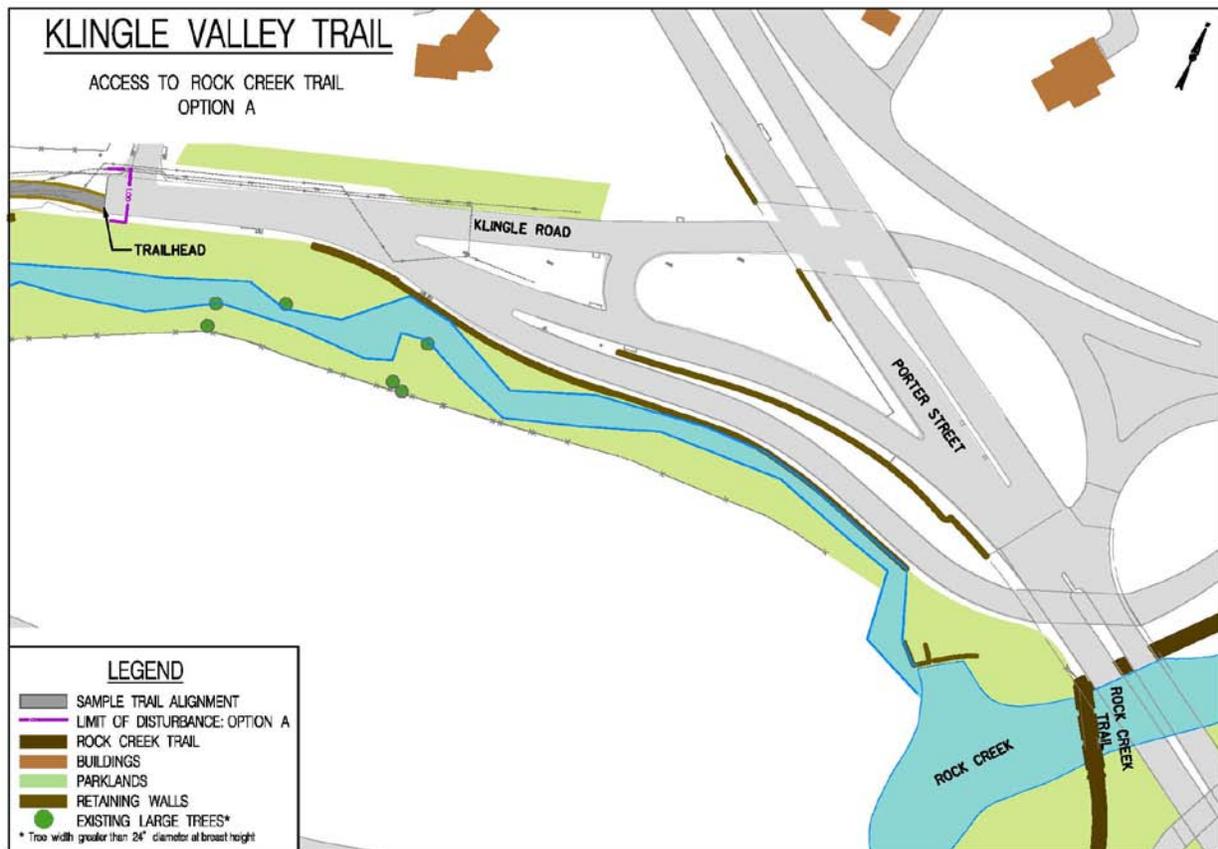
\*\* Pole lighting was selected under Preferred Lighting Option B.

### 2.2.3 Access to Rock Creek Trail Options

Klinge Road is currently barricaded to the east of the driveway at the Klingle Ridge development. *This area is closest to the Rock Creek Trail.* One of three options to connect Klingle Valley Trail to the Rock Creek Trail system may be selected in conjunction with Action Alternatives 2, 3, and 4. *Following the comment period on the June 2010 EA, two of the options to provide access to Rock Creek Trail was modified and developed to be implemented in conjunction with the Preferred Alternative. This modified option, referred to as Option C-Modified, is discussed below and its' environmental consequences are analyzed in Section 4.*

#### Access to Rock Creek Trail Option A – Trailhead

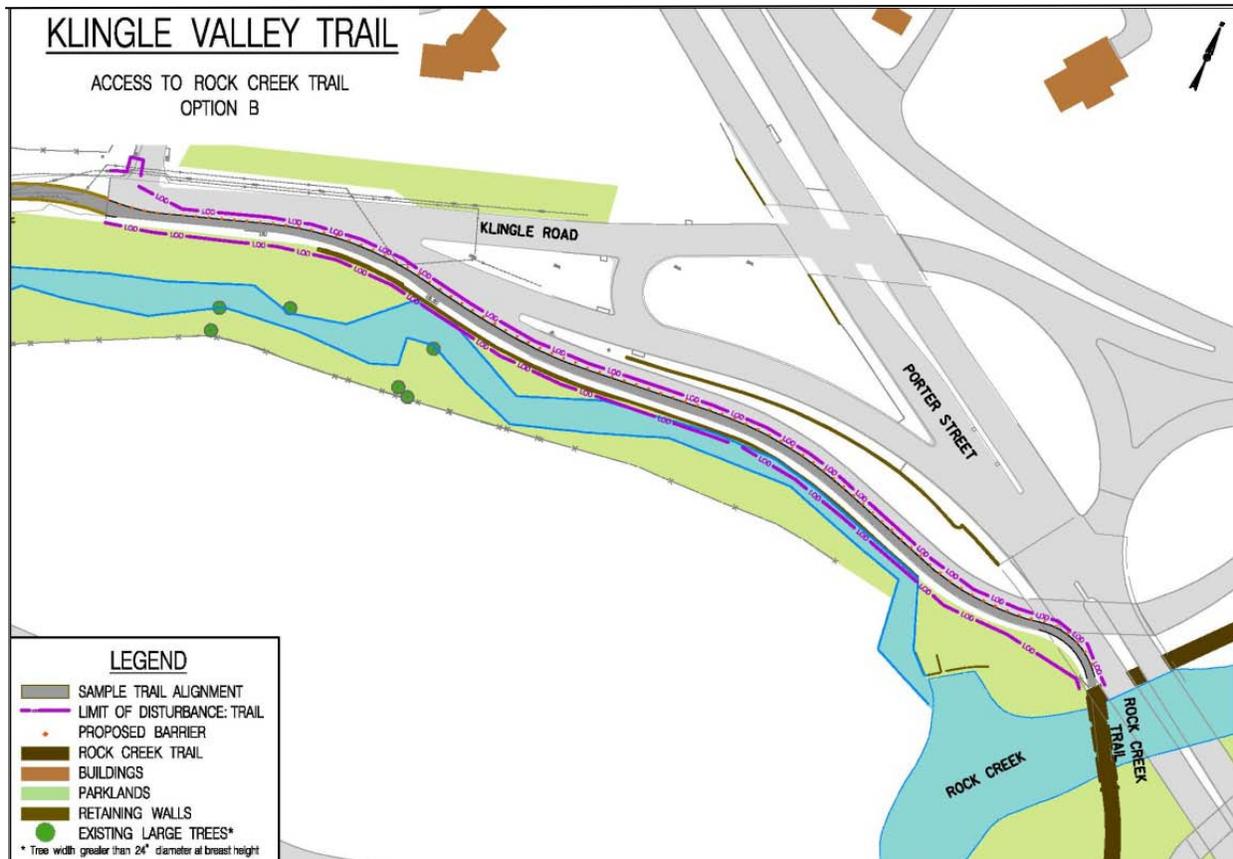
Under Option A, a trailhead would be constructed at the site of the current barricade at the east end of the project area. The multi-use trail facility would not extend beyond this location. The trailhead would clearly identify the entrance to Klingle Valley Trail. Signage and other designation would remain in character with the surrounding residential areas and Rock Creek Park. Users would then use the existing roadway network to access the Rock Creek Park Trail system. A trailhead at this location is included in all Action Alternatives and Option A would add no incremental cost to the design or construction of the proposed multi-use trail. Access to Rock Creek Park Option A is presented in **Figure 14**.



**Figure 14. Access to Rock Creek Trail Option A**

**Access to Rock Creek Trail Option B – Shared-Use Connection**

Under Option B, a trailhead would also designate entry to Klingle Valley at the currently barricaded area. Pavement markings would designate a bike lane along existing Klingle Road. The ramp that runs underneath Porter Street, which is currently 20 feet from curb to curb, would be divided into a shared-use roadway. The vehicle travel lane would be 14 feet in width, and a 6-foot pedestrian and bicycle lane would be designated via pavement markings and a physical barrier, such as a concrete curb and plastic bollards. This configuration would continue along the ramp, allowing access from the multi-use lane to and from Rock Creek Trail. Option B would contribute approximately \$349,000 to the total design and construction costs for each Action Alternative. Annual maintenance is estimated to be \$2,020. Access to Rock Creek Trail Option B is presented in **Figure 15**.

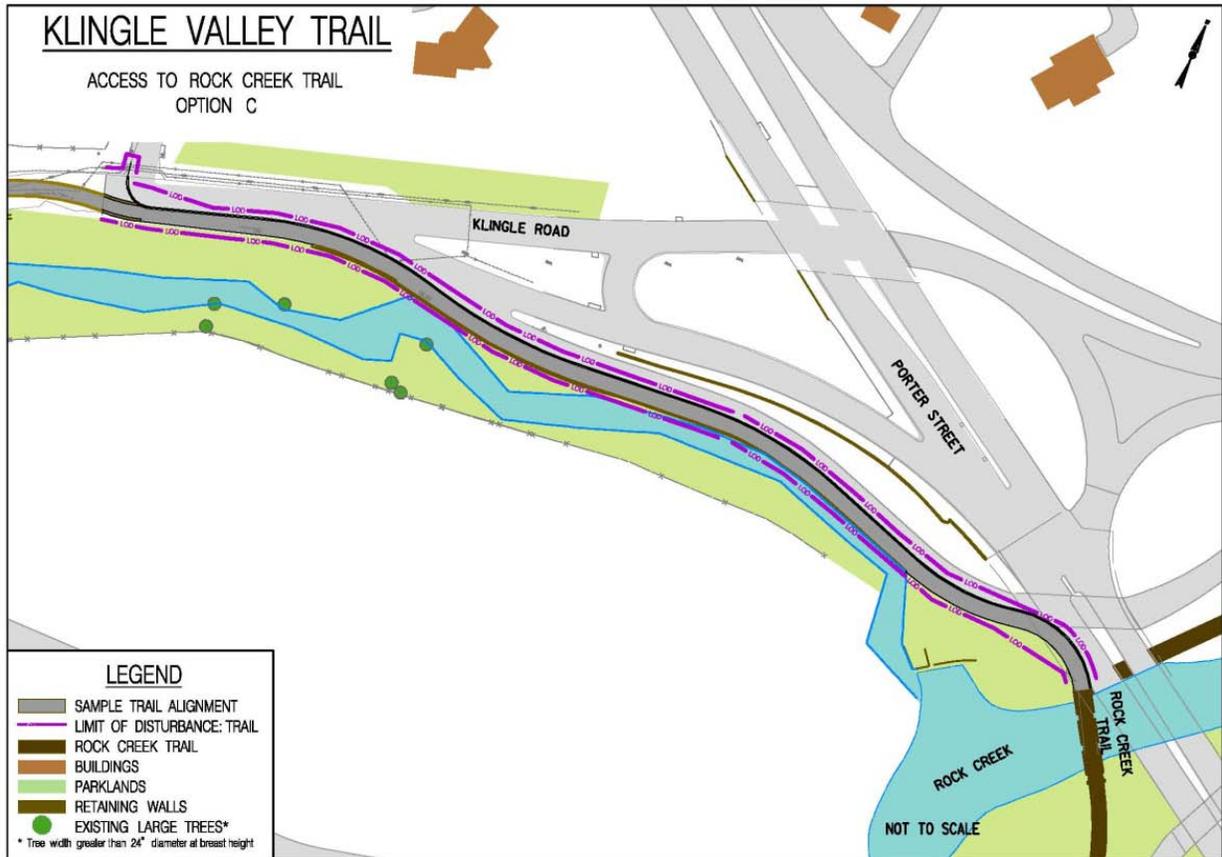


**Figure 15. Access to Rock Creek Trail Option B**

**Access to Rock Creek Trail Option C – Multi-Use Trail Connection**

Option C would also include a trailhead to Klingle Valley. A multi-use trail would be constructed along the south side of the existing Klingle Road and continue to the ramp that leads to the Rock Creek Trail below Porter Street, NW. At the ramp, the existing 20-foot travel lane

would be redesigned to a 14-foot wide travel lane. A multi-use trail would be constructed on the south side of the ramp, and would be separated via a curb and guardrail from the main travel lane until it connects to Rock Creek Trail. The width of the multi-use trail would vary from 6-10 feet to accommodate constraints and tie-ins at each end. Option C would contribute approximately \$1,430,000 to the total design and construction cost for each Action Alternative, and would cost approximately \$3,920 per year to maintain. Access to Rock Creek Trail Option C is presented in **Figure 16**.



**Figure 16. Access to Rock Creek Trail Option C**

***Access to Rock Creek Trail Option C-Modified – Multi-Use Trail Connection***

***The Access to Rock Creek Trail Option C-Modified is a combination of Option B – Shared-Use Connection and Option C – Multi-Use Trail Connection, and would also include a trailhead to Klingle Valley. Under this option, a multi-use trail 6 to 8 feet in width would be constructed along the south side of Klingle Road and continue along the ramp before connecting with the Rock Creek Trail below Porter Street, NW. The existing 20-foot wide vehicle travel lane will be redesigned to 12 to 14 feet wide, and the trail would be separated from the existing vehicular travel lane by a curb. The trail would be constructed within the***

*existing footprint of the existing roadway, and no new impervious surface would be added. Option C-Modified would contribute approximately \$1,216,228 to the total construction cost for each Action Alternative.*

## **2.2.4 Lighting Options**

One of the following lighting options may be selected in conjunction with Action Alternatives 2, 3, and 4.

### **Option A – No Lighting**

Under Option A, no lighting would be included in the detailed design of the Klinger Valley Trail project.

### **Option B – Pole or Bollard Lighting**

*Option B is the preferred lighting option for the trail.* Under Option B, lighting would be incorporated into the multi-use trail design within the currently barricaded segment of Klinger Road. The type of lighting, spacing, illumination, etc. would be selected as design continues. Under Option B, DDOT would investigate energy efficient systems such as solar energy and light emitting diode (LED) pole lighting and/or bollard lighting. *The lighting of the proposed multi-use trail would be timed to correspond with commuter use of the facility to limit the hours of illumination* and potential disturbance to wildlife. The estimated costs for the installation of energy efficient lighting ranges from \$142,300 to \$166,800.

## **2.3 Alternatives Eliminated from Consideration**

Throughout the concept development process and agency/public input, several trail alternatives and stormwater management and stream options were considered and dismissed because they were not practical and/or feasible or were not consistent with the project objectives or purpose and need. The following is a discussion of concepts that are not recommended for detailed engineering or analysis, but have been considered in the planning process.

### **2.3.1 Trail Alternatives**

#### **Eight-Foot Trail with Permeable or Non-Permeable Surface**

While minimizing the overall footprint of the project, this alternative was dismissed from detailed study for multiple reasons. An eight-foot wide trail does not meet AASHTO's recommended width for a multi-use trail. Additionally, because of the need for utility, maintenance, and emergency vehicles to drive on the trail to access the site, an eight-foot wide trail would not be sufficient. This width would also not meet the needs of trail users since it is not recommended for two way bicycle traffic, which is particularly important given the grade in the project area.

### **Twelve-Foot Trail with Non-Permeable Surface**

A twelve foot trail would comply with AASHTO standards for a pedestrian and bicycle trail, and would also accommodate emergency and utility vehicle access to the site. As with the 10-foot non-permeable trail, this alternative would require additional stormwater management due to the non-permeable surface. This alternative is not carried forward in detailed study for the purposes of this EA, as the impacts would be very similar to those of the 10-foot non-permeable trail. The LOD for site clean-up would be the same as with all Action Alternatives. With some minor adjustments, including depth and the number of check dams needed, the parallel drainage swale would accommodate runoff within the same footprint of the drainage swale for the 10-foot alternative. Because the footprint, short-term and long-term impacts of a 12-foot non-permeable trail would be very similar to those of the 10-foot non-permeable trail, this alternative is not carried forward in detailed study in this EA.

### **2.3.2 Stream Restoration Options**

#### **Klinge Creek Restoration - No Action**

The stream assessment completed for Klinge Creek indicated that the stream channel is vertically stable due to bedrock control, but horizontally unstable due to the easily erodible sediments forming its stream banks. Since bedrock prevents the channel from further vertical erosion, storm flow has led to channel widening from bank erosion. In areas not protected by retaining walls, channel widening has resulted in the road and stormwater infrastructure (which is under the road) being undercut by the stream channel. Additionally, as the stream channel erodes the steep slopes next to the road, the slope fails and guard rails have collapsed into the channel.

There are two sections of the stream that, if not restored, could result in the failure of existing sanitary sewer infrastructure (a manhole and an encased pipe). A third section of the stream floods over the road in regular storm events, depositing sediments regularly. If left unattended, this area will continue to accumulate sediment and flood frequently. In each of these areas, without stabilizing the stream channel and banks, the proposed trail would be threatened with undercutting by the stream. If Klinge Creek is not restored this undercutting would result in the eventual collapse of Klinge Valley Trail as experienced by the former road. Therefore, the No Action Option was dismissed from detailed study.

#### **Use of a Reference Reach**

A reference reach is a segment of a stream channel that appears to be effectively accommodating streamflow and sediment without excessive channel erosion or deposition. Design of a restored channel may be based on a reference reach and include restoration of appropriate pattern, profile, and dimension, as well as transport of water and sediment. Klinge Creek is a unique stream with a steep, bedrock controlled channel in a highly urbanized watershed with hydrology controlled by stormwater discharges. Finding a stable reference reach with identical conditions that could be uniformly applied to Klinge Creek is highly unlikely.

### 2.3.3 Stormwater Management Options

The hydrological models and detailed stream assessment completed for Klingle Creek indicated that the existing stream channel conveys discharges exceeding the 25-year flood event. Most sections of the stream also convey the 50-year flood and about half of the channel length is currently conveying the 100-year flood. The only segment where this is not the case is in the area of the buried culvert under Klingle Road near the Embassy of India Property, where the road flooding frequency ranges from every storm to the 50-year flood. Because stormwater is an important issue in an urban watershed, DDOT and the project team evaluated several stormwater management options that exceed project permit requirements, considering a Klingle Creek Watershed approach. Preliminary engineering was conducted for several options to treat water quality via offsite bioretention facilities. These facilities and associated impacts were evaluated and are discussed below. Due to a variety of reasons, the options discussed below were dismissed from detailed study.

#### **Regenerative Stormwater Conveyance (RSC) System on NPS Property**

A Regenerative Stormwater Conveyance (RSC) is a specific patent-pending (US Patent Office Application number 20090290936) structure used to treat and disperse stormwater runoff by infiltrating it into subsoils and the groundwater table. The purpose of an RSC is to encourage water to infiltrate and interact with groundwater and to support natural vegetation. The RSC structure is composed of a series of rock weirs separated by sand beds where storm water can collect in pools and slowly infiltrate into the ground below. The rock weirs are designed to prevent erosion if the water fills the pool and spills over into the next sand bed area. RSCs are most effective at infiltrating water in ephemeral streams where there is a large amount of permeable sediment between the structures and the groundwater table (such as in the Coastal Plain of Maryland). RSCs are a new concept and their exact effectiveness has not yet been demonstrated in scientific publications.

The purpose of a RSC is to infiltrate as much water as possible into the subsurface. The large amount of non-porous bedrock close to or at the surface in the Klingle Creek streambed significantly limits the amount of water that can be accommodated in subsurface sediments; thereby, limiting the use of RSCs for the Klingle Creek stream channel. Because Klingle Creek is a perennial stream with shallow bedrock control, a sand or similar infiltration structure would continually be saturated, rendering it unavailable and ineffective at infiltrating water during storm events. Instead, baseflow would saturate the sand filter and any storm events would simply be conveyed in the channel with minimal infiltration.

Additionally, forcing too much water into the subsurface may initiate sediment piping along the bedrock surface, which could eventually lead to sinkhole formation or landsliding. Sand on bedrock can produce a "shear surface" or an area where the bed could fail due to a lack of cohesion and piping of water along the bedrock surface. Movement of water along the shallow bedrock surface could produce a new source of sediment input to the stream channel, or even cause the structures to wash out.

High nitrogen loads in streams lead to algal blooms which can deplete stream water of the oxygen needed to sustain aquatic life. Recent studies have shown that stream restoration can reduce nitrogen loads (Craig et al, 2008) through increases in the in-stream carbon availability, contact between the water and aquatic organisms, and floodplain accessibility. Step pools increase hydraulic residence time and contact with the aquatic organisms, regardless of the type of materials the stream structures are built on. Furthermore, Hester and Doyle (2008) completed a study that concluded that geomorphic structures such as steps can drive hyporheic (subsurface) exchange of water in streams. This increased hyporheic exchange can lead to increased denitrification and decreased nitrogen loads delivered to downstream reaches. This increased hyporheic exchange has not been shown to be dependent on sand fill in the pools and/or the RSC design approach as described above. In fact, the Hester and Doyle (2008) study calculated that the downwelling flux rate is no more than 0.015% of stream discharge even when the weir or step extends across the entire width of the stream. This low percentage of downwelling flux calls into question the risk of constructing RSCs on top of a bedrock surface. Additionally RSCs are constructed of sand and sandstone which are not typically found in the piedmont environment.

In general terms, RSCs may be feasible for stabilizing ephemeral outfalls along valley walls or in headwater areas at locations where bedrock is deep enough to allow for adequate infiltration of water. Although not yet installed, DDOE is currently in the process of funding four RSC projects within the District (DDOE, 2010b). Two projects are within the coastal plain on District Department of Parks and Recreation land. Two are within Rock Creek, one at the fall line and one in the piedmont. Of the two in Rock Creek, one RSC project is on an intermittent first order stream, and is intended to control stormwater from sheet flow off two roadways that have caused a deep headcut on the stream. The second is on a perennial first order stream, and is intended to control stormwater from a stream that emerges from an outfall and sheet flow from an adjacent roadway. While these systems have not yet been installed within the District, similar projects in Anne Arundel County, MD have been successful to date. DDOE has further indicated that construction of additional RSCs within Rock Creek Park could potentially be a future project undertaken and funded by DDOE, in cooperation with NPS (DDOE, 2010a). Such a project would be conducted outside the scope of the Klingle Valley Trail project, through coordination between DDOE and NPS. DDOT will continue to coordinate with DDOE and NPS regarding stormwater management within the scope of this project.

### **Stormwater Storage Options**

Stormwater quantity management was evaluated by the project team. For these options, a comparison was made between the existing developed watershed and the same area in an undeveloped meadow condition. Under this scenario, the volume of storage required to manage the 2-year storm is 10.9 acre-feet (474,804 cubic feet).

### Detention Pond

To provide this volume in a 3-foot deep detention pond above Klingle Creek headwaters or within Klingle Valley, between 4 and 5 acres of land would be required. This area would have to be cleared of trees, and the embankment created would have to be kept permanently clear. This area is not available either within the DDOT right-of-way or within NPS land, as consisted with the findings of the DDOE *Draft Rock Creek Watershed Implementation Plan*. Therefore, storage a pond is not a feasible option and is not carried forward in detailed study.

### Deep Storage

An option for deep storage to capture runoff above the Klingle Creek headwaters was also evaluated. Assuming an average depth of 4 feet of available storage available under the proposed trail, with a width of 8 feet, a stone filled trench for deep storage would need to be 37,094 linear feet, or more than 20 times the length of the project. The same storage, using two 48-inch pipes 18,892 feet long, would be required. If vertical pits were used, storing 10.9 acre-feet would require drilling 9 wells into the bedrock with dimensions of 8 feet in diameter by 95-100 feet in depth. Each of these scenarios would cost an estimated \$8 million over the current project costs. Therefore, this option was not reasonable or feasible and has been dismissed from detailed study.

Klingle Valley is not physically large enough to provide centralized stormwater management for the entire watershed. Additionally, putting water underground to a bedrock surface will cause it to flow along the bedrock, transporting sediment, until it reaches the stream. Deep storage is not feasible due to the presence of bedrock. This is supported in the Stream Assessment Report (Appendix C *of the June 2010 EA*) and in soil borings conducted for the project, some of which encountered bedrock at 2 feet below grade.

### **Peak Conveyance**

Another option studied was to provide a flow splitter at the headwaters to divert infrequent floods to a pipe that bypasses the Klingle Valley to discharge to Rock Creek. For the purposes of this discussion, consideration of piping excess flows above the 50-year and 100-year storms are considered. Taking a peak flow difference, the 50-year storm is 214 cfs and the 1 percent annual chance storm is 218 cfs. The existing difference between the 100-year storm and the 25-year storm is 304.7 cfs. A 48-inch concrete pipe at 5 percent will carry 288 cfs of volume.

There are several engineering concerns involved with this option. First, the shallow bedrock would require drilling for the entire lower Klingle Valley, likely to Rock Creek. Another concern is the change in peaking time at Rock Creek. If flows from such a conveyance structure reach Rock Creek faster than via Klingle Creek, they will coincide with other peaks, potentially increasing flooding downstream in the lower watershed. This option assumes that the Klingle Creek channel cannot be restored to safely convey the flows. A detailed stream geomorphological study for the project indicates the proposed Klingle Creek Restoration Options would provide adequate stormwater conveyance within the stream channel. In addition, the cost of a conveyance system (i.e., piping to Rock Creek), including 6 access manholes required for

maintenance, is estimated to add an additional \$1 million to the project cost, and could be more due to the presence of bedrock throughout the required drilling area. In addition, the proposed Klingle Creek Restoration Options, which would still be required for the conveyance of more frequent storms under all of the Action Alternatives for the multi-use trail. Therefore, this option is not feasible or reasonable and has been eliminated from further detailed study in this EA.

### **Stormwater Quality Management**

#### **Bioretention Pond on NPS Property**

This option would direct drainage from the Woodley Park area into a stormwater management wetland or bioretention pond at the west end of the project area, on NPS property. This option would require a flow splitter to send the first flush to the treatment area and bypass the larger storm events. This option would require either additional right-of-way or another form of easement for construction and maintenance from the NPS. Section 4(f) states that FHWA may not approve the use of land from a significantly publicly owned public park unless there are no feasible or prudent alternatives to the use of land and the action includes all possible planning to minimize harm. In addition, the construction of this facility would require removal of existing forested land, which also provides water quality benefits. Because water quality for the project would be treated by removal of the existing pavement, the use of bioswales and/or permeable pavement under any of the Action alternatives, it was determined that this option is not prudent. Therefore, this option was removed from detailed study.

#### **Bioretention Pond at Tregaron**

This option would direct drainage from the Woodley Park area into a stormwater management wetland or bioretention pond on the Tregaron Property. This option would require a flow splitter to send the first flush to the treatment area and bypass the larger storm events. This option would require an easement or partnership agreement with the landowner of this historic property, listed on the National Register of Historic Places (NRHP). The bioretention facility would be located in a significant cultural landscape. Based on consultation with the DC Historic Preservation Office (DC HPO), this facility would have an adverse effect on the cultural landscape. Similarly to the facility located on the NPS property, historic properties are also protected by the provisions of Section 4(f) of the U.S. DOT Act. Therefore, this option was removed from detailed study.

#### **Bioretention Pond at Porter Street, NW**

This option would direct drainage from the Porter Street, NW and the area to the west of the barricade segment of Klingle Road into a stormwater management wetland or bioretention pond located within DDOT right-of-way at the intersection of Klingle Road/Porter Street, NW.

The facility would require a flow splitter to send the first flush to the treatment area and bypass the larger storm events. This option would require the expansion and reconfiguration of the existing median, and would require removal of some pavement in this area, disrupting traffic flow during construction. Because of the high cost associated with the reconfiguration of the interchange and associated disruption to roadway users, and because water quality would be

addressed for the project using the methods described above, and the benefits of such a facility would be negligible, DDOT determined this option was not reasonable. Therefore, this option was dismissed from further study.

### **2.3.4 Access to Existing Network Options**

A number of design features and options were considered in the development of the alternatives, but were excluded from detailed study because they were not practical or feasible, because they had limited potential to meet the purpose and need and/or design objectives, or because they were outside of the scope of the Klingle Valley Trail project.

#### **Access to Connecticut Avenue**

A limited number of public comments received during the scoping period called for a connection from the proposed trail to Connecticut Avenue. With such a connection, the multi-use trail would likely serve more commuter trips and provide nearby residents with added access to the amenities at Connecticut Avenue. However, the existing steep slopes near the Connecticut Avenue Bridge would create access issues for most users, and excessive grading would be required, well outside of the existing DDOT right-of-way. Therefore, this option was outside of the scope of the project, and was dismissed from detailed study.

#### **Access to Rock Creek Park Trail – Close Existing Ramp under Porter Street, NW**

This concept proposes the closing of the existing one lane eastbound ramp under the Porter Street, NW bridge to traffic. This ramp currently provides access from Klingle Road to a controlled stop where a driver can proceed toward Porter Street, NW, or turn right to Beach Drive. If closed, the ramp would serve as the connection between Klingle Valley Trail and Rock Creek Trail. This scheme would require that the existing westbound Klingle Road under Porter Street, NW become two-way and would likely require reconstruction of the ramps from the Porter Street, NW bridge. This concept has the advantage of separating the trail traffic from the roadway traffic, but it also has a significant disadvantage in that it is most disruptive to existing traffic patterns and would also carry the expense of the ramp reconstruction. Access to Rock Creek Trail could be achieved at a lesser cost, and with less disruption to vehicular traffic than options retained for further study. Therefore, this option was considered unreasonable and was dismissed from further consideration.

### **2.3.5 Other Alternatives Eliminated from Detailed Study**

#### **Reopen the Barricaded Portion of Klingle Road to Motorized Vehicles**

The 2001 Klingle Road Feasibility Study and the 2005 EIS analyzed several alternatives to reopen the barricaded portion of Klingle Road to vehicular traffic. In this EA, an alternative to reopen the road to motor-vehicle traffic was eliminated from consideration in response to the Klingle Road Sustainable Development Amendment Act of 2008 (2008 Act). The 2008 Act mandates that the road shall not be re-opened to motor vehicle traffic, and that District, Federal, or other funding shall not be used for the planning, design, construction, or reconstruction of this

portion of Klingle Road for motor vehicle traffic, therefore, an alternative to reopen the barricaded portion of Klingle Road to motor vehicle traffic would not fulfill the purpose and need for the proposed action, and was eliminated from further study in this EA.

### **Green Space**

In the 2001 Klingle Road Feasibility Study, a “Green Space” option was analyzed in detail. The Green Space option would have allowed the closed portion of Klingle Road to return to a largely natural state by permanently closing the road and removing the roadbed within Klingle Valley. Neither a roadway nor a bicycle and pedestrian trail would have been constructed under this option. A Green Space alternative would also not fulfill the purpose and need for the proposed action as it is not consistent with the 2008 Act calling for the remediation of Klingle Valley and construction of a multi-use trail. Therefore it has been eliminated from detailed study in this EA.

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## 3.0 AFFECTED ENVIRONMENT

### 3.1 Natural Resources

#### 3.1.1 Geology, Soils, and Topography

##### Geology

The District of Columbia is transected by the fall line, which separates the Piedmont Physiographic Province in the western part of the District, from the Coastal Plain in the eastern two-thirds of the District. The project area is located in the Piedmont Province, an area underlain by old, metamorphosed, igneous and sedimentary rocks (USDA, 1976). Regionally, outcrops of these rocks typically are confined to stream valleys such as the Klingle Valley. Rock formations occurring in the project area include: Kensington tonalite, Sykesville formation, garnetiferous biotite-horblend tonalite, Laurel formation, and quartz gabbro and quartz diorite (USGS, 1994).

The tops of the ridges to the north and south of Klingle Valley in the western end of the project area are capped by colluvium, unsorted gravel, sand, silt, and clay. The capping generally consists of sparse pebbles scattered in a reddish-brown clay matrix (USGS, 1994). The metamorphic formations occurring across the project area are expressed at the surface as small outcrops and float (large detached boulders that may appear to be outcrops). The metamorphic formations and associated float are largely responsible for the steep slopes that occur across the project area.

##### Soils

Soils occurring in the study area include Brandywine gravelly loam, Manor loam, Joppa gravelly sandy loam, and Udorthents (**Figure 17**). The Brandywine gravelly loam and Joppa gravelly sandy loam dominate the western half of the project area, upslope (west) of the Connecticut Avenue Bridge, while Manor loam dominates the project area east of the Connecticut Avenue Bridge. The general properties and characteristics of the soil mapping units within and adjacent to the project area based on the *Soil Survey of the District of Columbia* (USDA, 1976) are provided below. None of the soils identified in the project area are defined as hydric soils, or prime or unique farmland soils. The soils found within and adjacent to the Klingle Valley Trail project area include:

- **Brandywine gravelly loam (BrC).** The Brandywine gravelly loam, 8 to 15 percent slopes, is a moderately sloping, somewhat excessively to excessively drained soil that occurs on ridge tops and side slopes in strongly dissected areas of the Piedmont Plateau. Runoff is medium and the hazard for erosion is moderate. Slopes and stoniness moderately limit the soil for most building purposes, and bedrock may be encountered at very shallow depths. Slopes, low available water capacity, and stoniness also limit the potential for landscaping vegetation, and the soil has a fair potential for most recreational uses. This mapping unit occurs on the hilltops in the western portion of the study area.

- **Brandywine gravelly loam (BrD).** The Brandywine gravelly loam, 15 to 40 percent slopes, is a strongly sloping to steep, somewhat excessively drained soil occurring on side slopes and bluffs above streams and ravines in highly dissected areas of the Piedmont Plateau. Runoff is rapid, and the hazard for erosion is severe. Slopes and stoniness severely limit the soil for most building purposes. Steep slopes, low available water capacity, and stoniness also limit the potential for landscaping vegetation, and the soil has a fair potential for most recreational uses. This mapping unit occupies the western half (approximately) of the project area.
- **Brandywine - Urban Land Complex (BtC).** This complex consists of Brandywine soils that have been graded or otherwise altered for residential, commercial, or industrial development. Approximately 20 percent of this mapping unit consists of relatively undisturbed Brandywine soils. The Brandywine soils are somewhat excessively drained, the available water capacity is very high, and shrink swell potential is low. Runoff is rapid, and the hazard for erosion is moderate to severe. Areas that have been cut, filled, or otherwise developed would require an on-site investigation to determine the limitations for development. This mapping unit is located predominantly in the developed areas north of the project area.
- **Glenelg - Urban Land Complex (GhC).** This complex consists of moderately sloping, well drained Glenelg soils, most areas of which have been graded, cut, filled, or otherwise disturbed. About 20 percent of this complex consists of relatively undisturbed Glenelg soils. Approximately 40 percent of this complex is Urban land. The areas of undisturbed Glenelg soils exhibit moderate permeability. Runoff is rapid and the hazard of erosion is severe. These areas have only fair potential for building sites because of the slope.
- **Joppa gravelly sandy loam (JtD).** The Joppa gravelly sandy loam, 15 to 40 percent slopes, is a strongly sloping to steep, well drained to excessively drained soil that occurs on side slopes. Permeability and runoff are rapid and the hazard of erosion is severe. This soil generally has poor potential for use as building sites because of slope. This mapping unit is located in the western-most portion of the study area, in the residential community near Cortland Place, NW.
- **Manor loam (MbD).** The Manor loam, 15 to 40 percent slopes, is a strongly sloping to steep, well drained to somewhat excessively drained soil that occurs on ridgetops and sideslopes in strongly dissected areas of the Piedmont Plateau. Permeability is moderate, runoff is rapid, and the hazard of erosion severe. Building on the soil is severely limited due to the steep slopes. Slopes also limit recreational uses, and moderate available water capacity and some stoniness limits the potential for establishing most types of vegetation. This mapping unit occurs throughout the eastern half of the project area.
- **Manor - Urban Land Complex (MdC).** This complex consists of moderately sloping, well drained to somewhat excessively drained Manor soils, most areas of which have been graded, cut, filled, or otherwise disturbed during urbanization. Slopes are very complex and may be convex or concave. About 20 percent of this complex consists of relatively undisturbed Manor soils, while approximately 40 percent is urban land. The areas of relatively undisturbed Manor soils have moderate permeability, rapid runoff, and a severe hazard of erosion. The slope moderately limits use of this complex for most building purposes.

- **Sassafras-Urban land Complex (SgB).** This complex consists of nearly level to gently sloping, well drained Sassafras soils, most areas of which have been altered by grading for housing developments, shopping centers, industrial areas, and the like. About 20 percent of this mapping unit is relatively undisturbed Sassafras soils. These areas are sandy loam with moderate permeability, medium to rapid runoff, and a moderate to severe erosion potential. Approximately 40 percent of this unit is urban land, where the soils are covered by concrete, asphalt, buildings, and other impervious surfaces.
- **Udorthents (U9).** Udorthents, loamy smoothed, is mapped in a small area on the eastern edge of the project area adjacent to Porter Street. Udorthents is not a soil type, but is a mapping unit used to delineate area that have been cut or filled to construct roads, railroads, housing developments and similar areas. As such, the soils are mixed and on-site investigations are needed to determine the soil limitations. In general, permeability in the unit is variable, runoff is medium to rapid, and internal drainage is variable. Areas of the soil that have not been built on vary widely with respect to uses and limitations for different land uses.
- **Urban Land (Ub).** The Urban land mapping unit consists of areas where more than 80 percent of the surface is covered by asphalt, concrete, buildings, or other impervious surfaces. Large areas of artificial fill are also included in this unit. On-site identification of the soils or underlying material is necessary to determine the limitations and potential use for development. This mapping unit occurs in the urban areas along Connecticut Avenue, north of the study area.
- **Urban Land - Brandywine Complex (UdB).** This complex consists of areas of urban land and somewhat excessively drained Brandywine soils that have been severely altered by grading and development. Approximately 70 percent of the mapping unit is urban land, where the soils are covered by impervious surfaces, and only 5 percent of the unit is undisturbed Brandywine soils. Both of these components are described above. This mapping unit occurs in the area of the Woodley Tower Apartment buildings and adjacent areas. In general, this mapping unit identifies areas that are not as intensely developed as Urban or Developed Land (Ub).
- **Urban Land - Sassafras Complex (UxB).** This complex consists of areas of urban land and well drained Sassafras soils that have been altered by grading for developments such as housing complexes, shopping centers, and similar uses. The urban land and Sassafras soils occur together in an intricate pattern that makes mapping them individually impractical. The areas of urban land are largely covered by concrete, asphalt, buildings, or other impervious areas. The relatively undisturbed Sassafras soils are generally sandy, with moderate permeability, and the hazard of erosion is moderate to severe.
- **Urban land - Manor Complex (UsB, UsC).** This complex consists of areas of urban land and well drained to somewhat excessively drained Manor soils. These areas are nearly level to moderately sloping, with many of the slopes long and complex. The Manor soils have been graded, cut, filled, or otherwise disturbed during urbanization. About 70 percent of this complex is urban land, while approximately 5 percent is areas of undisturbed Manor soils. In the undisturbed areas, permeability is moderate to moderately rapid, runoff is rapid, and the hazard of erosion is severe. The areas mapped as UsB are generally on 0-8 percent slopes, while the areas mapped UsC are found on 8-15 percent slopes.



## **Topography**

Topography on and adjacent to the project area ranges from moderately to steeply sloped terrain bisected by Klingle Creek. Elevations in the project area range from approximately 245 feet above mean sea level (msl) at the western boundary of the site to approximately 70 feet above msl at Porter Street and 40 feet above msl at the Klingle Creek confluence with Rock Creek. Side slopes adjacent to the existing road and Klingle Creek range from moderately steep to steep and, in some places, exceed 30 percent. The slope of the valley floor ranges from approximately two percent to greater than 12 percent (USGS, 1983).

## **Agricultural Lands, Prime, and Unique Farmland Soils**

CEQ Guidance (1980) requires Federal agencies to assess the effects of their actions on soils classified by the Natural Resources Conservation Service (NRCS) as prime or unique farmlands. The soils mapped on the proposed project area are not regulated under the Federal Farmland Protection Policy Act (7 CFR Part 658 of July 5, 1984, as superseded by the Farmland Protection Policy Act Final Rule of June 17, 1994). Within the project area, there are no prime farmland soils as defined by the U.S. Department of Agriculture and regulated under the Federal Farmland Protection Policy Act. The existing soils on the proposed project area have been subjected to prior disturbances. Many of the soils surrounding the barricaded section of Klingle Road are mapped as Urban Land, which is not classified as a Prime Farmland Soil.

### **3.1.2 Water Resources**

#### **Groundwater**

Groundwater in the vicinity of Klingle Valley occurs in association with crystalline-rock aquifers of the Piedmont Physiographic Province (USGS, 1997). The Piedmont crystalline-rock aquifers are predominantly underlain by dense, nearly impermeable metamorphic and igneous bedrock that yields water primarily at the location of fractures. Unconsolidated material called regolith overlies the crystalline-rock aquifers almost everywhere within the province. The regolith consists of saprolite, colluvium, alluvium, and soil. Saprolite is a blanket of decomposed or partially decomposed rock that is usually thick and clayey, and whose texture varies depending on the type of parent bedrock from which the saprolite is derived. Colluvium is weathered rock material that has slumped downward from hillsides. Alluvium consists mostly of water-transported sediment in stream valleys and channels. Because the regolith material varies greatly in thickness, composition, and grain size, its hydraulic properties also vary greatly. In almost all cases, the regolith is more permeable than the underlying bedrock. Water in the bedrock is stored in and moves through fractures, which form the only effective porosity in the unweathered rock (USGS, 1997).

Groundwater yields in this aquifer system depend on the thickness of the bedrock and material covering the bedrock as well as the number, size, and connectivity of the fractures. For the most part, groundwater yields are generally small in the crystalline-rock aquifers (USGS, 1997).

Most of the groundwater recharge in the Piedmont Province takes place in interstream areas. Almost all recharge is from precipitation that enters the aquifers through the porous regolith. During or shortly after a storm or precipitation event, much of the recharge water moves laterally through the regolith and discharges to a nearby stream or depression. Some of the water, however, moves downward through the regolith until it reaches the bedrock where it enters fractures in crystalline rocks (USGS, 1997). In crystalline-rock areas, the regolith and fractures in the bedrock serve as the principal places for the storage and transmission of water, and ground-water movement is generally along short flow paths from interstream recharge areas to the nearest stream (USGS, 1997).

### **Surface Water**

Klinge Creek is the primary surface water feature within the project area. Klinge Creek flows along the south side of Klinge Road throughout the majority of the project area. Within the project area, Klinge Creek emerges from a pipe culvert east of Cortland Place, NW and flows for approximately 0.8 mile to its confluence with Rock Creek, just to the south of the Porter Street Bridge over Rock Creek.

The culvert conveys Klinge Creek under Klinge Road from the adjacent Tregaron property (Washington International School). Upstream of the culvert, Klinge Creek is a poorly defined channel within a broad valley that is experiencing excessive sedimentation. The excess sediment is likely due to the partial blockage of the undersized culvert in conjunction with a concrete wall, both of which restricts the flow of water upstream of Klinge Road.

According to the District storm drain maps, the Klinge Creek watershed drains an approximately 320-acre (0.5 square mile) area between Woodley Park and Cleveland Park. The watershed to Klinge Creek is composed of three distinct drainage basins, and two of these basins affect the section of Klinge Creek from Cortland Place to the east end of Klinge Road (**Figure 18**). The two drainage areas studied consist of mixed residential areas, a few commercial sites, and open spaces. Both areas travel through storm drain systems to Klinge Creek.

Steep slopes and low cohesion of soils within Klinge Valley contribute to the erosion and undermining of the old road bed. While many of the urban areas are moderately sloped, a few have very steep slopes. The severe slopes and high impervious area within this study area cause most of the rainfall to run off.

The time of concentration for each drainage area was calculated using the paths shown in **Figure 18**. These times were used in the U.S. Department of Agriculture (USDA) TR-55 and TR-20 programs to calculate peak discharge rates into the creek. The peak discharge for each drainage area was calculated. The western upstream reach of Klinge Creek receives approximately 69 cubic feet per second (cfs) baseflow (371 cfs for the 1% annual flood), while downstream of the conjunction receives 168 cfs of baseflow (922 cfs for the 1% annual flood).

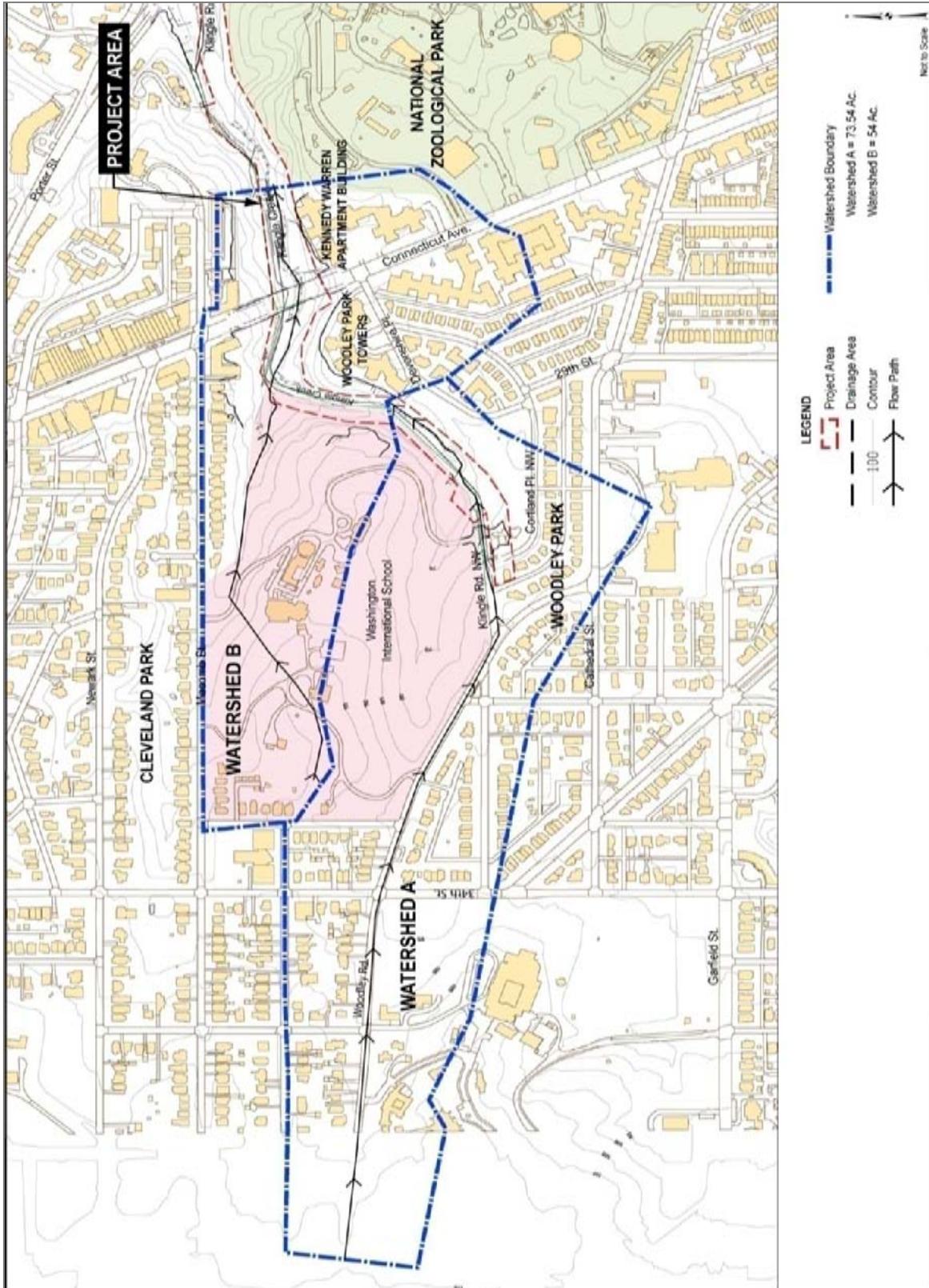


Figure 18. Watershed Map

Klinge Creek and Rock Creek are perennial tributaries to the Potomac River. The EPA and the COE are responsible for enforcing certain provisions of the Clean Water Act (33 U.S.C. §1251 et seq.) which was enacted by Congress "to restore and maintain the chemical, physical, and biological integrity of the Nation's waters." One of the mechanisms adopted by Congress to achieve that purpose is a prohibition on the discharge of any pollutants, including dredged or fill material, into "navigable waters" except in compliance with other specified sections of the Act. In most cases, this means compliance with a permit issued pursuant to Clean Water Act (CWA) §402 or §404. The Act defines the term "discharge of a pollutant" as "any addition of any pollutant to navigable waters from any point source" and provides that "[t]he term 'navigable waters' means the waters of the United States, including the territorial seas[,]" (33 U.S.C. §1362(7). Also 33 C.F.R. §328.3(a) and 40 C.F.R. §230.3(s)). In general, the agencies will assert jurisdiction over the following waters, as waters of the U.S.:

- Traditional navigable waters (defined by 33 C.F.R. Part 329 and by numerous decisions of the Federal courts as all waters which are currently used, or were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide)
- Wetlands adjacent to traditional navigable waters
- Non-navigable tributaries of traditional navigable waters that are relatively permanent where the tributaries typically flow year-round or have continuous flow at least seasonally (e.g., typically 3 months)
- Wetlands that directly abut such tributaries

The agencies will decide jurisdiction over the following waters based on a fact-specific analysis to determine whether they have a significant nexus with a traditional navigable water:

- Non-navigable tributaries that are not relatively permanent
- Wetlands adjacent to non-navigable tributaries that are not relatively permanent
- Wetlands adjacent to but that do not directly abut a relatively permanent non-navigable tributary.

The Potomac River is a traditional navigable water and Rock Creek and Klinge Creek are relatively permanent tributaries to this traditional navigable water and as such are, by definition, waters of the U.S.

### **Floodplains**

As shown in **Figure 19**, approximately half of the currently barricaded portion of Klinge Road is within the 100-year floodplain as indicated by the Flood Insurance Rate Maps, Community-Panel Numbers 110001-0010 and 110001-0020 (FEMA, 1985). Flood flows are modified where the existing road occurs within the 100-year floodplain because of the degraded condition and subsidence of the road into the creek in a number of locations. The degraded stormwater conveyance system and conveyance of high volumes of uncontrolled stormwater flows through the valley during storm events also prohibits the floodplain from properly conveying flood flows.

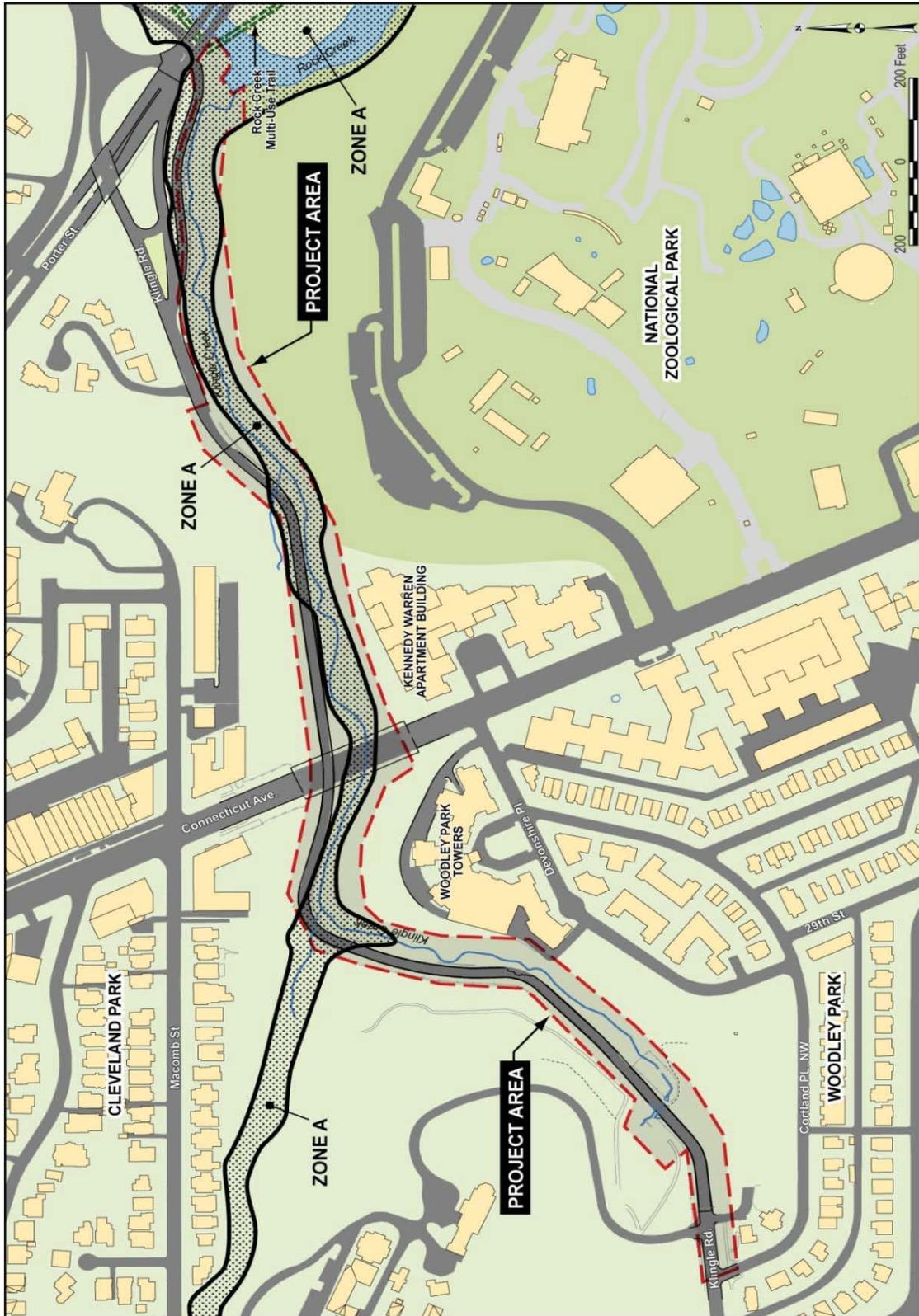


Figure 19. 100 Year Floodplain

## Water Quality

Klinge Creek is a tributary of Rock Creek, and both waterways are designated as “Special Waters of the District of Columbia” (SWDC) according to the Water Quality Standards, 21 DC Municipal Regulations (DCMR) Section 1102.5, as amended (DDOH, 2004a). The Special Waters designation is given to surface waters of the District that are of water quality better than needed for the current use or have scenic or aesthetic importance. The water quality in SWDC waters shall be maintained at or above the current level by implementing the following:

- Existing nonpoint source discharges, storm water discharges and storm sewer discharges to SWDC segments shall be controlled through implementation of BMPs and regulatory programs;
- Construction or development projects, such as roads, bridges, and bank stabilization of the streams in which a SWDC designated segment is located, which may lead to pollution of the water, shall be permitted on a case-by-case basis to ensure that there are no long-term adverse water quality effects and that no impairment of the designated uses of the segment occurs; or
- Short-term degradation of water quality in a SWDC segment due to construction projects may be permitted provided that prior notice is given to the public and other local and Federal government agencies, and provided that the builder of the construction project submits a report to the Department which summarizes the views, significant comments, criticisms and suggestions of the public and other local and Federal government agencies; and sets forth the specific responses in terms of modifications of the proposed action or an explanation for rejection of proposals made by the public and other local and Federal government agencies.
- Section 303(d) of the Federal Clean Water Act and regulations developed by EPA require states, and the District, to prepare a list of waterbodies or waterbody segments that do not meet water quality standards. The *District of Columbia 2008 Integrated Report* provides information on the quality of the City’s water. The *Integrated Report* combines the comprehensive biennial reporting requirements of the Clean Water Act’s Section 305(b) and the Section 303(d) listing of waters for which total maximum daily loads are required.

Klinge Creek was assessed as part of the 2008 biennial report, and was found to have impairments. The potential sources of impairments were identified as combined sewer overflow, urban runoff/storm sewers, habitat modification, and bank or shoreline modification / destabilization. As such, Klinge Creek does not meet the criteria for Primary Contact (Recreation), Secondary Contact (Recreation), Protection and Propagation of Fish and Wildlife, and Protection of Human Health related to Consumption of Fish and Shellfish.

## Wetlands

A wetland delineation was conducted in September 2009 to define the limits of the waters of the U.S., including wetlands. The jurisdictional limits of Klinge Creek was field delineated within the study area by defining the ordinary high water mark (OHWM). The delineation was conducted in accordance with the 1987 U.S. Army Corps of Engineers (COE) *Wetlands Delineation Manual* (Environmental Laboratory, 1987). Per the Manual, wetlands are defined as

“those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions”. Wetlands generally include swamps, marshes, bogs, and similar areas. The technical approach for the identification and delineation of wetlands is that, except in certain abnormal situations, evidence of a minimum of one positive wetland indicator from each parameter (hydrology, soil, and vegetation) must be found in order to make a wetland determination. In accordance with the 1987 COE *Wetlands Delineation Manual*, no wetlands were delineated on the project site.

NPS officially recognizes the wetlands definition used by U.S. Fish and Wildlife Service (FWS) as outlined in *Classification of Wetlands and Deepwater Habitats of the United States* (FWS, 1979). This system (called the Cowardin Classification System) generally states that wetlands are lands where saturation with water is the dominant factor determining the nature of soil development and the types of plant and animal communities living in the soil and on its surface (FWS, 1979). Under the Cowardin Classification System, some streams are also considered wetlands, including Klingle Creek. The *Wetland Delineation Report* can be found in Appendix D of the *June 2010 EA*.

### **Navigable Waters**

Klingle Creek was delineated as waters of the U.S. because it is a perennial tributary to the Potomac River, traditionally a navigable water. Klingle Creek itself is not, however, a navigable water.

### **Wild and Scenic Rivers**

The National Wild and Scenic Rivers System was created by Congress in 1968 to preserve rivers with outstanding scenic, recreational, geologic, fish and wildlife, historic, cultural, or other similar values in a free flowing condition (Wild and Scenic Rivers Council, 2009). Rivers may be designated by Congress as Wild, Scenic, or Recreational based on certain criteria. Based on the review of the National Wild and Scenic Rivers Inventory, no surface waters near the proposed project area are designated as scenic rivers.

### **Coastal Zone**

The District of Columbia does not have a designated Coastal Zone, and has not developed a Coastal Zone Management Plan under the Coastal Zone Management Act.

## **3.1.3 Wildlife including Threatened and Endangered Species**

### **Aquatic Organisms**

Biological assessments were conducted in 1988, 1993, and 1998, to characterize the ecological character and water quality characteristics of streams in the District of Columbia. Conditions in Klingle Creek were characterized in all three studies. Results of the 1988 study conducted by the District of Columbia Department of Consumer and Regulatory Affairs Housing and Regulatory Administration Environmental Control Division (Johnson, 1988) indicate that water quality in

the Klingle Creek was fair to poor. Fish, crayfish, and salamanders were reported to be present in the creek. Samples taken as part of the previous studies of benthic macroinvertebrates in the creek were dominated by chironomid, indicating that the creek was organically enriched.

Stream characterizations conducted by W.C. Banta (1993) indicate the stream was moderately impaired and showed evidence of loss of instream cover, increased imbeddedness, channel alteration, and bottom scouring. A benthic macroinvertebrate sample from the creek collected 28 individuals from 14 taxa. The sample included six species of chironomid, a crayfish (*Cambarus robustus*), tipulids, oligochaets and several other species not identified in the study. The dominance of chironomid and the ratio of scrapers to filter-collectors in the sample indicated eutrophication and organic enrichment of the stream. Toxic pollution, organic pollution, eutrophication, and environmental degradation all appeared to be impacting the stream at the time of the study.

Biological data provided in a 1998 report by the DDOH Watershed Protection Division indicate that wildlife in Klingle Creek is impacted due to water quality impairments and habitat degradation. Based on evaluation by the Department of Health of benthic macroinvertebrates and fish collections, the creek has a low diversity of aquatic species, consisting primarily of species tolerant of the current adverse conditions.

Additionally, the Fisheries and Wildlife and Water Quality Divisions of the Department of Health conducted a fisheries assessment of Klingle Creek on August 29 and September 15, 2000. Three fish species were identified during the electro-fishing survey. Fish were identified in most pools from the confluence of Klingle Creek with Rock Creek upstream for about 885 feet where the elevation of the creek rises approximately 18 feet through a series of small falls. No fish species were identified above the falls. Forty-six pools were identified below the fall area and all but three contained fish. The blacknose dace (*Rhinichthys atratulus*) occurred in all pools that had fish and was the most common fish in the creek. In total, 254 blacknose dace were identified in the survey. Six American eels (*Anguilla rostrata*) were identified in five pools and a total of four creek chubs (*Semotilus atromaculatus*) were found in two pools. Only one pool contained all three fish species and six pools contained at least two species (Ryan, 2000).

### **Terrestrial Organisms**

Klingle Valley and the adjacent Rock Creek Park provide habitat for a variety of woodland and riparian wildlife species that can tolerate urban conditions and frequent human disturbances. According to data provided by the NPS Center for Urban Ecology, 36 species of mammals, 13 species of amphibians, 6 species of reptiles, and 181 species of birds are present or likely present within Rock Creek Park (NPS, 2009b).

Common mammals include white-tailed deer, raccoon (*Procyon lotor*), red fox (*Vulpes vulpes*), opossum (*Didelphis virginiana*), beaver (*Castor canadensis*), gray squirrel (*Sciurus carolinensis*), and eastern chipmunk (*Tamias striatus*). Coyote (*Canis latrans*) sightings in Rock

Creek Park have been reported since 2004, and park staff has confirmed their presence (NPS, 2009c).

Common amphibians include spring peeper (*Hyla crucifer*), wood frog (*Rana sylvatica*), and spotted salamander (*Ambystoma maculatum*), which are dependent on wetland habitats, and red-backed salamanders (*Plethodon cinereus*), which are common in moist woods. Reptiles include the northern ringneck snake (*Diadophis punctatus*), eastern box turtle (*Terrapene carolina*) and black rat snake (*Elaphe obsoleta*).

Most bird species are migrants or seasonal visitors. The National Audubon Society and the American Bird Conservancy recognize Rock Creek Park as an important birding area due to its exceptional diversity of bird species during migration (Maryland/District of Columbia Audubon Society, 2004). The NPS produces the Field List of Birds of Rock Creek Park that contains 150 bird species as a checklist for recreational bird-watchers.

The Maryland Ornithological Society (MOS) lists Rock Creek Park and the National Zoological Park as prime birding sites in the District. The following accounts are descriptions of what bird species to expect during different times of the year in the Rock Creek area.

The most common neotropical migrants include Red-eyed Vireo, Swainsons Thrush, Black-throated Blue, Black-throated Green, Black and White, Chestnut-sided, Magnolia, Bay-breasted and Canada Warblers, Northern Parula, American Redstart, Common Yellowthroat, Rose-breasted Grosbeak and Scarlet Tanager. Twenty-plus species of warbler can often be recorded on good days in both the spring and fall migrating seasons.

Unusual species which are seen virtually every year in Rock Creek include Red-headed Woodpecker, Yellow-bellied and Olive-sided Flycatchers, Black-billed Cuckoo, Philadelphia Vireo and Gray-cheeked Thrush. Rarities that have been recorded include Whip-poor-will, Evening Grosbeak and Red Crossbill.

Red-shouldered and Broad-winged Hawks, Barred and Great Horned Owls nest in small numbers. Pileated Woodpeckers, Downy and Red-bellied woodpeckers, Carolina chickadee, Tufted titmouse, and White-breasted nuthatch are fairly common. Eastern Screech-Owls nest along the streams, but you are not likely to see them during the day. Songbirds that may nest include Acadian Flycatcher, Eastern Wood-Pewee, Wood Thrush, Veery, Ovenbird, Scarlet Tanager, and Louisiana Waterthrush (Maryland Ornithological Society, 2009).

### **Threatened and Endangered Species**

The federally endangered Hay's Spring Amphipod (*Stygobromus hayi*) was discovered in five groundwater springs in Rock Creek Park in 1998. The Hays spring amphipod ranges from one-half to 1-inch long. It is colorless, eyeless, and has adaptive hairs for sensing currents and food. They have life spans of eight years or more and a low reproductive rate.

Hay's Spring amphipods spend the majority of their lives in groundwater below the surface, feeding on detritus. Amphipods are subject to a number of predators when they are at surface

springs, such as stonefly larvae and salamanders, but probably have few if any predators below the surface. Threats to groundwater amphipods include alterations of groundwater flows, groundwater pollution, loss of detritus as a food source, and disturbance of spring sites. Common pollution problems for amphipods are nitrates in fertilizers (which can result in groundwater oxygen depletion), pesticides, and petroleum leaking from underground storage tanks.

Correspondence from the FWS was received on January 21, 2010. The FWS stated that, “except for occasional transient individuals, no proposed federally listed endangered or threatened species are known to exist within the project impact area” (FWS, 2010). Therefore, no further Section 7 consultation with the U.S. Fish and Wildlife is required. This letter is found in Appendix E of *the June 2010 EA*.

### 3.1.4 Vegetation

Vegetation occurring in the Klingle Road project area had previously been characterized as part of the National Biological Survey (NBS)/NPS Vegetation Mapping Program’s *Vegetation Classification of Rock Creek Park* (The Nature Conservancy 1998) and during previous studies of Klingle Road in 2000 and 2004 (i.e., Klingle Road Feasibility Study, DDOT 2001 and Klingle Road Draft Environmental Impact Study (DEIS), DDOT 2005). The NBS study shows that the portion of Rock Creek Park within the Klingle Valley Trail study area is comprised of Beech-White Oak/Mayapple Forest Association and Managed Grass/Lawns with Trees. The DEIS suggested that the forest is dominated by tulip poplar and the overall species composition comprises a poplar-oak-hickory mix.

The current Klingle Valley study included a visual assessment of the vegetation occurring within the study area. A list of inventoried species is included in **Table 3**. The overall forest composition was classified according to the National Vegetation Classification System developed by The Nature Conservancy (1998). Based on this classification system, the forest cover on the site was classified as mixed oak/beech variant of the beech-white oak/mayapple forest association on the upper slopes, and sycamore-green ash association in the floodplain. These associations are further described below.

The beech-white oak/mayapple forest association occurs on moderately dry slopes or gentle gradients on well-drained acidic sandy loam soils. The canopy is dominated by white oak (*Quercus alba*), beech (*Fagus grandifolia*), and tulip poplar (*Liriodendron tulipifera*), and subcanopy and shrub layer species include American holly (*Ilex opaca*), flowering dogwood (*Cornus florida*), and mapleleaf viburnum (*Viburnum acerifolium*), which often forms a well-defined shrub layer. Two variants of the beech-white oak/mayapple forest association are recognized: the beech-tulip poplar variant and the mixed oak/beech variant. The beech-tulip poplar variant occurs on more mesic (moderately moist) sites and is characterized by a dominance of tulip poplar and beech in the canopy and subcanopy. Hornbeam (*Carpinus caroliniana*) is very characteristic and spicebush (*Lindera benzoin*) and viburnums (*Viburnum* spp.) are common in the shrub layer. The mixed oak-beech variant is characterized by a greater

percent cover of oaks and less dominance by tulip poplar. The canopy is codominated by a mix of red oak (*Quercus rubra*), black oak (*Quercus velutina*), white oak, and chestnut oak (*Quercus prinus*). Beech usually occurs in the subcanopy and mapleleaf viburnum is common, but spicebush, hornbeam, and jack-in-the-pulpit (*Arisaema triphyllum*) are conspicuously lacking or sparse, which distinguishes this from the classic beech-white oak/mayapple association (TNC, 1998).

The sycamore-green ash association is a floodplain forest, found along stream banks, low terraces, and other areas subject to temporary or irregular flooding. The canopy is characterized by sycamore (*Platanus occidentalis*) and box elder (*Acer negundo*), with red maple (*Acer rubrum*) and tulip poplar often co-dominant with the sycamore. Green ash (*Fraxinus pennsylvanica*), white ash (*F. americana*), and hickory (*Carya* spp.) species are frequent associates. The shrub layer may be dominated by spicebush, with black haw (*Viburnum prunifolium*) occurring less frequently (TNC, 1998).

In September 2009, a survey was conducted to determine the number of specimen trees, defined as those trees with a diameter at breast height (dbh) greater or equal to 24 inches, occurring within the project area. The survey documented 73 large trees within the study area, 70 of which meets the 24 inch dbh definition as specimen trees. The location of each specimen tree was located using a Trimble GPS receiver capable of sub-meter accuracy. Each tree was given a number, and the species, dbh, and condition of each tree is noted in **Table 4**.

The study area was also assessed for the presence of invasive species. The most common invasive plant species occurring in the proposed project area is English ivy (*Hedera helix*). English ivy, which has probably escaped from adjacent upslope properties, dominates the ground cover over large areas on the site. Pachysandra (*Pachysandra terminalis*), which is commonly used as a landscaping groundcover, also occurs in dense patches at locations in Klinge Valley.

**Table 3. Vegetation Inventory**

<b>Scientific Name</b>	<b>Common Name</b>	<b>Status*</b>
<b>Herbs/Vines/Graminoides</b>		
<i>Alliaria officinalis</i>	garlic mustard	non-native
<i>Allium vineale</i>	wild garlic	non-native
<i>Arisaema triphyllum</i>	jack-in-the-pulpit	native
<i>Bidens spp.</i>	beggar ticks	native
<i>Boehmeria cylindrica</i>	false nettle	native
<i>Celastrus orbiculatus</i>	oriental bittersweet	non-native
<i>Circaea orbiculatus</i>	enchanters nightshade	native
<i>Commelina communis</i>	asiatic dayflower	non-native
<i>Duchesnea indica</i>	Indian strawberry	non-native
<i>Dryopteris spinulosa</i>	spinulose woodfern	native
<i>Echinochloa crus-galli</i>	barnyard grass	non-native
<i>Hedera helix</i>	English ivy	non-native
<i>Impatiens capensis</i>	jewelweed	native
<i>Ipomoea hederacea</i>	ivy-leaved morning glory	non-native
<i>Lonicera japonica</i>	Japanese honeysuckle	non-native
<i>Mitchella repens</i>	partidgeberry	native
<i>Pachysandra terminalis</i>	pachysandra	non-native
<i>Parthenocissus quinquefolia</i>	Virginia creeper	native
<i>Phytolacca americana</i>	pokeweed	native
<i>Plantago major</i>	common plantain	non-native
<i>Polygonum persicaria</i>	lady's thumb	non-native
<i>Rubus phoenicolasius</i>	wineberry	non-native
<i>Rubus allegheniensis</i>	blackberry	native
<i>Sanicula gregaria</i>	clustered snakeroot	native
<i>Smilax rotundifolia</i>	greenbrier	native
<i>Tovara virginiana</i>	jumpseed	native
<i>Toxicodendron radicans</i>	poison ivy	native

Scientific Name	Common Name	Status*
<i>Urtica dioica</i>	stinging nettle	native, but invasive in some areas
<i>Vinca minor</i>	periwinkle	non-native
<i>Viola papilionacea</i>	common blue violet	native
<b>Shrubs/Trees</b>		
<i>Acer negundo</i>	box elder	native
<i>Acer palmatum</i>	Japanese maple	non-native
<i>Acer platanoides</i>	Norway maple	non-native
<i>Acer saccharinum</i>	silver maple	native
<i>Ailanthus altissima</i>	tree-of-heaven	non-native
<i>Aralia spinosa</i>	hercules-club	native
<i>Asimina triloba</i>	paw paw	native
<i>Carya cordiformis</i>	bitternut hickory	native
<i>Carya glabra</i>	pignut hickory	native
<i>Cercis canadensis</i>	redbud	native
<i>Fagus grandifolia</i>	American beech	native
<i>Fraxinus pennsylvanica</i>	green ash	native
<i>Lindera benzoin</i>	spicebush	native
<i>Liriodendron tulipifera</i>	tulip poplar	native
<i>Morus alba</i>	white mulberry	non-native
<i>Paulownia tomentosa</i>	princess tree	non-native
<i>Platanus occidentalis</i>	sycamore	native
<i>Quercus alba</i>	white oak	native
<i>Quercus palustris</i>	pin oak	native
<i>Quercus prinus</i>	chestnut oak	native
<i>Quercus rubra</i>	northern red oak	native
<i>Robinia pseudoacacia</i>	black locust	native, but invasive in some areas
<i>Ulmus americana</i>	American elm	native
<i>Ulmus rubra</i>	slippery elm	native

\* Status from Invasive Plant Atlas of the U.S. (CISEH, 2009)

**Table 4. Specimen Tree Inventory**

Tree No.	Scientific Name	Common Name	dbh	Condition
1*	<i>Liriodendron tulipifera</i>	tulip poplar	44	good
2	<i>Fraxinus pennsylvanica</i>	green ash	33	good, roots restricted by road and culvert wingwall
3*	<i>Liriodendron tulipifera</i>	tulip poplar	28	good, on stream bank, some erosion around roots
4*	<i>Fraxinus pennsylvanica</i>	green ash	38	good
5*	<i>Quercus prinus</i>	chestnut oak	33	good
6*	<i>Quercus prinus</i>	chestnut oak	40	good
7*	<i>Quercus prinus</i>	chestnut oak	35	good
8*	<i>Liriodendron tulipifera</i>	tulip poplar	49	good
9*	<i>Liriodendron tulipifera</i>	tulip poplar	33	good
10*	<i>Fagus grandifolia</i>	American beech	29	fair, covered by ivy
11*	<i>Platanus occidentalis</i>	sycamore	33	fair, covered by ivy, exposed
12*	<i>Liriodendron tulipifera</i>	tulip poplar	26	poor, roots eroded by stream, root and trunk rot
13	<i>Fraxinus pennsylvanica</i>	green ash	36	poor, adjacent to road
14*	<i>Platanus occidentalis</i>	sycamore	25	fair, covered by ivy
15*	<i>Platanus occidentalis</i>	sycamore	24	fair, covered by ivy
16*	<i>Platanus occidentalis</i>	sycamore	32	fair, covered by ivy
17*	<i>Fraxinus pennsylvanica</i>	green ash	24	fair, covered by ivy
18*	<i>Platanus occidentalis</i>	sycamore	33	fair, covered by ivy
19*	<i>Platanus occidentalis</i>	sycamore	28	fair, covered by ivy
20*	<i>Platanus occidentalis</i>	sycamore	28	fair, covered by ivy
21*	<i>Fagus grandifolia</i>	American beech	32	good
22*	<i>Liriodendron tulipifera</i>	tulip poplar	46	good
23*	<i>Liriodendron tulipifera</i>	tulip poplar	35	good
24*	<i>Quercus prinus</i>	chestnut oak	37	good
25*	<i>Liriodendron tulipifera</i>	tulip poplar	45	poor, roots eroded by stream
26*	<i>Quercus rubra</i>	northern red oak	46	good
27*	<i>Fagus grandifolia</i>	American beech	27	good

Tree No.	Scientific Name	Common Name	dbh	Condition
28	<i>Quercus alba</i>	white oak	32	poor, located between road and retaining wall
29*	<i>Fagus grandifolia</i>	American beech	20	fair, roots eroded by stream
30*	<i>Fagus grandifolia</i>	American beech	23	fair, roots eroded by stream
31*	<i>Liriodendron tulipifera</i>	tulip poplar	30	good, some minor erosion of
32	<i>Fagus grandifolia</i>	American beech	25	fair, adjacent to road
33*	<i>Liriodendron tulipifera</i>	tulip poplar	29	fair, roots eroded by stream
34*	<i>Liriodendron tulipifera</i>	tulip poplar	38	fair, some root erosion
35*	<i>Liriodendron tulipifera</i>	tulip poplar	30	fair
36*	<i>Liriodendron tulipifera</i>	tulip poplar	32	fair
37*	<i>Fraxinus pennsylvanica</i>	green ash	40	fair, some root erosion
38*	<i>Quercus rubra</i>	northern red oak	43	poor, half of crown is dead
39*	<i>Liriodendron tulipifera</i>	tulip poplar	30	fair, roots eroded by stream
40*	<i>Liriodendron tulipifera</i>	tulip poplar	35	fair, roots eroded by stream
41*	<i>Liriodendron tulipifera</i>	tulip poplar	27	fair, covered by ivy
42	<i>Liriodendron tulipifera</i>	tulip poplar	31	fair, adjacent to road
43*	<i>Liriodendron tulipifera</i>	tulip poplar	25	fair, roots eroded by stream
44	<i>Liriodendron tulipifera</i>	tulip poplar	35	good
45	<i>Quercus rubra</i>	northern red oak	25	good
46	<i>Liriodendron tulipifera</i>	tulip poplar	35	fair, adjacent to road
47	<i>Platanus occidentalis</i>	sycamore	48	fair, adjacent to road
48	<i>Liriodendron tulipifera</i>	tulip poplar	24	fair, adjacent to road
49	<i>Platanus occidentalis</i>	sycamore	45	fair, adjacent to road
50	<i>Liriodendron tulipifera</i>	tulip poplar	34	good
51	<i>Quercus rubra</i>	northern red oak	28	fair, adjacent to road
52	<i>Liriodendron tulipifera</i>	tulip poplar	44	fair, adjacent to road
53	<i>Platanus occidentalis</i>	sycamore	30	fair, adjacent to road, leaning
54	<i>Liriodendron tulipifera</i>	tulip poplar	28	good, located near top of road
55	<i>Liriodendron tulipifera</i>	tulip poplar	27	good, located near top of road
56	<i>Liriodendron tulipifera</i>	tulip poplar	32	good, located near top of road
57	<i>Quercus rubra</i>	northern red oak	34	fair, leaning

Tree No.	Scientific Name	Common Name	dbh	Condition
58	<i>Liriodendron tulipifera</i>	tulip poplar	28	fair, exposed roots
59	<i>Liriodendron tulipifera</i>	tulip poplar	39	good, located near top of road
60	<i>Quercus rubra</i>	northern red oak	32	good, located near top of road
61	<i>Fagus grandifolia</i>	American beech	26	good
62	<i>Fagus grandifolia</i>	American beech	26	fair, covered by ivy
63*	<i>Quercus alba</i>	white oak	39	fair
64	<i>Fraxinus pennsylvanica</i>	green ash	34	fair
65	<i>Fraxinus pennsylvanica</i>	green ash	33	fair
66	<i>Fraxinus pennsylvanica</i>	green ash	23	fair
67*	<i>Quercus rubra</i>	northern red oak	48	good
68*	<i>Fagus grandifolia</i>	American beech	24	fair
69*	<i>Liriodendron tulipifera</i>	tulip poplar	44	good
70*	<i>Quercus rubra</i>	northern red oak	29	fair, roots eroded by stream
71*	<i>Liriodendron tulipifera</i>	tulip poplar	32	good
72*	<i>Tilia americana</i>	basswood	25	good, adjacent to fence line
73*	<i>Liriodendron tulipifera</i>	tulip poplar	33	fair, roots exposed

\* NPS Tree

## 3.2 Cultural Resources

### 3.2.1 Historical Context

#### History of Klingle Road

Prior to George Washington selecting the District of Columbia for the nation's new capital in 1790, the area that currently comprises Rock Creek Park was largely uninhabited. The land was traversed by numerous streams that meandered toward Rock Creek, forming steep ravines and wooded valleys. In the late seventeenth century, European settlers began farming tobacco in the region; however, the rough topography largely precluded early agricultural activity within the park's modern boundaries. By the early eighteenth century, large tracts of future parkland were held by a handful of notable families—mainly the Shoemakers, Pierces (alternately spelled Peirce), and Blagdens (Spilsbury, 2003). In addition to these wealthy landowners, farmers cultivated fields on modest-sized clearings on the banks of Rock Creek. Taking advantage of the local source of water power, at least eight grist mills were constructed along Rock Creek to grind the farmers' grain into flour. Prior to 1850, flour milling was the primary industry in the District. However, the Rock Creek mills never proved as profitable as those located near the docks at

Georgetown. Additionally, by the late nineteenth century, competition from Baltimore and technological advances in the form of steel rollers rendered the Rock Creek mills obsolete (NPS, 1990a).

Klinge Valley was once part of a large tract of land owned by Isaac Pierce, the patriarch of the prominent Pierce family. A native of Pennsylvania, Isaac Pierce moved to Washington before 1790. He married Elizabeth Cloud, the daughter of a Georgetown miller. Isaac Pierce followed his father-in-law into the milling business. In 1794, he acquired a 150-acre parcel of land called the “Gift” from real estate speculator William Deakins. In addition to the Gift, which encompassed a house and farm, Isaac Pierce purchased an adjacent ten-acre parcel that contained a grist mill. Sometime in the 1820s, the millwright and farmer replaced the grist mill with the building now known as Peirce Mill (NPS, 1990a). The only surviving mill along Rock Creek, Peirce Mill is located approximately a half mile upstream from Klinge Road. Peirce Mill operated commercially until 1897 (NCPC, 1969). The Peirce Mill complex is undergoing rehabilitation and is scheduled to re-open to the public in 2011.

Isaac Pierce continually expanded his land holdings in northwest Washington, DC. By the time of his death in 1841, he owned more than 1,200 acres along Rock Creek, extending from the present Chevy Chase to the National Zoo. In 1823, Isaac Pierce gave his youngest son, Joshua Pierce, 82 acres of land adjacent to and south of his farm. On a hill overlooking the Rock Creek and Klinge Valleys, Joshua Pierce constructed a three-story stone mansion in the style of a farmhouse. The building now serves as headquarters for the NPS. A famous horticulturist and landscape designer, Joshua Pierce also erected a large greenhouse and several agricultural outbuildings to support his thriving nursery business. He renamed the estate “Linnaean Hill” after Carl Linnaeus, the famous Swedish botanist and zoologist. The name served to advertise Joshua Pierce’s plant business, as did the estate’s grand formal landscape. Linnaean Hill functioned as a small park—“a gem of picturesque landscape gardening art.” Pierce was particularly known for his camellias—visitors flocked to his estate to stroll through the grounds and view the flowers. Joshua Pierce died on April 11, 1869. As he had no children, the estate passed to his nephew, Joshua Pierce Klinge—for whom Klinge Road is named (NPS, 1990a).

Before the construction of east-west road connections through the District, Rock Creek could only be crossed at fords, or points where the creek was shallow enough to be waded across. The most frequently used fords were Milk House Road Ford—also known as Rock Creek Ford—and Klinge Ford (Spilsbury, 2003). Milk House Road Ford was supplanted by the Military Road Bridge, which was constructed by the Union Army in 1862 (the current Military Road Bridge was constructed in 1929). Klinge Ford was located near the mouth of Klinge Street at the approximate site of the present day Porter Street Bridge. A single-span bridge over Rock Creek near the Klinge Ford was first constructed in 1886 (Spratt, 1953-56).

Klinge Road, alternatively known as Joshua Pierce’s Road or Klinge Ford Road, was laid out in 1831 by Joshua Pierce as a connection between Linnaean Hill to the west and Pierce Mill Road to the east. Klinge Road is depicted on A. Boschke’s 1861 “Topographical Map of the District

of Columbia”. The map shows the Linnaean Hill mansion, its associated outbuildings, and its formally-landscaped grounds. Klingle Road connected the estate with Pierce Mill Road via the ford at the mouth of Klingle Creek. The route is also depicted on the 1892 Coast and Geodetic Survey Map published by Evans & Bartle. By the end of the nineteenth century, Klingle Road followed the entire course of the stream valley, extending all the way to Woodley Land Road to the west. By the time Rock Creek Park was established in 1890, Klingle Road was one of only three roads—along with Pierce Mill Road and Military Road—that provided connections through Rock Creek Valley north of the city of Washington.

### **Klingle Valley Park and Klingle Parkway**

In the twentieth century, Rock Creek Park grew through the acquisition of land surrounding several tributaries to Rock Creek. These additions were intended to preserve the Rock Creek watershed, but they also allowed for parkways that served as access routes into the park. The parkways were a response to the 1902 McMillan Commission’s recommendations for integrated urban green spaces in the District of Columbia. Designed for pleasure motorists in the early years of the automobile era, the parkways also sought to preserve and enhance the natural landscape. The first tributary parkway extension to Rock Creek Park was Pine Branch Park in 1908. The new park included Piney Branch Parkway, which connected 16<sup>th</sup> Street to Beach Drive. The largest extension to Rock Creek Park, the Rock Creek and Potomac Parkway connecting the National Zoo with Potomac Park adjacent to the National Mall, was authorized by Congress in 1913. Klingle Valley was another early addition to Rock Creek Park. Congressional legislation was first proposed in 1912 to augment the existing Klingle Ford Road with a parkway that would connect Rock Creek Park to Woodley Road. A 1916 plan for the Klingle Valley called for a realignment of the old Klingle Ford Road to create a new parkway with gentle curves and a landscaped median. In the 1920s, Congress also sought a connection between the proposed Klingle Valley Parkway and Normanstone Parkway, running northwest from the Rock Creek Parkway near the Naval Observatory. Land acquisition for the two parkways continued through the 1950s, however, the connection was never completed (Mackintosh, 1985 and Crowell et al., 2003).

In 1933, the District transferred portions of Klingle Road’s right-of-way to the Office of Public Buildings and Public Parks Department (OPB&PP), the Federal agency that managed Rock Creek Park in the late 1920s and early 1930s. Additionally, the Smithsonian Institution, the owner of the National Zoo, transferred portions of their grounds adjacent to Klingle Road to OPB&PP. These conveyances established the current DDOT right-of-way (a map showing the transfers, “Computation of Areas Involved in Transfer of Lands along Klingle Road,” is on file at the NPS Cultural Resources Division). Following these transfers, OPB&PP reconstructed the road and installed a stormwater management system. However, the system was unable to handle the increased quantities of runoff that resulted from twentieth-century urbanization. Frequent flooding undermined the structural stability of the road and the effectiveness of the stormwater

management system. This culminated in the damage following the 1991 flood, after which the road was barricaded to vehicles (DDOT, 2005).

A series of stone, concrete, and brick retaining walls line Klingle Creek. Similar retaining walls are found in Rock Creek Park and are considered contributing elements to the Rock Creek Park Historic District. The Rock Creek Park NRHP nomination notes that “the numerous elements of this structural system have not been individually surveyed. Sections of retaining wall and small culverts ... are located throughout Rock Creek Park. In general the historic characteristics of this system of landscape elements can be defined as a native stone material laid in a variety of sizes in mortar or in a few cases dry designed to appear informal and inconspicuous” (NPS, 1990a). A 2008 survey of culverts along Beach Drive identified 20 stone masonry outlet structures and 11 stone masonry inlet structures as contributing to the Rock Creek Park Historic District (Louis Berger Group, 2005a). Masonry retaining walls were also constructed during the expansion of the Rock Creek parkway system. The Historic American Engineering Record Documentation for the Rock Creek Park Road System notes that “[o]ther road improvements completed by OPB&PP between 1926-1932 included the construction of brick or stone gutters in many locations to improve drainage...” (HAER, 1996). Although no survey has been conducted to definitively date the retaining walls found along Klingle Road, this documentation suggests that section may have been conscientiously designed in conjunction with the development of the road and parkway.



**Figure 20. An Automobile Crossing Klingle Ford (circa 1913-1917)**

*Source: The Historical Society of Washington, DC*

As a part of a previous Section 106 process undertaken in 2006, Klingle Valley and Klingle Road were determined eligible for listing in the NRHP via consensus between DDOT and the DC HPO. The agencies found that “Klingle Road has been located in its approximate present location since the 1830s. Prior to the establishment of the District, the road has served as a principal transportation route across Rock Creek. Since the creation of Rock Creek Park, the road and valley have continued to serve as a transportation network with an associated natural corridor. While the roadway has been updated and remodeled to serve modern transportation methods, the natural qualities of Klingle Valley have been retained in keeping with the purpose and mission of Rock Creek Park. The road and valley exhibit high integrity of their historic setting, feeling, association and location.” Thus, Klingle Road itself may be considered a cultural resource. For the purposes of the Section 106 Process, the retaining walls within the Klingle Road right-of-way that were constructed of sandstone or granite were considered contributing elements to the Klingle Road and Valley NRHP-eligible property (Kehrli, 2006).

### **3.2.2 Historic Structures**

A number of sites adjacent to the project area are listed in or eligible for listing in the NRHP. A description of each resource is presented below.

#### **The National Zoological Park**

The National Zoological Park is located directly south of Klingle Road. Established by Congress in 1889 for the preservation of indigenous animals, the National Zoo encompasses nearly 170 acres of picturesque rugged terrain in Rock Creek Valley. The Zoo was planned by F. L. Olmsted and Company, the nation’s leading landscape design and urban planning firm. Olmsted and Company designed a system of curving paths and prominently sited buildings that took advantage of the area’s natural grandeur and showcased America’s endangered animals. The design of the National Zoo was highly influential in shaping the development of the surrounding residential areas and the park system of the District as a whole. In recognition of its influential design and contributions to zoological research, the National Zoological Park was listed in the NRHP in 1973 (NCPC, 1972).

#### **Rock Creek Park Historic District**

Rock Creek Park was established by Congress in 1890 to provide a “public park and pleasure ground for the benefit and enjoyment of the people of the United States.” An outgrowth of the urban parks movement, the creation of Rock Creek responded to social reformers’ concerns that Washington had become overcrowded as a result of rapid urbanization following the Civil War. The natural scenery and recreational opportunities afforded by the park were seen as an antidote to crowded, polluted, noisy, and disease-ridden neighborhoods of the industrial nineteenth-century city. The core of park was formed by Rock Creek with its steep ravines and picturesque wooded valleys. The park was slow to develop at first, but it featured prominently in the City Beautiful Plan for Washington proposed by the McMillan Commission in 1902. As a member of the McMillan Commission, Frederick Law Olmsted Jr., son of the nation’s foremost landscape

architect and himself a celebrated urban planner, proposed a network of parks and parkways throughout the District including the Rock Creek and Potomac Parkway. In 1917, Olmsted, Jr. was retained to develop a comprehensive plan for management of Rock Creek Park. Olmsted's report articulated the need to preserve the natural scenic qualities of the park while providing accessibility for the public. These values have endured and continue to guide the stewardship of the park (NPS, 1990a, and Spilsbury, 2003).

Rock Creek Park was listed as a historic district in the NRHP in 1991. The Rock Creek Park Historic District encompasses Public Reservation 339, the 1,700 acre parcel set aside as a park by Congress in 1890. It extends from the District border with Maryland south to Klingle Road and is roughly bordered by 16<sup>th</sup> Street on the east and Oregon Avenue and Branch Road to the west (NPS, 1990a). As an administrative unit, Rock Creek presently contains many additional reservation and parklands contiguous to Reservation 339, including Klingle Valley. Although Klingle Road forms the southern boundary of Reservation 339, the NPS lands directly adjacent to the road do not fall within the Rock Creek Park Historic District (NPS, 1990b).

### **The Cleveland Park Historic District**

Klingle Road borders on the Cleveland Park NRHP Historic District to the north and west. Cleveland Park is a mixed-use neighborhood that comprises several intact eighteenth and nineteenth century country estates, a core of late-Victorian era suburban houses, early twentieth-century single family houses, duplexes, and garden apartments, large apartment complexes, and twentieth-century neighborhood retail developments. Cleveland Park is significant as an example of a streetcar suburb that developed as mass transit facilitated the expansion of Washington beyond its historic core. Beginning in the 1890s, the streetcar line along Connecticut Avenue enabled developers Thomas Waggaman and John Sherman to purchase land and subdivide it for residential development. Unlike other suburbs of Washington, the homes in Cleveland Park were designed individually by a number of architects, contributing to the neighborhood's unique sense of place. The rolling topography, curvilinear streets, and diversity of architectural styles all contribute to the character of the Historic District, which is bounded roughly by Wisconsin Avenue to the west, Connecticut Avenue to the east, Tilden Road to the north, and Klingle Road to the south (Wood, 1987).

### **The Woodley Park Towers**

Although the Woodley Park Towers are not listed in the NRHP, the apartment building is potentially eligible owing to its historical and architectural significance (EHT Tracerics, 1987). Constructed in 1929, Woodley Park Towers was the last of the large apartment buildings constructed along Connecticut Avenue between World War I and the Great Depression, the heyday of refined apartment-hotels on the fashionable corridor. The building was designed in the Late Gothic Revival style by architect Louis T. Roleau (1896-1937). A native Washingtonian, Roleau received his architecture degree from Catholic University. In the 1930s, he was particularly known for his apartment building designs in Washington and Baltimore (Andrich, 1987). According to architectural historian James Goode, "the most striking feature of

Woodley Towers is its unusual outline and shape.... Its irregular V shape includes a radial plan with four wings projecting from the rear of the building overlooking Rock Creek Park and Klingle Road (Goode, 1988).” The traditionally-inspired tan brick building also features restrained Art Deco geometric detailing. The DC Apartment Building Survey found that the Woodley Park Towers meet several criteria for inclusion on the NRHP (EHT Tracerics, 1987). These criteria reflect the building’s role in the development of the Connecticut Avenue corridor, the expression of the Late Gothic Revival style, and the work of skilled architect Louis T. Roleau.

**Tregaron (3029 Klingle Road NW, *alternate address of 3100 Macomb Street*)**

A country estate within the Cleveland Park Historic District known as “the Causeway” or “Tregaron” borders on Klingle Road. Gardiner Green Hubbard, the founder of the National Geographic Society, acquired Twin Oaks, a large estate that formerly included the Causeway, in the 1880s. After Hubbard’s death, the property was inherited by his daughter Mabel, who married Alexander Graham Bell, the inventor of the telephone. In 1911, Mrs. Bell sold a twenty-acre parcel of Twin Oaks to James Parmelee, a financier from Cleveland. The other half of Twin Oaks now serves as a residence for the Ambassador of Taiwan. Still known as Twin Oaks, this property is also listed in the NRHP.

In 1912, Parmelee and his wife, Alice, hired the era’s foremost country house architect, Charles Adams Platt, to plan their estate. Platt designed a brick Georgian Revival mansion that crowns the hilltop, providing carefully planned vistas. Platt also designed the carefully landscaped grounds that enhance and blend with the mansion. Rustic structures such as retaining walls and bridges constructed of fieldstone augment the estate’s natural topography. The landscape and formal gardens were executed by Ellen Shipman, an important early twentieth-century landscape architect. In addition to its architectural significance, Tregaron is noted for its association with Joseph Edward Davies, a lawyer and diplomat who resided at the estate from 1941 to 1958. During his storied public service career, Davies played a vital role in shaping relations between the United States and the Soviet Union. The Causeway was listed in the NRHP in 1989 (Wood, 1989).

***In 2006, an application for subdivision of one acre of the historic Tregaron Property (The Causeway) was approved by the DC HPO in exchange for the landowner’s donation of approximately 13 acres for permanent open space preservation on the historic property (DC HPO, 2006).***

**The Embassy of India Ambassador’s Residence (2700 Macomb Street NW)**

The Embassy of India occupies the last country estate house constructed in the Cleveland Park Historic District. Designed by Frederick Bennett Pyle in 1914, the house was built for prominent merchant and philanthropist David Joseph Kaufman and his wife, Clara J. Luchs Kaufman. Originally known as “The Homestead,” the house was redesigned by Ward Brown to appear like a Georgian Mansion in 1930. The house, then known as “La Quinta” served as the District

residence of diplomat Walter H. Schoellkopfs and his wife, Anna Johnston Schoellkopfs. In 1945, the newly independent nation of India purchased the house for its ambassador's residence. Although not individually listed in the NRHP, the building is a contributing resource to the Cleveland Park Historic District (Wood, 1987).

### **Connecticut Avenue Bridge**

The Connecticut Avenue Bridge spans Klingle Valley; its long steel arches rise from piers anchored on the banks of the ravine. Connecticut Avenue was a historic streetcar route and is presently a major transportation thoroughfare that connects downtown Washington with the surrounding neighborhoods in the District and suburban Maryland. The bridge was constructed in 1931 to replace an obsolete viaduct that had been constructed by the Rock Creek and Potomac Railway Company in 1891. Designed by architect Paul Cret and engineer Ralph Modjeski, the new bridge was built for the DC Department of Highways under the supervision of Engineer of Bridges Clifford Riddle Whyte. The nearly 500-foot-long open-spandrel Art Deco-style steel bridge was planned soon after Klingle Valley had been selected as the site for a new federally-owned park and parkway. Thus, the bridge was designed with particular attention to the view from below. The current configuration was ultimately chosen for its aesthetic contributions to the surrounding environment. The Connecticut Avenue Bridge is listed in the NRHP for its significance as a work of civic architecture and engineering (Crowell et al., 2003).

### **The Kennedy-Warren Apartment Building (3133 Connecticut Avenue NW)**

The Kennedy-Warren Apartment Building borders Klingle Valley to the south, directly east of the Connecticut Avenue Bridge. The lot occupied by the massive building drops precipitously into the ravine and the rear extensions of the Kennedy-Warren's complex footprint are directly adjacent to the project area. The Kennedy-Warren is one of the most significant examples of luxury apartment buildings in the District. Constructed between 1931 and 1935 by developers Edgar S. Kennedy and Monroe Warren, Sr., the apartment building was considered the largest and most architecturally significant in the city. Originally designed by Joseph Younger (with an addition by A. H. Sonnemann) in the Art-Deco style, the fourteen-story brick and concrete building with limestone trim was a distinctive addition to the Connecticut Avenue corridor. It featured modern luxuries such as air conditioning, a maid service, and a ballroom for entertaining. Advertisements heralded the 441-unit building as "ultra-modern" and the "finest completely air cooled apartment in the city." The building reflects the desirability of a prestigious Connecticut Avenue address prior to the Great Depression and World War II. In the decade before the Kennedy-Warren was built, 50 apartment buildings were constructed along the street. But the Kennedy-Warren stood out among all the others. The massive irregularly-shape building, erected on a lot which drops precipitously into Klingle Valley, rises majestically above Connecticut Avenue. The Kennedy-Warren Apartment Building was listed in the NRHP in 1994 for its architectural significance and its role in the development of the Connecticut Avenue corridor (DC HPO, 1994).

### 3.2.3 Cultural Landscapes

Cultural landscapes reflect the relationship between what is natural and what is man-made. According to *The Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for the Treatment of Cultural Landscapes*, a cultural landscape is “a geographic area (including both cultural and natural resources and the wildlife or domestic animals therein) associated with a historic event, activity, or person or exhibiting other cultural or aesthetic values” (Birnbaum, 1994).

While cultural landscape studies have been prepared for the entire area encompassing Rock Creek Park, these studies have not included an examination of Klingle Valley or Klingle Road. Cultural landscapes have been identified in areas immediately adjacent to Klingle Road including cultural landscapes in Rock Creek Park and cultural landscapes associated with historic landmarks structures adjacent to Klingle Road.

#### Rock Creek Park

In 1997, the NPS initiated a cultural landscape inventory (CLI) and documentation effort for Rock Creek Park. Though CLI field work was completed for the entirety of Rock Creek Park, Klingle Valley was not evaluated as a cultural landscape through the inventory and documentation effort (NPS, 2005).

#### Adjacent Resources

The Tregaron Estate (also known as the Causeway) also encompasses a cultural landscape. The grounds of this early-twentieth century estate were carefully landscaped to blend with and enhance the group of Georgian Revival buildings on the hilltop. Rustic structures such as retaining walls and bridges constructed of field stone augment the estate's natural topography. The landscape and formal gardens were planned by Charles A. Platt, the nation's foremost designer of country villas, in 1913. Ellen Shipman, an important early twentieth-century landscape architect, executed the scheme. In the design of the landscape and formal gardens, Platt carefully considered the vistas to and from the mansion (Wood, 1989). Similar to Tregaron, the adjacent Twin Oaks estate comprises a planned cultural landscape. Twin Oaks is a Colonial-Revival country house set atop a hill and situated within an expansive rolling lawn surrounded by woods (NPS, 1985).

### 3.2.4 Archeology

A review of the archaeological site files maintained by the DC HPO indicates that several archaeological projects of varying degrees of intensity have been conducted, and numerous archaeological sites have been located, in the general vicinity surrounding the Klingle Valley Trail project area. However, no archaeological surveys have been conducted or archaeological sites reported within the Klingle Road project area. Projects within 0.5 miles of the Klingle Valley Trail project include Phase I reconnaissance and Phase I intensive surveys conducted prior to the construction of private developments and improvements at District parks, and associated with the National Zoological Park and Rock Creek Park. Nine archaeological sites

have been located within a 0.5-mile radius of the Klingle Valley Trail project area. Three of these are prehistoric Native American (51NW028, 51NW042, and 51NW060), four date to the Historic period (51NW101, 51NW156, 51NW157, and 51NW205), and the final two have both prehistoric Native American and Historic period components (51NW154 and 51NW206). As mentioned, none of these sites are located within the Klingle Valley Trail project area. A review of historic maps for this location, dating between 1861 and 1921, suggests that there is little evidence for the existence of now-demolished buildings within the project area. However, topographic maps from the 1890s suggest that retaining walls or culverts may have been present at that time.

While many of the previous archaeological surveys conducted near the Klingle Valley Trail project area are limited both in terms of area surveyed and results, the recently completed survey of portions of Rock Creek Park has provided a wealth of information on archaeological resources potentially present in upland setting in northwestern Washington, D.C. The results of this recent survey of portions of Rock Creek Park indicate that the less developed areas within the District have the potential for the presence of archeological sites. The survey of portions of the park, reported by Fiedel et al. (2008), provide valuable information on the location and nature of sites in uplands and along small streams, such as Piney Branch and Maddox Branch, among others. Fiedel et al. (2008) document this four-year project conducted for the NPS that, among other tasks, surveyed to varying degrees of intensity 1,280 acres of upland and stream floodplain formations. The field investigations included the excavation of 1,000 shovel test pits across the 1,280 acres and the pedestrian survey of forested upland areas where surface visibility was adequate. The survey resulted in the identification of 62 archeological sites—51 newly identified sites and 11 previously registered sites. Several site types were defined, including quarries, small lithic scatters representing short-term occupations, lithic scatters on upland ridges with dense concentrations of material thought to be seasonal camps or workshops, and longer-term or more continuously occupied sites located on small stream floodplain formations. These sites are thought to be some type of base camp. Historic period sites included Colonial tenant sites, sites associated with Fort Stevens, and African-American and other post-Civil War tenant sites. The results of this survey indicate that archeological sites can be located by pedestrian survey in upland settings where visibility is adequate, that small lithic scatters are common, that base camps may be located along small streams, and that cobble quarries may be present along drainages and ravines, including sloped areas typically not surveyed.

The results of the Rock Creek Park archaeological survey discussed here provide insight to the potential for undocumented archaeological resources within the Klingle Road project area. Prehistoric Native American archaeological sites, of varying periods and nature of occupation, appear to be quite common in small stream valleys that are tributaries of Rock Creek. Such sites can be located on adjacent upland ridges, slopes, and bottomlands of the small tributary streams. This pattern for the larger Rock Creek area would suggest that the Klingle Valley Trail project area has a moderate to high potential for the presence of undocumented archaeological sites. However, prior disturbances, such as the construction of Klingle Road with concomitant grading,

and the installation of water management culverts, could have impacted any sites present. As well, natural events, such as periodic high rates of water flow, have been known to scour small stream valleys to the extent that archaeological deposits are impacted or destroyed. Based on these observations, it is recommended that a geoarchaeological study of the Klingle Valley Trail project limit of disturbance be conducted prior to ground-disturbing activities. Such a study should be used to determine whether intact landforms are present within the limit of disturbance, including landforms currently covered by the existing road. If the geoarchaeological survey determines that the Klingle Road limit of disturbance retains subsurface integrity and has the potential for previously unrecorded archaeological resources, traditional archaeological survey methods, including shovel test pit excavations and visual inspection of exposed surfaces and stream cutbanks, could be employed as discovery methods. DDOT is coordinating appropriate next steps and recommendations with the DC HPO in completing consultation for the Section 106 process. If archeological resources are found, DDOT would continue consultation with DC HPO on measures to avoid potential adverse impacts to these resources.

### **3.2.5 Paleontological Resources**

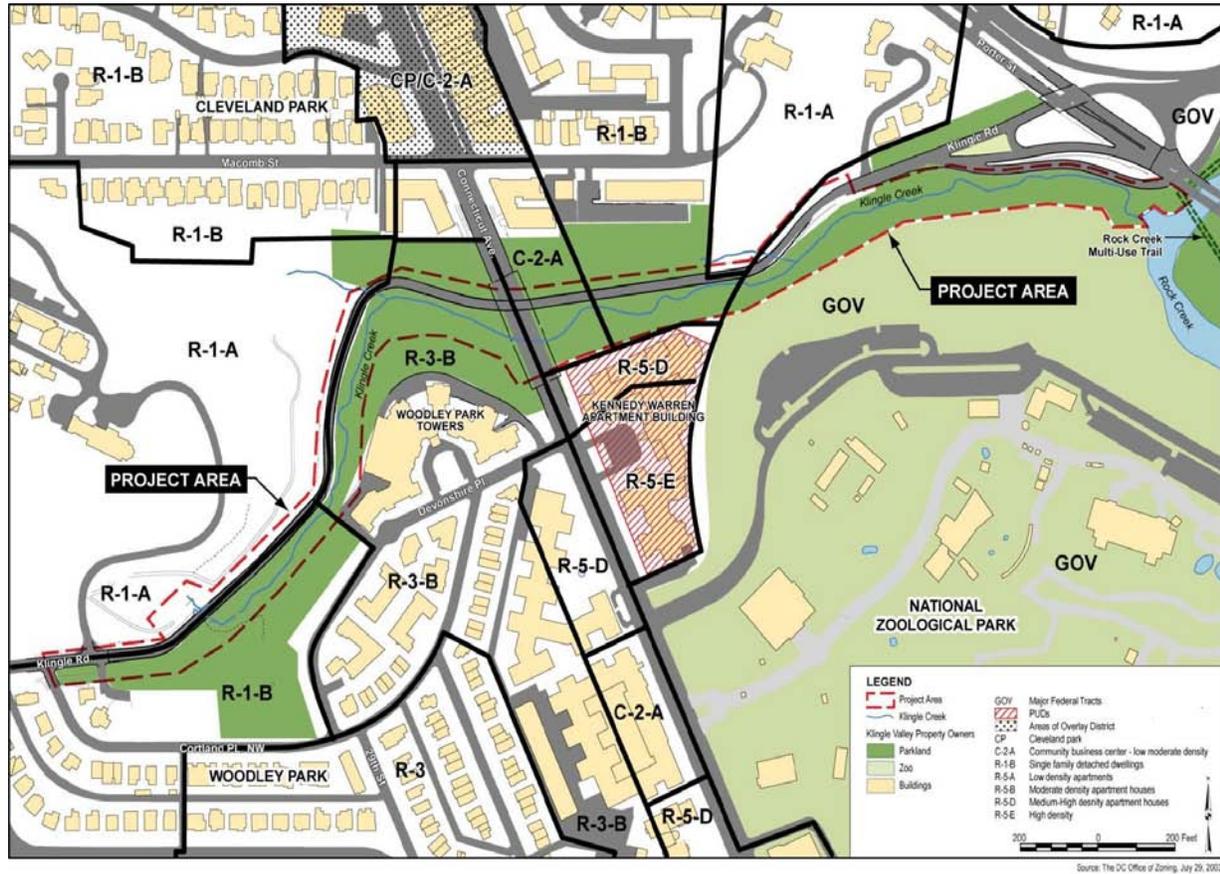
The Rock Creek valley marks the approximate boundary between two geomorphic regions: the Uplands Section of the Piedmont to the west and the Coastal Plain to the east. The transitional area occupied by Rock Creek Park is known as the Fall Line or Fall Zone. The two regions straddling the Fall Line are characterized by markedly different geology. The Uplands Section of the Piedmont consists of metamorphic and igneous rocks ancient rocks from the Early Paleozoic to the Late Precambrian age (averaging 400 to 600 million years old). The Coastal Plain region is composed of younger sands, clays, and gravels deposited by seas and rivers ranging in age from the Early Cretaceous to Late Quaternary (10,000 to 100 million years ago) (Louis Berger Group, 2005b and Robertson, 1988). According to Callan Bentley, Professor of Geology at Northern Virginia Community College, there are no fossils located in the metamorphic and igneous rock that forms the Piedmont – the bedrock is too old. The overlying gravel stratum of the Coastal Plain which dates to the Cretaceous period can potentially contain fossils such as dinosaur bones and petrified trees. No known paleontological resources exist within Klingle Valley.

## **3.3 Socioeconomic Resources**

### **3.3.1 Land Use**

The land use designations for the Klingle Creek study area were examined using the *District of Columbia Generalized Land Use Layer*, and were verified through field reconnaissance. The study area is defined by nine census tracts abutting the project area: 4, 5.01, 5.02, 6, 13.02, 26, 27.01, 27.02, and 39. These nine tracts define an area bordered to the west by Wisconsin Avenue; to the south by Whitehaven Street, Rock Creek, Calvert Street, and Columbia Road; and to the east by 16<sup>th</sup> Street (**Figure 21**). Land use within the study area is characterized by a mix of

residential, commercial, institutional, and recreational uses. Parks; recreation, and open space areas; and moderate and low density residential areas are predominant.



**Figure 21. Land Use and Zoning**

The District is divided into eight Wards which are then subdivided into 37 Advisory Neighborhood Commissions (ANCs). These divisions are for legislative purposes to provide direct contact by the residents of a neighborhood to the government. ANCs surrounding the project area include ANC 1D, ANC-3C, and ANC-4A, and include the neighborhoods of Woodley Park, Cleveland Park, Crestwood, and Mount Pleasant.

**3.3.2 Zoning**

The land use designation for the Klingle Creek study area were examined using the *District of Columbia Generalized Land Use Layer*, and were verified through field reconnaissance. Land use surrounding the proposed project area is characterized by a mix of residential, commercial, institutional, and recreational uses. Parks; recreation and open space areas; and moderate and low density residential areas are predominant.

**3.3.3 Demographics**

Census data for the study area was gathered for 1990 and 2000 for the four census tracts surrounding the project area. A comparison of 1990 and 2000 data revealed that the population

increased by approximately one percent while that of the overall District population decreased by 5.7 percent within the same timeframe (NeighborhoodInfoDC, 2009). According to Census 2000 data, the predominant race within the study area is white, comprising of 62 percent of the total study area population. Citywide, the white population comprises approximately 28 percent of the total population. There are few excepted neighborhoods from this trend, one of these is Crestwood (Census Tract 26.00), located northeast of the project area. The racial population of Census Tract 26.00 more closely reflects the racial make-up of the rest of the District with approximately 64 percent black, 30 percent white, 3 percent Asian, and 2 percent Hispanic. Mt. Pleasant (Census Tract 27.01), is home to a higher level of Hispanic population, with 28 percent of the population represented (NeighborhoodInfoDC, 2009).

As a reflection of the citywide age distribution, the median age of the population for each race within the study area is between 33 and 46 years (NeighborhoodInfoDC, 2009).

**Table 5** provides statistical data for the District and those Census Tracts located around the proposed project area.

**Table 5. Study Area Population by Census Tract**

Census Tract	Included Neighborhood	1990 Population	2000 Population	% Population Change (1990-2000)
Washington, DC	--	606,900	572,059	-5.7
Study Area	--	15,535	15,966	1
5.02	Woodley Park	3,333	3,062	-8.1
6.00	Cleveland Park	4,960	4,969	0.2
26.00	Crestwood	2,346	2,193	-6.5
27.01	Mt. Pleasant	4,896	5,742	17

\* Census Tract demographics and neighborhood correspondence are estimated. Census Tracts do not reflect exact neighborhood boundaries. Source: [www.neighborhoodinfoDC.org](http://www.neighborhoodinfoDC.org)

### 3.3.4 Environmental Justice

Presidential Executive Order (EO) 12898, *General Actions to Address Environmental Justice In Minority Populations and Low-Income Populations*, directs Federal agencies to identify and address as appropriate, disproportionately high and adverse human health or environmental effects of their programs, policies, and activities on minority populations and low-income populations. The process to identify potential disproportionate impacts associated with the proposed action was as follows:

- Identification of the potentially affected population in the study area;
- Characterization of the study area with respect to minorities and low-income populations;
- Determination of potentially significant adverse impacts of the proposed action and alternatives; and

- Evaluation of the potential for disproportionately high and adverse impacts on minority populations and low-income populations in proximity of the alternate sites.

There are minority populations within the study area. The Hispanic minority group in the Mt. Pleasant neighborhood of the study area is significantly higher in proportion to the total population of Hispanics in the District (NeighborhoodInfoDC, 2009).

### **3.3.5 Economics and Development**

The median household income for the District is \$78,192. This number is much lower than the majority of the study area for the Klingle Valley Trail, which maintains a median income of \$150,480 (NeighborhoodInfoDC, 2009). With regards to the poverty rate, all neighborhoods within the study area maintain percentages below that of the District's median of 20 percent. Though, reflecting median incomes, Mt. Pleasant has a poverty rate of 17 percent. This figure is closer to the District average than that of the surrounding communities which have an average poverty rate of 5.6 percent.

### **3.3.6 Joint Development**

Currently there are no proposed or existing joint developments in or adjacent to Klingle Valley in which the implementation of the Klingle Valley Trail Project would assist with future development or enhancement of these resources.

### **3.3.7 Aesthetics and Visual Quality**

The area of visual influence a project may have on its surrounding environs is determined by estimating the visibility of the proposed action to viewers from public places. Factors that help determine the viewshed include the scale of a project, its proposed location, and the surrounding topography. The location of visual resources can be described in terms of foreground, middleground, and background. Resources that may have a particular sensitivity within the project area include Rock Creek Park, the National Zoological Park, and the nearby high-rise residential buildings. Because of the steep topography and dense vegetation, the lower portion of Klingle Valley along Klingle Creek is not visible from many locations.

### **3.3.8 Health and Safety**

Klingle Valley in its present condition is a health and human hazard and is unsafe for public use because of uncontrolled erosion, which has undermined Klingle Road making it unstable along stretches of the roadway. The area is restricted to public use. "No Trespassing" signs, jersey barriers, and chain linked fencing have been installed to deter public use; however, the area is still used by people who skirt the fences and barricades to use the valley for walking, jogging, bike-riding, and dog walking. Hazards for those who use the barricaded portion of Klingle Road include potholes, broken pavement, and pavement that either has collapsed or is near collapse as a result of erosion undermining the subgrade. **Figure 22** presents photographs taken in 2009 that show typical hazards found along the barricaded portion of Klingle Road.



**Figure 22. Existing Conditions**

### **3.3.9 Community Resources**

#### **Emergency Response**

Klingle Valley Trail is within the District's Second Police District, located at 3320 Idaho Avenue, NW. The rate of reported crime in the Second Police District has declined steadily from 5,096 crimes in 2001 to 2,945 crimes in 2005. These trends are consistent with declining crime rates throughout the District (MPD, 2005). The District Fire and Emergency Medical Services Department provides fire and rescue services for the area. The closest station, located at 1763 Lanier Place, NW, houses the Engine 21 Station (FEMS, 2009).

#### **Schools**

The historic Tregaron property, located adjacent to the barricaded portion of Klingle Road at 3100 McComb Street, NW, now serves as a school campus. It houses the Middle and Upper Schools (Grades 6 through 12) of The Washington International School, a co-educational private day school for grades Pre-Kindergarten through 12.

## **Parks and Recreation Areas**

The barricaded portion of Klingle Road is located immediately adjacent to portions of Rock Creek Park. The National Zoological Park is situated to the south of Klingle Valley. *The Tregaron Conservancy offers 13 acres of public open space on the Tregaron Property, which abuts the project area to the north.*

### **3.3.10 Utilities and Infrastructure**

#### **District of Columbia Water and Sewer Authority (DC Water)**

*According to a letter from DC Water dated June 2010 (Appendix C), there are no active water mains in the project area. However, there is an 18-inch steel water main on the underside of the Connecticut Ave Bridge over Klingle Rd.*

There is also a 51-inch storm drain pipe adjacent to Klingle Road, which carries water primarily from Macomb Street and the surrounding area, but not stormwater from Klingle Road. East of Connecticut Avenue, a storm drain pipe that crosses under Klingle Road has collapsed and will need to be repaired. An active sanitary sewer runs from Woodley Road to Porter Street, NW, mostly underneath Klingle Road. Current design criteria specify that water lines have 4.5 feet of cover and sanitary sewer lines have 5.5 feet.

*In a letter dated October 26, 2009, DDOT notified DC Water of the deteriorated conditions of an exposed manhole and concrete encased sanitary sewer pipe crossing Klingle Creek (DDOT, 2009). The piers had been significantly undermined and, upstream of the crossing, woody debris and other materials restrict stream flow during stormwater events. In April 2010, DC Water completed the rehabilitation of the sewer crossing. The undercut piers supporting the concrete-encased 18-inch sanitary sewer were removed and replaced with concrete abutments that span a larger distance in the creek. The concrete-encased sewer was also wrapped in carbon fiber reinforced polymer which provides structural integrity to the sewer. Riprap approved by NPS has been placed along the stream banks to protect the sewer crossing from potential erosion (DC Water, 2010). The rehabilitated sewer crossing is shown in Figure 23.*

#### **Washington Gas**

According to *an email dated June 2010*, Washington Gas has a pipeline that runs from the Klingle Road/Cortland Place, NW to the Klingle Road/Porter Street, NW intersection, either adjacent to or underneath the barricaded section of Klingle Road. The pipe is a 12-inch wrapped steel pipe beginning at Cortland Place, NW. It ties into an 8-inch pipe at Connecticut Avenue and runs up to Porter Street, NW. This pipeline system services most of the adjacent properties, as well as the National Zoological Park.



**Figure 23. Rehabilitated DC Water Sewer Line over Klingle Creek**

### **Washington Metropolitan Area Transit Authority (WMATA)**

A letter was sent to WMATA on September 10, 2009 stating the scope of work for the Klingle Valley Trail. According to the email response, WMATA constructed its Metrorail Red Line directly below Connecticut Avenue, Klingle Road, and Klingle Creek. As part of that project, WMATA constructed a Metrorail traction power substation beneath the then existing Klingle Road bridge. Another element of the substation is an underground grounding mat in the valley, for which WMATA has a permanent easement. WMATA also established access to the substation via Klingle Road and constructed an access road with bridge over Klingle Creek and across the valley slope. The 1991 storm event damaged both Klingle Road and the WMATA access road and its bridge. Since that time, WMATA has accessed the equipment hatchways atop the substation and in Connecticut Avenue right-of-way (WMATA, 2009). Coordination with WMATA will continue through the planning and design phases.

### **Potomac Electric Power Company (PEPCO)**

Within the barricaded section of Klingle Road, PEPCO maintains no underground cables or conduits. The underground lines within Klingle Valley serviced District of Columbia owned streetlights between Porter Street, NW and Cortland Place, NW, but the high power voltage system had been cut off following the closure of Klingle Road in 1991, and the streetlights removed. The conduits for the electric lines and some streetlight bases still remain within the project area (PEPCO, 2009).

According to the 2001 Feasibility Study, two major underground conduits and cables are located within the project area, one at Klingle Road and the alley east of Cortland Place, NW, the other at Klingle Road and Porter Street, NW, which serves the residential area. These will need to be maintained for service purposes (Louis Berger Group, 2001).

### **3.3.11 Indian Trust Resources**

The U.S. Department of the Interior Secretarial Order 3175 (Departmental Responsibilities for Indian Trust Resources) requires that any anticipated impacts to Indian Trust Resources from a proposed action by Department of Interior agencies be explicitly addressed in environmental documents. The Federal Indian Trust responsibility is a legally enforceable fiduciary obligation on the part of the United States to protect tribal lands, assets, resources, and treaty rights, and it represents a duty to carry out the mandates of Federal law with respect to American Indian and Alaskan Native Tribes. No known Indian Trust Resources exist within the proposed project area, and the lands are not held in trust by the Secretary of Interior for the benefit of American Indians and Alaska Native Tribes.

### **3.3.12 Sacred Sites**

Secretarial Order 3206, *American Indian Tribal Rights, Federal-Tribal Trust Responsibilities, and the Endangered Species Act*, issued by the Secretary of the Interior and the Secretary of Commerce (Secretaries) pursuant to the Endangered Species Act of 1973, 16 U.S.C. 1531, as amended (the Act), the Federal-tribal trust relationship, and other Federal law. This Order clarifies the responsibilities of the component agencies, bureaus and offices of the Department of the Interior and the Department of Commerce, when actions taken under authority of the Act and associated implementing regulations affect, or may affect, Indian lands, tribal trust resources, or the exercise of American Indian tribal rights, as defined in this Order. This Order further acknowledges the trust responsibility and treaty obligations of the United States toward Indian tribes and tribal members and its government-to-government relationship in dealing with tribes. Under Secretarial Order 3206, no American Indian sacred sites are known to occur within the proposed project area.

### **Ethnographic Resources**

The NPS defines ethnographic resources as any “site, structure, object, landscape or natural resource feature assigned traditional legendary, religious, subsistence or other significance in the cultural system of a group traditionally associated with it” (NPS, 1998). There are no known Ethnographic Resources within the project area.

## **3.4 Transportation**

### **3.4.1 Pedestrian and Bicycle Network**

Pedestrian movement in the Klingle Valley Trail study area is served by sidewalks. According to the *District of Columbia Pedestrian Master Plan* (Toole Design Group, 2009), a typical sidewalk in the District is a 6 foot wide walkway located adjacent to a city street or road. The *Pedestrian Master Plan Sidewalk Gap Analysis Map* shows consistent sidewalk along roadways connecting to both ends of the Klingle Valley Trail study area. At the west end of the study area, Cortland Place, NW has continuous sidewalk on both sides of the road while Porter Street, NW at the east end has sidewalk on one side of the roadway. Existing Klingle Road is the only roadway within

the study area that does not have a sidewalk on either side of the road. In addition to sidewalks, north-south pedestrian movements surrounding the project area are also accommodated by the multi-use Rock Creek Trail which is located at the east end of the project area near Porter Street, NW.

The existing Bicycle Network in the study area is composed of roadways with a designated bicycle lane, signed bicycle routes, and multi-use trails. The *District of Columbia Bicycle Master Plan* (2005) describes different types of bicycle facilities as:

- Shared Roadways – street and roads where bicyclists can be served by sharing travel lanes with motor vehicles.
- Signed- Shared Roadways – a roadway which has been designated by signing as a preferable route for bicycle use.
- Bike Lanes – a portion of the roadway that has been designated by striping, signing, and pavement markings for the preferential or exclusive use of bicyclists.
- Multi-Use Trails/Shared Use Pathways – paths/trails that provide a high quality walking and bicycling experience in an environment that provides separation from vehicular traffic.

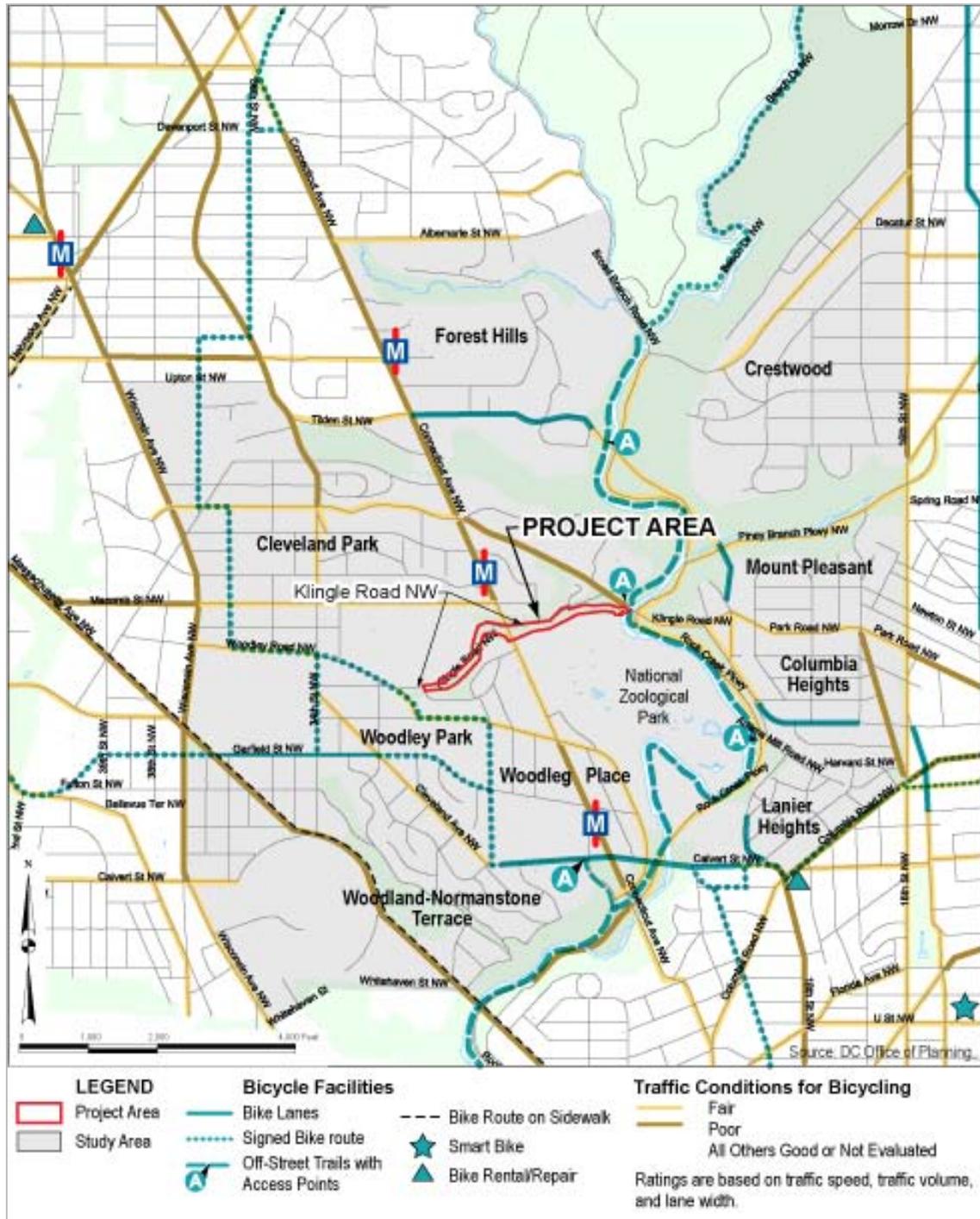
The DC Bicycle Map (March 2009) illustrates the location of District bike facilities and general traffic conditions for bicycling (DDOT, 2009a). This information is presented in **Figure 24**.

For the Klingle Valley Trail study area, east-west bicycle movements are accommodate by designated bike lanes on Calvert Street to the south of Klingle Road and Tilden Road to the north of Klingle Road. Rock Creek Park provides a continuous 10-foot wide paved multi-use trail through the study area from just north of Tilden Road south to Potomac River near the Theodore Roosevelt Memorial Bridge. There are four designated access points to Rock Creek Trail in the study area. One of those access points is off of Klingle Road. Neighborhoods to the east are served by designated bicycle routes on the local street network such as Woodley Road and 29<sup>th</sup> Street.

DDOT conducts annual trail counts at various locations around the District during peak weekday periods (between 7 a.m. to 9 a.m. and from 4 p.m. to 6 p.m.). Trail counts conducted in 2008 and 2009 within the study area are shown in **Table 6**. These counts represent primary weekday commuter counts for bicyclists only.

In addition to the regularly annual trail counts conducted by DDOT, additional trail counts were performed by the project team on two sunny weekend days (one day in October and one day in November, 2009). Trail user data was collected where the Rock Creek Trail crosses over Rock Creek near Porter Street, which is near the loop ramp from Klingle Road that travels under Porter Street. The purpose of these counts was to observe the frequency that trail users use the off ramp between Klingle Road/Valley and the Rock Creek trail and to supplement trail count information on the number of users on Rock Creek Trail. The peak travel period in November was 219 trail users and average hours trail use was 190 trail users over a three hour period. Approximately 15 percent of the users during the November trail count left or accessed the Rock Creek Trail from

the off ramp from Klingle Road. In October, the peak hour of trail use was 369 trail users and over a two hours period an average hourly use of 300 trail users. Approximately 10 percent left or accessed the trail from the loop ramp from Klingle Road. On both days, very few cars were observed using the off ramp (less than 10 per hour).



**Figure 24. Bicycle Network**  
Source – DDOT, 2009a

**Table 6. Weekday DDOT Bicycle Counts**

Street	From Intersection	To Intersection	Ward	Peak Hour 2009	Peak Hour 2008	2009 Avg Hourly Count	2008 Avg Hourly Count
18 <sup>th</sup> St	U St, Vernon St	California St	1	142	84	69.50	44.75
11 <sup>th</sup> St	Florida Ave	Clifton St	1	103	80	55.63	40.88
Calvert St (Ellington Bridge)	Biltmore St	Cathedral Ave	1	99	76	53.75	43.25
14 <sup>th</sup> St	Ogden St	Oak St (S)	1	83	55	51.50	33.25
Chain Bridge	Virginia Line	Canal Rd, Clara Barton Pkwy[Street Break]	3	35	25	17.25	13.63
Massachusetts Ave	38 <sup>th</sup> St, Klinge Pl	39 <sup>th</sup> St, Idaho Ave	3	28	14	13.88	7.00
Porter St	Klinge Rd (W)	Williamsburg Lane	3	16	19	7.38	10.38
Garfield St	34 <sup>th</sup> Pl	35 <sup>th</sup> St	3	9	8	3.63	3.88
Kansas Ave	Buchanan St	Sherman Cir (S)	4	29	14	12.75	7.75
3 <sup>rd</sup> St	North Dakota Ave, Sheridan St	Tuckerman St	4	9	21	4.25	9.38

### 3.4.2 Road Network

Klinge Road is located in northwest Washington, DC and runs west to northeast from the Washington National Cathedral to Beach Drive in Rock Creek Park without direct access to Connecticut Avenue. Klinge Road is listed as a Federal-aid collector road providing both land access and traffic circulation within residential neighborhoods and commercial areas. The segment of Klinge Road between Porter Street, NW and Cortland Place, NW was barricaded in 1991 preventing vehicular traffic due to deterioration of the roadway related to drainage failure. While the District never administratively closed this segment of Klinge Road through an official action, this portion of the road remains barricaded to traffic.

As part of the evaluation for the Klingle Valley Trail project, traffic data was collected and existing conditions compared to that of studies conducted in 2004 (See Appendix F *of the June 2010 EA for the* Traffic Analysis Memorandum). Peak hour turning movement counts were performed at the following study intersections (see **Figure 25**):

- Connecticut Avenue at Porter Street – signalized intersection
- Porter Street at Quebec Street – signalized intersection
- Adams Mill Road at Klingle Road – signalized intersection
- Porter Street at 34<sup>th</sup> Street – signalized intersection
- Woodley Road at 34<sup>th</sup> Street – signalized intersection
- Woodley Road at Klingle Road (eastbound) – stop-controlled intersection
- Woodley Road at Klingle Road (westbound) – stop-controlled intersection
- Cleveland Avenue at 32<sup>nd</sup> Street at Garfield Street – signalized intersection
- Beach Drive at Klingle Road / Porter Street (interchange ramp) – stop-controlled intersection
- Adams Mill Road at Irving Street at Kenyon Street – signalized intersection
- Klingle Road at Park Road – signalized intersection

Turning movement counts were performed from 6:30 AM to 9:30 AM (morning peak hours) and from 3:30 PM to 6:30 PM (evening peak hours) between September 2009 and November 2009. In addition to the turning movement counts, pedestrian and bicycle data were collected for Connecticut Avenue at Tilden Road (pedestrian and bicycle data only) – signalized intersection and for Rock Creek Trail at Porter Street west of Rock Creek Parkway.

**Figure 26** summarizes the 2009 turning movement counts for the study intersections. The 2009 intersection volumes were compared with the 2004 intersection volumes collected as part of the Klingle Road EIS (**Table 7**) to help assess if traffic conditions have changed and to calculate an annual growth rate. A comparison of the data shows that the 2009 volumes are similar to those collected in 2004. Based on this data, the annual growth rate for the study area is assumed to be zero.



Figure 25. Traffic Data Collection Locations

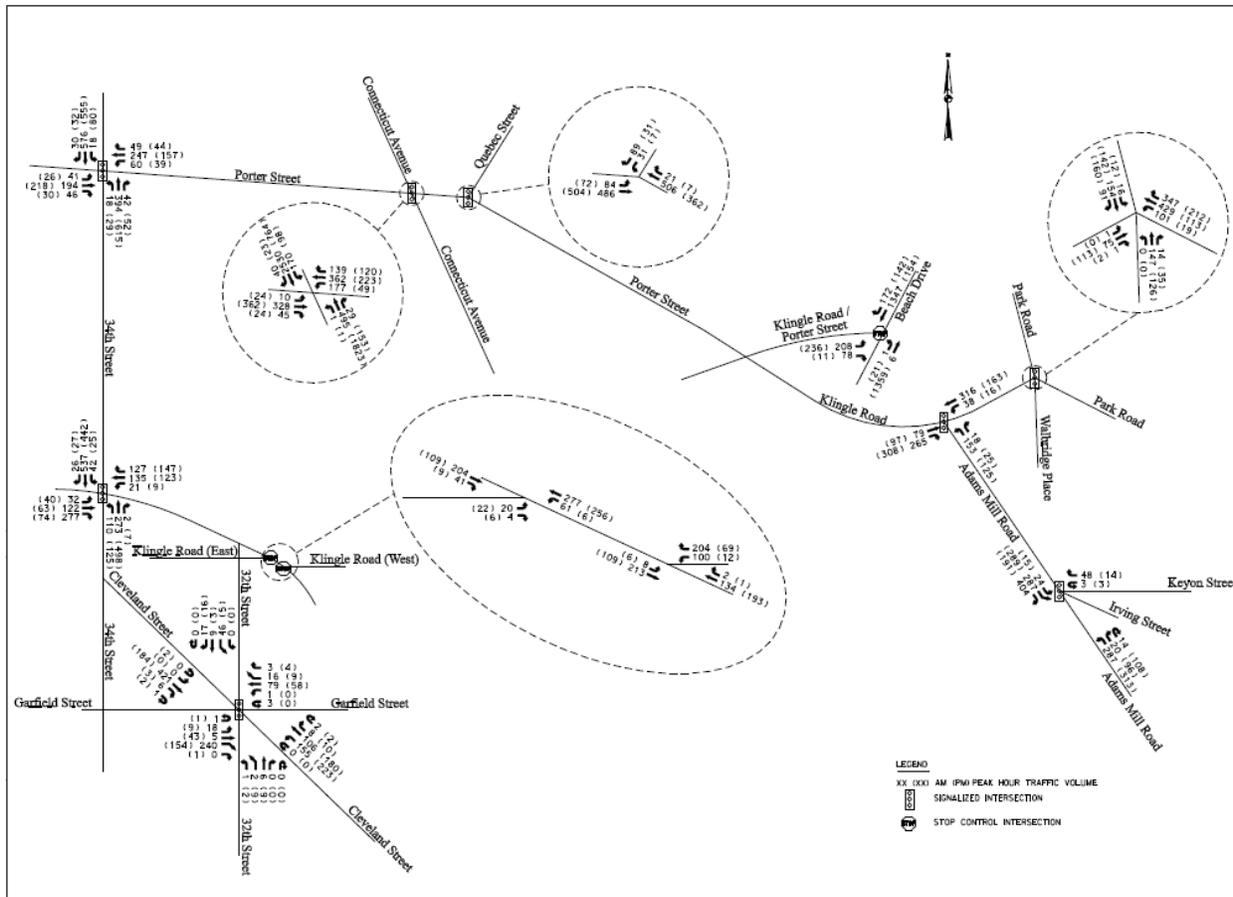


Figure 26. 2009 Traffic Volumes

**Existing Condition Traffic Analysis**

A network of roadways and intersections was created using Synchro software for intersections 1 through 11 as presented in the previous sections. The signal timing and phasing information were taken from the Synchro reports in the 2004 Traffic Impact Study. The yellow and red signal timings and intersection geometries were obtained from field observations. Synchro implements intersection capacity analysis procedures according to the *Highway Capacity Manual* (HCM, Transportation Research Board, 2000). The HCM methods used by Synchro result in a metric called Level-of-Service (LOS). LOS are described by a letter designation ranging from “A” to “F”, with LOS “A” representing essentially uninterrupted flow, and LOS “F” representing a breakdown of traffic flow with excessive congestion and delay.

**Table 7** summarizes the 2009 LOS result and compares the 2009 data with the 2004 LOS analysis in the DEIS. Although the traffic volumes are less than or just slightly more than the 2004 volumes, the 2009 LOS and the Average Delay at all of the study intersections are worse than the 2004 traffic results. The difference in LOS between 2009 and 2004 is due to the following reasons:

- In the 2004 EIS, 12-foot lane widths, the default width from Synchro, were used for all intersections. For this 2009 traffic analysis, the approach lane widths and turn lane lengths for each intersection were field verified. The widths of a majority of the lanes in the study area were measured to be 10 feet. Additionally, turn lane length was included in this traffic analysis. Turn lane lengths had not been included in the 2004 analysis, but rather turn lanes had been assumed to be of theoretically infinite length.
- At the Cleveland Avenue at 32nd Street at Garfield Street intersection, the default Peak-Hour-Factor (PHF) value from Synchro, 0.92, was used for all approaches in the 2004 EIS. The PHF used in this traffic analysis was calculated from peak hour volumes and the resulting PHF's were between 0.45 and 0.94.
- For the Beach Drive @ Klingle Road / Porter Street intersection, two lanes (an exclusive left and right turn lane) were coded for the eastbound approach (Klingle Road / Porter Street) in the 2004 EIS. The eastbound approach only has one approach lane, a shared left and right turn lane, with a channelized right turn lane that provides only two or three car lengths of storage for queued vehicles. The queue in the channelized right turn lane backs up into the queue for the left turn lane, significantly reducing the intersection's capacity. This intersection is estimated to have a failing LOS F during the morning peak hour, with almost two minutes of delay for the average vehicle on the eastbound approach.

Beach Drive at Klingle Road / Porter Street currently operates at LOS F with significant delays. This is a "T" intersection with stop control for the eastbound approach (Klingle Road / Porter Street). To improve the LOS at this intersection, some level of capital improvement (such as adding lanes and installing a signal) would need to be made. However, capital improvement analysis is beyond the scope of this report and no recommendation was developed for this intersection.

A future condition analysis had initially been planned as part of this traffic study. However, traffic analysts compared the peak hour volumes between 2004 and 2009, determined the annual growth rate to be zero. Therefore, a future condition analysis was determined unnecessary. The LOS for each study intersection is expected to remain the same as the existing conditions under the No Action Alternative and Action Alternatives.

**Table 7. Level-of-Service**

Intersection #	Intersection Name	2009 AM Peak		2004 AM Peak (1)		2009 PM Peak		2004 PM Peak (1)	
		LOS	Average Delay (Sec. / Veh.)	LOS	Average Delay (Sec. / Veh.)	LOS	Average Delay (Sec. / Veh.)	LOS	Average Delay (Sec. / Veh.)
1	Connecticut Avenue at Porter Street	D	43.80	C	20.50	C	31.50	B	13.20
2	Porter Street at Quebec Street	D	47.60	B	17.10	C	29.90	B	16.00
3	Adams Mill Road at Klingle Road	B	16.60	B	11.20	A	8.30	A	7.60
4	Porter Street at 34 <sup>th</sup> Street	C	26.60	B	13.00	D	35.50	B	11.30
5	Woodley Road at 34 <sup>th</sup> Street	C	29.90	C	23.40	B	19.60	B	10.70
6	Woodley Road at Klingle Road (eastbound) <sup>(2)</sup>	C	17.00	A	9.60	B	12.20	A	8.90
8	Cleveland Avenue at 32 <sup>nd</sup> Street at Garfield Street	D	51.2	D	49.50	C	29.1	C	24.20
9	Beach Drive at Klingle Road / Porter Street <sup>(3)</sup>	F	119.40	D	30.50	F	117.30	C	16.60
10	Adams Mill Road at Irving Street at Kenyon Street	D	39.90	C	19.40	C	30.60	C	23.30
11	Klingle Road at Park Road	E	70.00	D	46.60	C	25.20	C	26.40

(1)Level-of-Service taken from 2004 EIS

(2)Level-of-Service shown is for eastbound movement on Klingle Road

(3)Level-of-Service shown is for eastbound movement on Klingle Road/Porter Street

### 3.4.3 Transit

Two Metrorail Stations, Cleveland Park and Woodley Park-Zoo are located along Connecticut Avenue within the Klingle Valley Trail study area. The location of each Metrorail Station is shown on the trail network map (**Figure 24**) (DDOT, 2009a). Bus Service in the area is provided by WMATA. Various WMATA bus lines serve the stations as well as local streets between the stations and in the study area. WMATA provides bus service in the study area mainly along the following corridors: Connecticut Avenue, Porter Street, Woodley Road, Cathedral Avenue, Adams Mill Road, Klingle Road (East of Adams Mill Road) and Irving Street.

## 3.5 Air Quality

A project-level air quality analysis for the Klingle Valley Trail project was considered in accordance with U.S. Environmental Protection Agency (EPA) and FHWA guidelines. The purpose of this project-level air quality analysis was to evaluate the potential effects of the proposed alternatives on the air quality, including the analysis of carbon monoxide (CO), ozone precursors (NO<sub>x</sub> and VOC), particulate matter (PM<sub>10</sub> and PM<sub>2.5</sub>), and Mobile Source Air Toxics (MSATs).

### 3.5.1 Regional Conformity

The Klingle Valley Trail project is included in the current 2010 Transportation Improvement Program (TIP), and the scope of the project is consistent with the regional analysis included in the TIP. The National Capital Region *2009 Constrained Long-Range Transportation Plan* (CLRP) and the 2010-2015 TIP have been determined by MWCOG to conform to the intent of the State Implementation Plan (SIP).

### 3.5.2 Project-Level CO Conformity

The District is currently in maintenance for the CO air quality standard. However, under 40 CFR § 93.126, the Klingle Valley Trail Project is exempt from air quality conformity determination because it is a safety project that corrects, improves or eliminates a hazardous location or feature; and as a bicycle and pedestrian facility.

### 3.5.3 Project-level Fine Particulate Matter (PM<sub>2.5</sub>) Conformity

The Klingle Valley Trail Project is located in the Washington, DC-MD-VA nonattainment area for the PM<sub>2.5</sub> annual standard. The area was designated as nonattainment for PM<sub>2.5</sub> on January 5, 2005 by the EPA, effective on April 5, 2005 and applied on April 5, 2006. On March 10, 2006, EPA issued amendments to the Transportation Conformity Rule to address localized impacts of particulate matter: *PM<sub>2.5</sub> and PM<sub>10</sub> Hot-Spot Analyses in Project-level Transportation Conformity Determinations for the New PM<sub>2.5</sub> and Existing PM<sub>10</sub> National Ambient Air Quality Standards (NAAQS)* (71 FR 12468). These rule amendments, listed below, require the assessment of localized air quality impacts of Federally-funded or approved transportation

projects in PM<sub>10</sub> and PM<sub>2.5</sub> nonattainment and maintenance areas deemed to be *projects of air quality concern* as identified in 40 CFR 93.123(b)(1):

- (i) New highway projects that have a significant number of diesel vehicles, and expanded highway projects that have a significant increase in the number of diesel vehicles;
- (ii) Projects affecting intersections that are at Level-of-Service D, E, or F with a significant number of diesel vehicles, or those that will change to Level-of-Service D, E, or F because of increased traffic volumes from a significant number of diesel vehicles related to the project;
- (iii) New bus and rail terminals and transfer points that have a significant number of diesel vehicles congregating at a single location;
- (iv) Expanded bus and rail terminals and transfer points that significantly increase the number of diesel vehicles congregating at a single location; and
- (v) Projects in or affecting locations, areas, or categories of sites which are identified in the PM<sub>10</sub> or PM<sub>2.5</sub> applicable implementation plan or implementation plan submission, as appropriate, as sites of violation or possible violation.

Therefore, based on the definition in 40 CFR 93.123(b)(1), the Klingle Valley Trail Project is not a *project of air quality concern*.

### **3.5.4 Mobile Source Air Toxics**

In addition to the criteria air pollutants for which there are NAAQS, EPA also regulates air toxics. Most air toxics originate from human-made sources, including on-road mobile sources, non-road mobile sources (e.g., airplanes), area sources (e.g., dry cleaners), and stationary sources (e.g., factories or refineries). MSATs are a subset of the 188 air toxics defined by the Clean Air Act (CAA). MSATs are compounds emitted from highway vehicles and non-road equipment. Some toxic compounds are present in fuel and are emitted to the air when the fuel evaporates or passes through the engine unburned. Other toxics are emitted from the incomplete combustion of fuels or as secondary combustion products. Metal air toxics also result from engine wear or from impurities in oil or gasoline.

The FHWA *Interim Guidance on Air Toxic Analysis in NEPA Documents* (FHWA, 2006) requires analysis of MSATs under specific conditions. The EPA has designated six prioritized MSATs, which are known or probable carcinogens or can cause chronic respiratory effects, for analysis: benzene; acrolein; formaldehyde; 1,3-butadiene, acetaldehyde; and diesel exhaust (diesel exhaust gases and diesel particulate matter).

### **3.5.5 Greenhouse Gas (GHG) Impacts**

Carbon dioxide is the principle man-made greenhouse gas, representing approximately 82 percent of all greenhouse gas emissions in the United States (EIA, 2010). Among other sources, approximately 34 percent of the total carbon dioxide is produced by the burning of fossil fuel

(gasoline) in internal combustion engines in motor vehicles. The Klingle Valley Trail project would not increase roadway capacity and would not increase in vehicle emissions or vehicle miles traveled. Therefore, the project would not contribute to an increase in greenhouse gases.

### 3.6 Noise and Vibration

Existing noise measurements were conducted in 2004 as part of the Klingle Road Draft EIS (DDOT, 2006). The measurements were conducted during typical weekdays and a weekend in the second week of September 2004. Sensitive receptors, as defined by 23 CFR 772 (Procedures for Abatement of Highway Traffic Noise and Construction Noise), were identified within the project area.

Existing measured noise levels ranged between 45.6 and 57.2 decibels (dBA), which did not approach or exceed the FHWA noise abatement criteria (NAC) of 67 dBA. **Table 8** provides a description of common noise levels. Under FHWA guidelines, the activity level within Klingle Valley is considered a category B, which includes picnic areas, recreation areas, playgrounds, active sports areas, parks, residences, motels, hotels, schools, churches, libraries, and hospitals. If traffic were to cause noise levels above 67 dBA in a Category B area, noise abatement would be required. The predominant noise sources were birds and insects, street activities normal to urban environment, airplanes, building HVAC units, landscaping tools, traffic on Connecticut Avenue, and occasional school buses on local streets.

**Table 8. Common Noise Levels**

Noise Source	Sound Level (dBA)	Subject Impression
Jet Aircraft take off	120	Uncomfortably Loud
Heavy Truck / Motorcycle	90	Very Loud
Food Blender	90	Very Loud
Lawn Mower / Vacuum	70	Moderately Loud
Light Auto Traffic / Dishwasher	50	Quiet
Quiet urban (night/library)	30	Very Quiet
Acoustic Test Chamber	10	Just Audible
	0	Threshold of Hearing

Sensitive receptors, as defined by 23 CFR 772 (Procedures for Abatement of Highway Traffic Noise and Construction Noise), were identified within the project area (**Table 9**). Sensitive receptors are those for which exposure to excessive sound levels would be detrimental. Sensitive receptors include residences, schools, churches, hospitals, nursing homes, hotels, motels, libraries, picnic areas, outdoor recreational areas, playgrounds and parks. Typically, the type of land use defines what range of sound level is considered acceptable. Specific concern is given to land uses that occur outdoors, as is the case for residential dwellings with yards, parks, and outdoor auditoriums. Based on a thorough review of the aerial maps, land use information, and field reconnaissance, there are single-family residential areas, multi-family apartments, school, and parks identified within the study area.

**Table 9. Noise Sensitive Receptors**

<b>Site</b>	<b>Location</b>	<b>AM Peak</b>	<b>PM Peak</b>	<b>Saturday Peak</b>
<b>1</b>	Washington International School – 3100 Macomb Street	53.3	47.8	47.6
<b>2</b>	Single-family Residence - 2934 Macomb Street	54.2	49.7	50.2
<b>3</b>	Parkway Apartments - 3220 Connecticut Avenue	56.7	54.4	53.0
<b>4</b>	Macomb House - 2710 Macomb Street	52.2	52.0	51.8
<b>5</b>	Rock Creek Park adjacent to Klingle Road - Between 2700 to 2710 Macomb St	55.1	49.1	51.2
<b>6</b>	Single-Family Residence - 2601 Klingle Road	54.3	49.8	51.0
<b>7</b>	Rock Creek and National Zoological Parks	54.3	49.9	49.6
<b>8</b>	Kennedy-Warren Apartments – 3133 Connecticut Avenue	57.2	54.0	53.5
<b>9</b>	Woodley Tower Apartments – 2737 Devonshire Place	56.2	56.8	57.2
<b>10</b>	Apartments - 2800 Devonshire Place	55.8	53.5	54.5
<b>11</b>	Single-Family Residence - 2920 Cortland Place	53.3	49.4	49.7
<b>12</b>	Single-Family Residence - 3030 Cortland Place	50.4	50.0	45.6

Source: The Louis Berger Group, 2005b

### 3.7 Hazardous Waste/Materials

A review of previous studies and the regulatory database searches [Environmental Data Resources, Inc. (EDR) for the Klingle Road DEIS (DDOT, 2005) and U.S. Environmental Protection Agency's (EPA's) EnviroMapper for Envirofacts Data Warehouse (EPA, 2009)] was conducted as part of the Hazardous Waste and Hazardous Materials Assessment.

Based on this review, the EPA investigated lead paint contamination of soils and Klingle Creek under the Connecticut Avenue Bridge in 1999. Based on the study, paint chips falling from the bridge contained lead concentrations in excess of 25 percent. Elevated lead levels were found in the soils underneath and surrounding the bridge. The study concluded that the levels of lead detected in the surface soils were a public health hazard. Based on the EPA investigation, an order was issued to DDOT to remediate the site. Rehabilitation of the Connecticut Avenue Bridge, including the removal of lead paint and contaminated soils, was completed Fall 2007.

In addition to the document review, a field reconnaissance was performed on September 2, and September 15, 2009 to identify visual evidence of a "recognized environmental condition", which means the presence or likely presence of any Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) hazardous substances, as well as petroleum products, asbestos, lead-based paint, radon, and other environmental hazards covered under other laws or industry practice. No visual evidence of petroleum products, underground storage tanks (USTs), or above ground storage tanks (ASTs) was identified. There were no buildings or structures identified on the site, and only minor dumping of small amounts of trash was observed. During the field investigation, visual evidence of apparent fill material was identified along the eroding stream bank of Klingle Creek. An area of black soils intermixed with debris, including plastic, was noted in the area downstream of Connecticut Avenue. No evidence of chemical leaching or hazardous substances was noted. It appears that this fill was used to stabilize an area of erosion between the stream and the roadbed.

Based on the review of the EPA databases, the only adjacent property listed is the National Zoological Park. The National Zoological Park is listed as a wastewater discharge, but the database does not provide discharge information for the site. The National Zoological Park is also identified as a permitted air emission plant, and a small generator of hazardous waste. Based on the available data, the National Zoological Park is considered a property of minimal risk/no concern to the proposed Klingle Valley Trail project.

### 3.8 Energy Conservation

There is currently no energy consumption within the barricaded portion of Klingle Road. All power to the area has been shut off since the road was barricaded in 1991.

## 4.0 ENVIRONMENTAL CONSEQUENCES

According to the Council of Environmental Quality (CEQ) guidelines (40 CFR Sections 1500-1508), “the determination of a significant impact is a function of both context and intensity”. Significance of an action is analyzed within the setting of the action, or context, including regional, local, and site-specific. Intensity refers to the severity of an impact which is analyzed in terms of type, quality, and sensitivity of a particular resource. The appropriate class of environmental documentation is determined by the level of significance, which is established through impact analysis of each resource.

*As stated in 40 CFR 1508.27(a), the analysis of significance as used in NEPA requires consideration of both the context and intensity of an action:*

*(a) Context: This means that the significance of an action must be analyzed in several contexts such as society as a whole (human, national), the affected region, the affected interests, and the locality. Significance varies with the setting of the proposed action. For instance, in the case of a site-specific action, significance would usually depend upon the effects in the locale rather than in the world as a whole. Both short- and long-term effects are relevant.*

*(b) Intensity: This refers to the severity of impact. Responsible officials must bear in mind that more than one agency may make decisions about partial aspects of a major action. The following should be considered in evaluating intensity:*

- *Impacts that may be both beneficial and adverse. A significant effect may exist even if the Federal agency believes that on balance the effect will be beneficial.*
- *The degree to which the proposed action affects public health or safety.*
- *Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.*
- *The degree to which the effects on the quality of the human environment are likely to be highly controversial.*
- *The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.*
- *The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.*
- *Whether the action is related to other actions with individually insignificant but cumulatively significant impacts. Significance exists if it is reasonable to anticipate a cumulatively significant impact on the environment. Significance cannot be avoided by terming an action temporary or by breaking it down into small component parts.*
- *The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic*

*Places or may cause loss or destruction of significant scientific, cultural, or historical resources.*

- *The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973.*
- *Whether the action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment.*

## **4.1 Natural Resources**

### **4.1.1 Geology, Soils, and Topography**

The District Department of the Environment (DDOE) reviews and approves all construction and grading plans for compliance with District Law 2-23 (DC Erosion and Sedimentation Control Act of 1977, as amended). Inspections are conducted at construction sites to ensure that control devices are constructed in accordance with approved plans. In addition, the program is also responsible for investigating erosion, drainage, and related complaints, and providing recommendations towards their resolution.

Impacts to geology, soils, and topography were qualitatively assessed using professional judgment based on investigations of soil characteristics and current conditions of the site within the project area.

#### **Alternative 1 – No Action Alternative**

The No Action Alternative would not result in construction or other mechanical disturbance in the project area that would impact topography, geology, or soils, unless streambank or road bed stabilization is necessary to maintain the site conditions or access for utility vehicles. Under the No Action Alternative, soils would continue to erode along the stream bank and portions of the barricaded Klingle Road would continue to be subjected to high velocity flows and excessive shear stress, resulting in increased road bed erosion and increased soil exposure. In addition, the topography in Klingle Valley would continue to be altered through erosion and stream channel widening. Therefore, the No Action Alternative would have a minor long-term impact to geology, soils, and topography because the erosion would continue unabated and the stream channel would continue to widen.

#### **Alternatives 2 (Preferred Alternative), 3 and 4**

Alternatives 2, 3 and 4, when combined with Klingle Creek Restoration Options A and B, would have minor short-term and long-term site-specific impacts on the topography and soils in and around the Klingle Valley Trail study area. The differences in soil impacts among the Action Alternatives are minimal, ranging from a total area of soil impact of approximately 2.88 to 4.09 acres. *Construction of Alternative 2 and the preferred options would disturb an area of approximately 4.09 acres.*

There would be negligible impacts to undisturbed soils within Klingle Valley as a result of construction activities. The majority of land within the project area has been previously graded and paved over from the construction and maintenance of the existing Klingle Road, and much of the project area is experiencing moderate to severe erosion. During trail construction activities, the pavement and part of the road bed would be removed within the project area, which would result in exposure of soils.

In addition, placement of fill over existing soils would also be necessary in areas to construct the trail. The minor filling would result in negligible impacts to the project area's topography and geology. The compaction and disturbance of soils within the project area as a result of construction activities would be remediated after completion through soil stabilization methods and revegetation. Therefore, a minor long-term and site-specific benefit would result as the project would reduce soil erosion in Klingle Valley.

#### **Klingle Creek Restoration Options A and B (*Preferred Option*)**

Under Klingle Creek Restoration Option A, the total area of disturbed soils impacted would be approximately 2.88 acres. Approximately 4.09 acres of soils would be disturbed under Klingle Creek Restoration Option B.

During restoration efforts in Klingle Creek, it would be necessary to move, excavate, or remove large boulders and debris that occur in or along the streambed in order to achieve desired flow patterns. Regrading of the stream banks and construction of step pools would be necessary along portions of the creek to construct a stable channel. Some exposed soils could be lost as a result of erosion; however, this loss would be minimized through implementation of context sensitive design principles and properly designed and maintained erosion and sedimentation BMPs. Negligible short-term impacts to soils would result.

However, the stream stabilization methods are proposed to halt the on-going stream erosion and it is expected that the stabilization would result in a decrease in erosion over time. Therefore, a minor long-term site-specific benefit would result as the project would reduce soil erosion in Klingle Creek and Valley.

#### **Access to Rock Creek Trail Options A, B, C and C-Modified (*Preferred Option*)**

No additional impacts to geology, soils, and topography would occur under Access to Rock Creek Trail Options A, B *and C-Modified*, as no new disturbance would occur. Under Access to Rock Creek Trail Option C, an additional 0.49 acre of soil disturbance would occur as a result of the proposed multi-use trail. Negligible short-term and long-term impacts to soils would result resulting from construction activities and the additional soil compaction from the larger footprint of the proposed multi-use trail. No impacts to geography or topography would occur under any of the Access to Rock Creek Trail Options.

**Lighting Options A and B (Preferred Option)**

Lighting Options A and B would have no additional impacts to geology, soils, and topography as no new disturbance would occur.

**4.1.2 Agricultural Lands, Prime, and Unique Farmland Soils****Alternative 1 and Alternatives 2 (Preferred Alternative), 3 and 4**

There are no prime farmlands within the project area; therefore, there would be no impact to farmland from either the No Action Alternative or any of the Action Alternatives.

**Klinge Creek Restoration Options A and B (Preferred Option)**

There are no prime farmlands within the project area; therefore, there would be no impact to farmland from the Klinge Creek Restoration Options.

**Access to Rock Creek Trail Options A, B, C and C-Modified (Preferred Option)**

There are no prime farmlands within the project area; therefore, there would be no impact to farmland from the Access to Rock Creek Trail Options.

**Lighting Options A and B (Preferred Option)**

There are no prime farmlands within the project area; therefore, there would be no impact to farmland from the Lighting Options.

**4.1.3 Water Resources****Alternative 1 – No Action Alternative**Groundwater

No impacts to groundwater volume or quality would be expected under the No Action Alternative. No addition of impervious surfaces, which could locally impact groundwater recharge, would occur under this alternative.

Surface Water

Under the No Action Alternative, the ongoing stream bank erosion and deterioration of Klinge Road would not be corrected. The increased sediment loads currently impacting surface waters would continue. The continued sedimentation and degraded water quality would impact aquatic organisms through the deposition of sediments in aquatic habitats, which could be decreasing the amount of suitable substrate for species that utilize the habitat and can cover or destroy suitable habitat for aquatic insects and many fish species.

Under this alternative, the channel slopes would continue to degrade and contribute sediment to Rock Creek as stormwater passes over the road, and down the slope. This alternative does not reduce impervious area, and stormwater would continue to run off rapidly from the existing Klinge Road, causing scouring of the slopes and remaining granular channel bottom until they reach bedrock. Continued degradation will eventually reach the abutting slopes, and could ultimately threaten the structural stability of the trees on those slopes.

The sediment may also transport nutrients and chemicals, which can degrade water quality, promote algal growth, and ultimately harm aquatic organisms. Increased suspended sediment in water decreases the amount of light that can penetrate the water, which can limit the growth of beneficial aquatic plants. Within Klingle Creek and downstream in Rock Creek, deposited sediments would also continue to modify the natural stream channel and may contribute to new areas of stream bank erosion. For these reasons, the No Action Alternative would have moderate long-term impacts to surface waters.

#### Floodplains

A portion of the existing Klingle Road lies within the 100-year floodplain. The No Action Alternative would not introduce new development within the floodplain; however, the floodplain values and functions would continue to be impacted due to the continued erosion of the stream banks and roadbed, as well as ongoing sedimentation in the floodplain. The existing roadway would continue to flood during significant storm events, and further degradation and erosion of the site could occur, which would continue to cause minor long-term impacts to the floodplain functions.

#### Water Quality

Under this alternative, Klingle Creek would not be stabilized and erosion would continue. Although roadbed erosion would continue to occur, there would be no discernable change in the existing impervious surface within the study area (approximately 1.92 acres). The stormwater volumes and channel velocities within Klingle Creek and Klingle Valley would continue unabated, resulting in continued erosion of the stream channel, sedimentation from overland erosion, and loss of riparian vegetation. Therefore, the No Action Alternative would have minor long-term impacts to water resources due to continued erosion, sedimentation, and degraded water quality.

#### Wetlands

In accordance with the 1987 COE Wetlands Delineation Manual, no wetlands were delineated on the project site. Therefore, no impacts to wetlands would occur as a result of No Action Alternative.

According to the Cowardin Classification System and NPS definition, Klingle Creek is a riverine wetland. Under the No Action Alternative, deposited sediments would continue to modify the natural stream channel of Klingle Creek, and may contribute to new areas of stream bank erosion. Long-term moderate impacts would result.

#### Navigable Waters

Kingle Creek is not a navigable water; therefore there would be no impact to navigable waters under the No Action Alternative.

### Wild and Scenic Rivers

Based on the review of the National Wild and Scenic Rivers Inventory, no surface waters near the proposed project area are designated as a scenic river (Wild and Scenic Rivers Council, 2009). Therefore, there would be no impact to Wild and Scenic Rivers under the No Action Alternative.

### Coastal Zone

The District of Columbia does not have a designated Coastal Zone, and has not developed a Coastal Zone Management Plan under the Coastal Zone Management Act. Therefore, the No Action Alternatives would have no impact to Coastal Zones.

### **Alternatives 2 (Preferred Alternative), 3 and 4**

General impacts to water resources from trail construction would be similar among the Action Alternatives, the primary difference being the amount of impervious surface that would occupy the project area. Alternative 2 and 3 would remove all existing impervious surface (1.92 acres) and would construct the trail with permeable materials, resulting in 0 acres of non-permeable surface. Alternative 4 would construct a 10-foot wide trail using non-permeable materials. This alternative would result in 0.93 acres of non-permeable surface, a net decrease of 0.99 acres over existing conditions.

Klinge Creek Restoration Options A and B would both require in-stream construction activities. The in-stream activities would include removal of excess sediments and debris, minor streambank grading, and construction of step pools. Construction activities have the potential to increase suspended sediments and temporarily reduce water quality. However, BMPs would be implemented to control sedimentation, and temporary stream diversions may be used to avoid the transport of sediments during construction. Specific mitigation measures are further discussed in the Mitigation section of this document.

### Groundwater

Impacts to groundwater associated with recharge would not be expected under any of the Action Alternatives. The area of impermeable surface within the study area would decrease with all of the Action Alternatives. Alternative 2 and Alternative 3 will result in a net decrease of 1.92 acres of impermeable surface; Alternative 4 will result in a net decrease of 0.99 acres of impermeable surface. No impacts to groundwater would occur.

### Surface Water

Klinge Creek is considered waters of the United States. Clean Water Act Section 404 permitting for the placement of dredge or fill materials into waters of the U.S., and a Section 401 Water Quality Certification would be required for in-stream work within Klinge Creek. Coordination and consultation with the COE has been initiated, although a formal jurisdictional determination has not yet been received for the project area. Based on consultations with the COE, the proposed stabilization of Klinge Creek and the resulting impacts would be considered

minor and would likely be authorized under Nationwide Permit No. 27 (Aquatic Habitat Restoration, Establishment, and Enhancement Activities). Any Section 404 authorizations, including Nationwide permits, would require BMPs to minimize potential impacts to water quality, habitat, and the stream itself. Since the impacts to Klingle Creek would be the result of stream restoration and stabilization efforts, compensatory mitigation of the impacts to waters of the U.S. is not anticipated.

Alternative 2 and Alternative 3 include the removal of the existing impervious road and stabilization of the channel slopes. Under Alternative 4, a new impervious trail will be installed, which is smaller than the original road bed. Water quality management would be provided for the trail in a permeable channel with check dams, on the upslope side. At a minimum, these alternatives would reduce the slope scouring adjacent to Klingle Creek channel, and the sediment bed load being transported. These alternatives would also include replacement of major cross culverts (at the Tregaron Property and the Embassy of India Property) to safely convey stormwater and base flow to Klingle Creek beneath the trail. Combined with stream restoration, these alternatives include recreation of channel habitat in Klingle Creek, and stabilization of the channel bed and slopes, which would further serve to minimize stormwater and flash flows, which transport sediment. The Action Alternatives would result in minor to moderate long-term benefits to surface waters within the project area.

### Floodplains

Executive Order (E.O.) 11988 (Floodplain Management) requires an examination of impacts to floodplains and the potential risk involved in placing facilities within floodplains. The NPS *Management Policies 2006*, Section 4.6.4, Floodplains; and Director's Order (DO) 77-2, 1993 *NPS Floodplain Management Guidelines*, provide guidelines on developments proposed in floodplains. E.O. 11988 requires Federal agencies to take action to reduce the risk of flood loss, to minimize the impacts of floods on human safety, health, and welfare, and to restore and preserve the national and beneficial values served by floodplains in carrying out their responsibilities for managing and disposing of Federal lands. Before taking an action, an agency must determine whether the proposed action would occur in a floodplain; and if so, consideration must be made of alternatives to avoid adverse effects and incompatible development in floodplains. This E.O. complies with the Flood Disaster Protection Act of 1973, which prohibits Federal actions in areas subject to flooding.

The NPS *Procedural Manual 77-2* identifies certain "excepted actions" for which the procedures would not apply. Per the Manual, "certain park functions that are often located near water for the enjoyment of visitors but require little physical development and do not involve overnight occupancy" are excepted. Specific examples include "picnic facilities, scenic overlooks, foot trails, and small associated daytime parking facilities in non-high hazard areas provided that the impacts of these facilities on floodplain values are minimized."

The Action Alternatives would all occur within the 100-year floodplain. The use of the floodplain is necessary because the existing DDOT right-of-way is located within the floodplain, and the adjacent land is either privately owned or federally owned.

Under Alternatives 2, 3 and 4, the existing roadway materials would be removed, and a multi-use trail would be constructed within the existing DDOT right-of-way. The removal of existing roadway infrastructure within the 100-year floodplain would result in short-term impacts. However, the removal of fill material from the floodplain would increase flood storage capacity on the site, reducing or maintaining the existing site-specific flood risk. There would be no increase in flood recurrence interval or flood depths. The Klingle Creek Restoration Options would improve the geomorphology of the site through stabilization of the stream channel, resulting in reduced erosion and sedimentation. Please refer to the *Design Concept Report* (Appendix B of the *June 2010 EA*) and *Stream Assessment Report* (Appendix C of the *June 2010 EA*) for detailed hydraulic assessments and stream stabilization measures. Because of the increased flood storage due to the removal of existing infrastructure within the 100-year floodplain and improved geomorphology of Klingle Creek, long-term benefits to floodplains would result. These benefits would be minor in the context of the region and watershed.

#### Water Quality

Alternatives 2, 3 and 4, when combined with Klingle Creek Restoration Options A or B, would include the removal of the existing roadbed, construction of the trail, regrading and stabilization of eroded stream banks, construction of stream stabilization structures (step pools), and improvements to stormwater conveyances and outfalls. Minor short-term impacts during construction would result from stream disturbance, clearing of riparian vegetation. BMPs would be in place in accordance with DDOE provisions to avoid increased soil erosion during construction. Following construction, long-term moderate benefits to water quality would occur due to the reduced area of non-permeable surface, and would result in stable soils and stream.

#### Wetlands

In accordance with the 1987 COE Wetlands Delineation Manual, no wetlands were delineated on the project site. Therefore, no impacts to wetlands would occur as a result of the Action Alternatives.

Under the Cowardin Classification System and NPS definition, Klingle Creek is a riverine wetland. Under Alternatives 2, 3, and 4, one of the Klingle Creek Restoration Options would be selected. Temporary construction impacts of 420 linear feet to 1,595 linear feet of riverine wetland impacts would occur. The construction-related impacts would be short-term and minor. Improvements to riverine wetlands from the stream stabilization would be moderate long-term and beneficial. More information is available under the Surface Waters discussion of this section.

### Navigable Waters

Klinge Creek is not a navigable water; therefore there would be no impact to navigable waters under the Action Alternatives.

### Wild and Scenic Rivers

Based on the review of the National Wild and Scenic Rivers Inventory, no surface waters near the proposed project area are designated as a scenic river (Wild and Scenic Rivers Council, 2009). Therefore, the Action Alternatives would have no impact to Wild and Scenic Rivers.

### Coastal Zone

The District of Columbia does not have a designated Coastal Zone, and has not developed a Coastal Zone Management Plan under the Coastal Zone Management Act. Therefore, there would be no impact to Coastal Zones under the Action Alternatives.

### **Klinge Creek Restoration Options A and B (Preferred Option)**

The District Department of Health, Watershed Protection Division has prepared a Draft *Rock Creek Watershed Implementation Plan* (DDOH, 2005). The report divides the Watershed Protection Division's approach to addressing the impacts of nonpoint source water pollution on Rock Creek into three "visions": Management of Stormwater Runoff; Stream Restoration; and Public Outreach and Support of Watershed Organizations. Klinge Creek is identified as one of twelve subwatersheds to Rock Creek within the District. This report specifies low impact development (LID) practices focused on four practices: cistern/rain barrel installation, establishment of bioretention cells, green roofs, and installation of permeable pavement. The plan also provides recommendations for stream restoration, reforestation and riparian buffer improvements, wetland creation, removal of fish barriers, and trash removal. The plan specifically targets Klinge Creek for restoration and ranks it as a high priority. The Report estimates that stream restoration reduces the amount of nitrogen by 0.02 lbs/linear foot, phosphorous by 0.0035 lbs/linear foot, and total suspended solids by 2.55 tons/linear foot.

The proposed Klinge Valley Trail project is consistent with the District's goals of improving water quality and managing nonpoint source pollution. The restoration of Klinge Creek would support the goals set forth in the Draft *Rock Creek Watershed Implementation Plan*. The removal of impervious surfaces and the "greening" of the District's Klinge Road right-of-way is consistent with the National Pollutant Discharge Elimination System (NPDES) and Total Maximum Daily Loads (TMDL) programs. While watershed management beyond the project area is beyond the scope of the Klinge Valley Trail project, DDOT will continue to work with DDOE and other District agencies toward finding innovative approaches to provide sustainable stormwater management to Klinge Valley.

Klinge Creek is a tributary of Rock Creek, and both waterways are designated as SWDC according to the Water Quality Standards, 21 DC Municipal Regulations (DCMR) Section 1102.5, as amended (DDOH, 2004a). The water quality of Special Waters would be maintained,

or improved, by the project. Special precautions during construction would include implementation of BMPs, and project review and permitting by the DDOE.

The area of construction impacts to Klingle Creek itself would be 420 linear feet under Option A and 1,595 linear feet under Option B. These construction-related impacts would be short-term and minor.

Both restoration options would result in substantial improvements to Klingle Creek over the current conditions. The replanting of trees and vegetation, and soil stabilization, etc. will have beneficial effects to the floodplain. Measures to dissipate the erosive velocities of Klingle Creek and stabilize the stream banks would improve the overall water quality in both Klingle Creek and Rock Creek over current conditions. Improvements to water quality from the stream stabilization would be moderate long-term and beneficial.

Based on consultation with the COE, the project would likely result in impacts to Klingle Creek as a result of stream stabilization activities. As such, the project will likely be authorized under Nationwide Permit 27 (Aquatic Habitat Restoration, Establishment, and Enhancement Activities).

#### **Access to Rock Creek Trail Options A, B, C and C-Modified (*Preferred Option*)**

There would be no additional impacts to water resources under Access to Rock Creek Trail Options A, B, C or **C-Modified**.

#### **Lighting Options A and B (*Preferred Option*)**

There would be no additional impacts to water resources under Lighting Options A or B.

### **4.1.4 Wildlife including Threatened and Endangered Species**

#### **Alternative 1 – No Action Alternative**

##### *Aquatic Organisms*

Under the No Action Alternative, Klingle Creek and the riparian buffer would remain unstable and would continue to degrade through erosion. In the areas of severe erosion, the existing roadbed would continue to collapse and pieces of asphalt, concrete, and other materials would continue to fall into Klingle Creek. These sediments would continue to be transported downstream into Rock Creek, and the larger chunks of debris would continue to block Klingle Creek, resulting in further erosion of the stream banks as the flow is diverted around the obstacles. The erosion and sedimentation would continue to degrade water quality and negatively affect the habitat for aquatic organisms.

Previous studies have identified benthic macroinvertebrates, crayfish, salamanders, and fish within Klingle Creek. These organisms rely on small rocks for cover and spawning substrate. Deposition of sediments in aquatic habitats can fill the spaces between rocks and gravel, potentially suffocating aquatic organisms and decreasing the amount of available suitable substrate for species that utilize these areas for cover and spawning. The suspended sediments

also decrease the amount of light that can penetrate the water, which can limit the growth of beneficial aquatic plants. Therefore, the No Action Alternative would have minor to moderate long-term impacts on aquatic organisms because the on-going sedimentation and resulting water quality degradation.

### Terrestrial Organisms

Klinge Valley and the adjacent Rock Creek Park provide habitat for a variety of woodland and riparian wildlife species that can tolerate urban conditions and frequent human disturbances. Rock Creek Park is recognized as a prime birding site, especially for migrants and seasonal visitors.

The No Action Alternative would result in continued erosion of stream banks and soil in Klinge Valley, causing some loss of riparian habitat and individual trees. However, this impact would be negligible on a regional scale. If habitat conditions in the valley bottom continue to degrade, wildlife would likely use higher quality habitat areas found in Rock Creek Park. This displacement of wildlife could impact the wildlife diversity and populations on a local scale.

In summary, the No Action Alternative would have a minor long-term impact on wildlife because of continued degradation of the riparian habitats through erosion and sedimentation, and potential displacement of terrestrial populations.

### Threatened and Endangered Species

One federally listed species, the endangered Hay's spring amphipod (*Stygobromus hayi*) is documented to occur in Rock Creek Park. The Hay's spring amphipod was discovered in five groundwater springs in Rock Creek Park (NPS, 2009c).

These amphipods spend the majority of their lives in groundwater below the surface, feeding on detritus. Threats to this species include predation when they are at surface springs, alterations of groundwater flows, groundwater pollution, loss of detritus as a food source, and disturbance of spring sites. Common pollution problems for amphipods are nitrates in fertilizers (which can result in groundwater oxygen depletion), pesticides, and petroleum leaking from underground storage tanks.

No suitable habitat for the Hay's spring amphipod was observed within Klinge Valley during 2009 field observations. Therefore, no impact or benefit to threatened and endangered species would occur under the No Action Alternative.

## **Alternatives 2 (Preferred Alternative), 3 and 4**

### Aquatic Organisms

Under all of the Action Alternatives, negligible short-term impacts could occur to fish and other aquatic organisms found in Klinge Creek and downstream in Rock Creek due to soil disturbance and vegetation removal during construction activities. Debris removal and trail construction activities, as well as stream stabilization and restoration work could contribute excess sediments into Klinge Creek, thereby directly impacting resident aquatic organisms. Negligible indirect

impacts to aquatic organisms downstream could also occur through increased sediment transport over current conditions. Direct impacts are expected to be negligible and short-term since the majority of aquatic organisms found during past surveys were located downstream of the restoration area. Impacts to aquatic species would be minimized by the use of properly designed and maintained erosion and sediment control and stormwater management practices during all phases of construction. The construction-related impacts would be negligible to minor and short-term.

Following the construction of Alternatives 2, 3, and 4, the total area of non-permeable surface would be reduced, resulting in soil stabilization and reduced erosion. The riparian condition would be improved over existing conditions and would have a net benefit to aquatic habitat. A minor long-term benefit would result.

### Terrestrial Organisms

Under all of the Action Alternatives, terrestrial habitats in the immediate project area would be disturbed. The removal of asphalt from Klingle Road, site grading activities, stream restoration activities, trail construction, operation of heavy machinery, and hauling of materials into and off of the site would result in disturbance to wildlife. Common fauna likely to occur in Klingle Valley are species adapted to disturbed habitats associated with adjacent urban environments and transient species associated with the adjacent wooded habitats. Wildlife species utilizing the project area would likely move into the adjacent wooded habitats in Rock Creek Park, the Embassy of India property, and the Tregaron property during construction. Direct mortality of some terrestrial organisms could occur as a result of vegetation clearing and earth disturbance outside of the existing road bed. The construction activities would result in minor short-term impacts due to construction disturbance. These impacts are site-specific and temporary.

Most species that occupy the project site would likely return following construction. The existing roadway would be removed, and a 10-foot to 12-foot wide multi-use trail would be constructed. Pedestrians and bicyclists would use the trail, but motorized vehicles would be prohibited except for maintenance needs. The Klingle Creek Restoration Options **A and B** would reduce erosion and improve the riparian habitat condition. The disturbed area would be revegetated with native species. Therefore, the Action Alternatives would result in a minor long-term benefit to terrestrial wildlife and habitat.

### Threatened and Endangered Species

All of the Action Alternatives involve ground disturbance. During the environmental inventory, no spring seeps or wetlands were identified within the proposed project area. Therefore, no suitable habitat is present for the Hay's spring amphipod, the only recorded endangered species within the vicinity of the project area. Therefore, the project is not expected to impact the Hay's spring amphipod or its habitat. Correspondence from the FWS was received on January 21, 2010. The USFWS stated that, "except for occasional transient individuals, no proposed

federally listed endangered or threatened species are known to exist within the project impact area” (FWS, 2010).

### **Klinge Creek Restoration Options A and B (Preferred Option)**

The area of construction impacts to Klinge Creek itself are 420 linear feet under Option A and 1,595 linear feet under Option B. These construction-related impacts would be minor and short-term. The construction of step pools would reduce the erosive forces and would also provide more diversity to the aquatic habitats found in Klinge Creek. These pools would provide increased habitat for small fish and other aquatic organisms that require deeper, slower moving water and would add additional riffle-pool sequences to Klinge Creek. Following stream stabilization measures, moderate long-term benefits to aquatic organisms would result through improved water quality and habitat

### **Access to Rock Creek Trail Options A, B, C and C-Modified (Preferred Option)**

Under Access to Rock Creek Trail Options A, B and C-Modified, no habitat would be disturbed and no additional impacts to wildlife would occur. Under Access to Rock Creek Trail Option C, an additional 0.49 acre of soil would be disturbed; however resulting impacts to wildlife would be negligible in the context of Klinge Valley.

### **Lighting Options A and B (Preferred Option)**

#### Aquatic and Terrestrial Organisms

Lighting Option A would have no impact on aquatic and terrestrial organisms. Lighting Option B would have a negligible long-term site-specific impact on aquatic and terrestrial organisms. Nocturnal animals may be impacted by lighted areas which can inhibit the animal’s ability to hunt, conceal their location, navigate, or reproduce (NPS, 2007a). However, species present in Klinge Valley have adapted to an urban environment. The Klinge Valley is surrounded on all sides by highly urbanized areas. The project area had been lit in the past under road uses. Klinge Road, located north of the subject property, has lighting. Impacts to wildlife from lighting can be minimized by using minimal-impact lighting techniques. ***Lighting Option B would include timing the lighting of the trail to correspond with commuter use of the facility, thereby limiting the hours of illumination and minimizing impacts to nocturnal wildlife.***

#### Threatened and Endangered Species

Since there are no threatened or endangered species within the project area, there would be no impact.

### **4.1.5 Vegetation**

Rock Creek Park is the only large area of mostly contiguous deciduous forest habitat in the District metropolitan area, and the forests play a major factor in defining park character (*Rock Creek Park General Management Plan*). The Klinge Road right-of-way is owned by the District of Columbia, but the majority of the land along Klinge Creek is on NPS administered lands.

As with all NPS units, management of the park and parkway is guided by numerous congressional acts and executive orders, in addition to the establishing legislation. Some of these laws and executive orders are applicable primarily to units of the national park system. These include the 1916 Organic Act creating the NPS and, the General Authorities Act of 1970 relating to the management of the national park system.

The Organic Act created the NPS in 1916. This act defines the NPS' mission to "conserve the scenery and the natural and historic objects and the wildlife [in national parks, monuments, and reservations] and to provide for the enjoyment of the same in such manner and by such means as will leave them unimpaired for the enjoyment of future generations." Protection of the deciduous forest has been a long-term management goal at Rock Creek Park. Protection has included such actions as minimizing or avoiding clearing of trees, suppressing wildfires, and controlling the presence and distribution of invasive species.

The 1890 legislation establishing Rock Creek Park states that the area is to be "perpetually dedicated and set apart as a public park or pleasure ground for the benefit and enjoyment of the people of the United States." It specifies that the park is to "provide for the preservation from injury or spoliation of all timber, animals, or curiosities within said park, and their retention in their natural condition, as nearly as possible." It directs park managers to provide for public recreation, specifically to "lay out and prepare roadways and bridle paths, to be used for driving and for horseback riding, respectively, and footways for pedestrians."

#### **Alternative 1 – No Action Alternative**

Under the No Action Alternative, the barricaded segment of Klingle Road would remain in its currently deteriorated state, and there would be no restoration or stabilization of Klingle Creek. As a result, accelerated erosion throughout Klingle Valley would continue, causing many of the valley's trees, especially those located between Klingle Road and Klingle Creek, to fall or die. Accelerated soil erosion would continue, resulting in loss of vegetation, degradation of riparian habitat, and spread of invasive species. As a result, the No Action Alternative would have a minor long-term impact on vegetation.

#### **Alternatives 2 (*Preferred Alternative*), 3 and 4**

Direct impacts to vegetation would occur as a result of trail construction and stream stabilization associated with each of the Action Alternatives. Some trees would likely be impacted simply by activities associated with the removal of Klingle Road. For the purposes of this analysis, all vegetation occurring within the limit of disturbance for each of the alternatives was considered a direct impact. Large trees were considered impacted if more than 30 percent of the critical root zone would be disturbed. While measures, such as tree protective fencing and other BMPs would be taken to minimize the number of trees that would need to be removed, it would likely be necessary to remove several large trees that occur adjacent to Klingle Road, or whose roots have been severely undercut by Klingle Creek. Additionally, some trees would be removed as part of the effort to restore and stabilize Klingle Creek. Depending on which Klingle Creek

Restoration Option is selected, varying degrees of vegetation impacts would occur as described below.

Alternatives 2, 3, and 4 would have a moderate long-term site-specific impact to vegetation because vegetation would be cleared during construction and several large trees would be removed as a result of the trail construction.

**Klingle Creek Restoration Options A and B (*Preferred Option*)**

In conjunction with Alternatives 2, 3, or 4, Option A would result in 1.36 acres of vegetation impacts and the direct removal of up to 37 large trees (defined as those trees with a diameter at breast height of 24-inches or greater). Up to 7 large trees are located on NPS property.

Klingle Creek Restoration Option B combined with Alternatives 2, 3, or 4, would result in 2.57 acres of vegetation impacts and the direct removal of up to 54 large trees, of which 24 are located on NPS property.

Impacts to trees and vegetation are conservatively estimated based on generalized design concepts, and represent the worst-case scenario not including avoidance measures or best management practices. It is anticipated that as designs for the trail and stream restoration are refined, opportunities to preserve large trees will be actively pursued. Mature tree canopy is important to maintaining a cool stream temperature preferred by fish and other wildlife, and is particularly important to streams like Klingle Creek where warmer water from storm drains is routed into the stream network. It is equally important to the longevity and health of large trees located near eroding banks that the stream channel is stabilized to prevent undercutting and collapse of trees along hillslopes adjacent to the stream. Future design efforts will consider each specimen tree individually, using techniques such as imbricated riprap walls, minor relocations of the stream channel and/or multi-use trail, or building banks out from large trees in order to protect healthy specimen trees while simultaneously stabilizing the stream channel.

In conclusion, moderate long term site-specific impacts to vegetation would occur from the direct removal of vegetation and trees within Klingle Valley. Replacement trees would eventually grow and the mature forest would return, but this would take several years.

**Access to Rock Creek Trail Options A, B, C and C-Modified (*Preferred Option*)**

No additional vegetation would be disturbed under Access to Rock Creek Trail Options A, B, *or C-Modified*. An additional 0.22 acre of vegetation would be removed under Access to Rock Creek Trail Option C. Impacts would be negligible, long-term, and site-specific in the context of Klingle Valley.

**Lighting Options A and B (*Preferred Option*)**

There would be no impact to vegetation under Lighting Option A or B.

## 4.2 Cultural Resources

In this EA, impacts to historic structures, cultural landscapes, and archeological resources are described in terms of intensity, duration, context, and type which is consistent with the CEQ regulations for implementing NEPA. These impact analyses are intended to comply with the requirements of both the NEPA and Section 106 of the National Historic Preservation Act (NHPA). In accordance with the Advisory Council on Historic Preservation's (ACHP) regulations implementing Section 106 (36 CFR Part 800, *Protection of Historic Properties*), impacts to historic structures, cultural landscapes, and archeological resources were identified and evaluated by (1) determining the area of potential effects; (2) identifying cultural resources present in the area of potential effects that are either listed in or eligible to be listed in the NRHP; (3) applying the criteria of adverse effect to affected cultural resources either listed in or eligible to be listed in the NRHP; and (4) considering ways to avoid, minimize, or mitigate adverse effects. To assist in the assessment, FHWA and DDOT consulted with the DC HPO with regards to the Area of Potential Effects (APE), cultural resources present, and the potential effects on historic properties.

Under the Advisory Council's regulations, a determination of either *adverse effect* or *no adverse effect* must be made for affected National Register eligible or listed cultural resources. An *adverse effect* occurs whenever an impact alters, directly or indirectly, any characteristic of a cultural resource that qualifies it for inclusion in the National Register (e.g., diminishing the integrity of the resource's location, design, setting, materials, workmanship, feeling, or association). Adverse effects also include reasonably foreseeable effects of the Preferred Alternative that would occur later in time, be farther removed in distance, or be cumulative (36 CFR 800.5, *Assessment of Adverse Effects*).

As stated in 36 CFR §800.5, "Adverse effects may include reasonably foreseeable effects caused by the undertaking that may occur later in time, be farther removed in distance or be cumulative." An alternative is considered to have the potential for *direct* effects if it alters the property or its character defining features in a manner that diminished its integrity, or its ability to convey its significance. An alternative is considered to have the potential for *indirect* effects if it may result in long-term deterioration, or if it has the potential to alter views from nearby historic resources. A separate more detailed *Assessment of Effect Report* has been prepared for the Klingle Valley Trail project (see Appendix E *of the June 2010 EA*) and this EA summarizes the findings of this report.

### 4.2.1 Historic Structures

#### Alternative 1 – No Action Alternative

##### Klingle Road and Klingle Valley

Many of the retaining walls and culvert features in Klingle Valley are in a severely deteriorated condition and others are structurally unstable. Several of the retaining walls have collapsed into the stream. Under the No Action Alternative, the retaining walls and culvert features would

continue to deteriorate due to stormwater flows and stream bank erosion. The No Action Alternative would result in the continued destruction of many of the masonry features that augment the natural setting and contribute to the historic character of Klingle Road and Valley. Therefore, this alternative would have an indirect effect on retaining walls and culvert features along Klingle Creek. The No Action Alternative would have a minor long-term impact on historic structures because of the continual deterioration of the historic retaining walls.

#### Adjacent Historic Properties

The No Action Alternative would have no direct effects on nearby historic properties eligible for listing or listed in the NRHP such as the Cleveland Park Historic District, the Tregaron Estate, the Embassy of India Ambassador's Residence, Connecticut Avenue Bridge, Kennedy-Warren Apartment Building, Woodley Park Towers Apartment Building and National Zoological Park. Klingle Valley is located in a steep wooded ravine, which limits visibility from many of these sites. However, the Connecticut Avenue Bridge, the Kennedy-Warren Apartment Building, and the Woodley Park Towers Apartment Building were designed with particular attention to the view to and from Klingle Road and Valley. The No Action Alternative would have an indirect effect on the bridge and apartment buildings due to the continued deterioration of Klingle Road and the erosion of the stream channel. The resulting loss of the scenic qualities of Klingle Road and Valley would detract from the scenic vistas enjoyed from these properties.

#### The Tregaron Estate

*A number of commentators on the June 2010 EA noted the 2006 approval by the DC Historic Preservation Review Board (DC HPO) of an application for subdivision of one acre of the historic Tregaron Property in exchange for the Tregaron Limited Partnership's donation of 13 acres for permanent open space preservation on the historic property (Decision and Order – Subdivision of Tregaron Estate – Eight Residential Lots and Initial Rehabilitation Plan of Conservancy – March, 2006). According to the commentators, the proposed trail would prohibit vehicular access from five homes to Klingle Road, essentially nullifying the DC HPO's approval. Although the DC HPO's order allowed for the subdivision, it clearly acknowledges that five of the eight subdivided properties proposed frontage would be on “that portion of Klingle Road which is currently closed to traffic” (DC HPO, 2006).*

*As required under Section 106 of the National Historic Preservation Act, FHWA and DDOT consulted with the DC HPO and prepared an Assessment of Effects on Historic Resources report. Throughout FHWA and DDOT's consultations with DC HPO, DC HPO did not raise the approval of the subdivision in the Decision and Order as an issue whereby the proposed trail would affect the Tregaron Limited Partnership's activities. Notably, DC HPO stated:*

*“The 'HPRB order' . . . is more accurately a concept approval and acceptance of the three-party property agreement between Washington International School, the Tregaron Conservancy, and the Tregaron Limited Partnership regarding the ownership and future treatment of the Tregaron landmark. This agreement does not*

*have any impact or relevance to the Klingle Road project . . . In fact, there is no right to built [sic] the houses; they were always a highly speculative proposition” (DC HPO, 2010b).*

*Furthermore in response to a citizen's inquiry regarding this issue, the DC HPO stated:*

*“The five houses on the closed portion of Klingle were speculative and specifically approved for those sites. They were proposed by the developer with full knowledge that Klingle was closed at the time and without any guarantee that it would be reopened. There was no contingency for relocating those five house lots to other portions of the site, and the remainder of the land has already been transferred to and is owned by the Conservancy. I don't think the failure of the developer to be able to build the five houses would affect the settlement agreement between the Tregaron Limited Partnership, the Washington International School and the Conservancy” (DC HPO, 2010a).*

*Consequently, based on the information from the DC HPO regarding the Decision and Order, the No Action Alternative would not affect the historic landscape of the Tregaron Estate. The complete Assessment of Effects on Historic Resources report and the DC HPO concurrence letter is presented in Appendix B of this EA.*

#### **Alternatives 2 (Preferred Alternative), 3 and 4**

##### Klingle Road and Klingle Valley

The Action Alternatives would include rehabilitation of the retaining walls and culvert features that border on the proposed trail alignment as part of the efforts to remediate the valley. Rehabilitation of each retaining wall would be evaluated on a case-by-case basis in coordination with DC HPO and NPS once more detailed trail and stream design is completed to fully determine the need for and location of each wall in relationships to the trail alignment and stream restoration. The structural integrity and location of the retaining walls and culvert features would be considered in determining the appropriate approach to rehabilitate the walls in accordance with the *Secretary of the Interior's Guidelines for the Treatment of Historic Properties*. Rehabilitation of the retaining walls and/or culvert features, given their current dilapidated condition, would have a net benefit to the valley.

##### Adjacent Historic Properties

Alternatives 2, 3 and 4 would have no effect on nearby historic properties eligible for listing or listed in the NRHP such as the Cleveland Park Historic District, the Tregaron Estate, the Embassy of India Ambassador's Residence, Connecticut Avenue Bridge, Kennedy-Warren Apartment Building, Woodley Park Towers Apartment Building, and National Zoological Park. The trail construction activities would remain within the DDOT right-of-way. Additionally, Klingle Valley is located in a steep wooded ravine, which limits visibility to and from many of these sites. Moreover, the proposed trail alternatives are likely to have a positive effect on the views from the Connecticut Avenue Bridge, Kennedy-Warren Apartment Building, and the

Woodley Park Towers Apartment Building since the removal of the deteriorated infrastructure and placement of a new multi-use trail would restore the scenic qualities of the former parkway. The Action Alternatives, *including the Preferred Alternative*, would not have an adverse effect on the characteristics of these properties that qualify them for the National Register.

### **The Tregaron Estate**

*A number of commentators on the June 2010 EA noted the 2006 approval by the DC Historic Preservation Review Board (DC HPO) of an application for subdivision of one acre of the historic Tregaron Property in exchange for the Tregaron Limited Partnership's donation of 13 acres for permanent open space preservation on the historic property (Decision and Order – Subdivision of Tregaron Estate – Eight Residential Lots and Initial Rehabilitation Plan of Conservancy – March, 2006). According to the commentators, the proposed trail would prohibit vehicular access from five homes to Klingle Road, essentially nullifying the DC HPO's approval. Although the DC HPO's order allowed for the subdivision, it clearly acknowledges that five of the eight subdivided properties proposed frontage would be on “that portion of Klingle Road which is currently closed to traffic” (DC HPO, 2006).*

*As required under Section 106 of the National Historic Preservation Act, FHWA and DDOT consulted with the DC HPO and prepared an Assessment of Effects on Historic Resources report. Throughout FHWA and DDOT's consultations with DC HPO, DC HPO did not raise the approval for the subdivision in the Decision and Order as an issue whereby the proposed trail would affect the Tregaron Limited Partnership's activities. Notably, DC HPO stated:*

*“The 'HPRB order' . . . is more accurately a concept approval and acceptance of the three-party property agreement between Washington International School, the Tregaron Conservancy, and the Tregaron Limited Partnership regarding the ownership and future treatment of the Tregaron landmark. This agreement does not have any impact or relevance to the Klingle Road project . . . In fact, there is no right to built [sic] the houses; they were always a highly speculative proposition” (DC HPO, 2010b).*

*Furthermore in response to a citizen's inquiry regarding this issue, the DC HPO stated:*

*“The five houses on the closed portion of Klingle were speculative and specifically approved for those sites. They were proposed by the developer with full knowledge that Klingle was closed at the time and without any guarantee that it would be reopened. There was no contingency for relocating those five house lots to other portions of the site, and the remainder of the land has already been transferred to and is owned by the Conservancy. I don't think the failure of the developer to be able to build the five houses would affect the settlement agreement between the Tregaron Limited Partnership, the Washington International School and the Conservancy” (DC HPO, 2010a).*

*Consequently, based on the information from the DC HPO regarding the Decision and Order, the Action Alternatives, including the Preferred Alternative, would not affect the historic landscape of the Tregaron Estate. The complete Assessment of Effects on Historic Resources report and the DC HPO concurrence letter is presented in Appendix B of this EA.*

### **Klinge Creek Restoration Options A and B (Preferred Option)**

#### Klinge Road and Klinge Valley

Under Klinge Creek Restoration Option A, there are no stone retaining walls or culvert features in the three priority areas. However, rehabilitation of each retaining wall would be evaluated on a case-by-case basis in coordination with DC HPO and NPS once more detailed trail and stream design is completed to fully determine the need for and location of each wall in relationships to the trail alignment and stream restoration. The targeted restoration also could prevent erosion caused by flood flows that occurs elsewhere along the stream, which would prevent imminent damage to stone retaining walls downstream.

Under Klinge Creek Restoration Option B stream channel stabilization would occur along the majority of Klinge Creek. This would potentially result in the demolition, relocation and rehabilitation of historic retaining walls and culvert features in areas where stream channel restoration and realignment are required. Rehabilitation of each retaining wall will be evaluated on a case-by-case basis in coordination with DC HPO and NPS once more detailed trail and stream design is completed to fully determine the need for and location of each wall in relationships to the trail alignment and stream restoration. The existing structural integrity and location of the retaining walls and culvert features would be considered to determine the appropriate approach to rehabilitate the walls in accordance with the *Secretary of the Interior's Guidelines for the Treatment of Historic Properties*. Rehabilitation of the retaining walls and/or culvert features, given their current dilapidated condition, would have a net benefit to the valley.

#### Adjacent Historic Properties

Klinge Creek Stream Restoration Options A and B would have no effect on nearby historic properties eligible for listing or listed in the NRHP such as the Cleveland Park Historic District, the Tregaron Estate, the Embassy of India Ambassador's Residence, Connecticut Avenue Bridge, Kennedy-Warren Apartment Building, Woodley Park Towers Apartment Building, and National Zoological Park. The stream restoration activities would remain within the DDOT right-of-way and adjacent NPS property. Additionally, Klinge Valley is located in a steep wooded ravine, which limits visibility to and from many of these sites. Moreover, the stream restoration options are more likely to have a positive effect on the views from the Connecticut Avenue Bridge, Kennedy-Warren Apartment Building, and the Woodley Park Towers Apartment Building since they would rehabilitate and preserve the natural appearance of the stream channel. The Action Alternatives would not have an adverse effect on the characteristics of these properties that qualify them for the National Register.

### **Access to Rock Creek Trail Options A, B, C and C-Modified (Preferred Option)**

Access to Rock Creek Trail Option A would not have an effect on historic resources since it would not change the alignment of Klingle Road or require additional grading beyond what is proposed in the trail and stream alternatives. Similarly, Options B *and C-Modified* would not have an effect on historic resources since these options would simply dedicate a portion of the existing road as a bike lane. These options would not affect the alignment of Klingle Road or require additional grading.

Access to Rock Creek Trail Option C would not have an effect on Klingle Road, since the extended trail would follow the existing alignment of the road. However, Rock Creek Trail Option C would require additional grading, although this disturbance is limited to 0.22 acres. Even so, the grading has the potential to have a very limited effect on retaining walls and culvert features. However, these impacts would be avoided through measures to stabilize, rehabilitate, or rebuild retaining walls.

### **Lighting Options A and B (Preferred Option)**

Lighting Options A and B would have no effect on nearby historic properties eligible for listing or listed in the NRHP such as the Cleveland Park Historic District, the Tregaron Estate, the Embassy of India Ambassador's Residence, Connecticut Avenue Bridge, Kennedy-Warren Apartment Building, Woodley Park Towers Apartment Building, and National Zoological Park. The lights would remain within the DDOT right-of-way. Additionally, Klingle Valley is located in a steep wooded ravine, which limits visibility to and from many of these sites. The Lighting Options would not have an adverse effect on the characteristics of historic properties that qualify them for the National Register.

## **4.2.2 Cultural Landscape**

### **Alternative 1 – No Action Alternative**

#### *Klingle Road and Klingle Valley*

Under the No Action Alternative, DDOT would not convert Klingle Road into a multi-use trail. The roadway would continue to be barricaded and closed to the public due to its severely deteriorated condition and safety concerns. The road surface would continue to deteriorate due to uncontrolled stormwater runoff and erosion of the underlying ground. There would be a slow change to the associations or feeling of the cultural landscape with the continued erosion and degradation of the road and retaining walls. Ultimately, the No Action Alternative would result in the continued destruction of contributing elements (stone walls). There would be no change to the location of the transportation route

In addition to resulting in the physical destruction of Klingle Road, the No Action Alternative would have an indirect effect on the natural setting of Klingle Valley. The topography of the ravine is unstable due to stream bank erosion. The continued lack of adequate stormwater management infrastructure and streambank stabilization under the No Action Alternative would result in a further widening of the stream channel. The resulting unchecked erosion would

undermine the steep slopes on the adjacent hillside, further compromising the natural setting of Klingle Valley.

In summary, the No Action Alternative would have a minor long-term impact to cultural landscapes because of the continued deterioration of the road infrastructure, natural setting, and scenic qualities of Klingle Valley.

### **Alternatives 2 (*Preferred Alternative*), 3 and 4**

#### *Klingle Road and Klingle Valley*

The Action Alternatives would result in the rehabilitation of the historically significant transportation route. Although the Action Alternatives would convert a former automobile parkway into a multi-use trail for pedestrians and cyclists, the Action Alternatives would preserve the essential features, feeling and location of the parkway, providing public access to and recreational opportunities within Rock Creek Park. The parkway was designed in the first decades of the twentieth century to provide public enjoyment of Klingle Valley while preserving and enhancing the natural landscape of the tributary stream.

The Action Alternatives share the same proposed trail alignment. Although the route of the multi-use trail would differ slightly from the course of the current roadway, the realignment is limited to the 50-foot wide DDOT right-of-way. This restriction ensures that the multi-use trail will principally retain the course of the existing roadway, albeit with minor deviations in certain areas to avoid steep grades, ensure safety, and allow for the restoration of the stream channel. Under the Action Alternatives, the proposed multi-use trail would be narrower than the existing 25-foot wide road (either 10 feet wide under Alternatives 2 and 4 or 12 feet wide under Alternative 3). However, when combined with the clearzones and the adjacent drainage swale, the open corridor through the valley would approximate the current road width. Of the three Action Alternatives, the widest trail, Alternative 3, would most closely match the width of the former parkway.

The trail surface proposed in the Alternatives 2 and 4 would be compatible with the historic character of Klingle Valley in color and materials and would not detract from the natural setting. The road surface is currently asphalt, which provides a muted appearance. The permeable surfaces under consideration for the trail, including porous concrete, asphalt, or rubber, would achieve this same effect. The impervious trail surface proposed in Alternative 3 would retain the appearance of the existing road surface through the use of asphalt.

The proposed trail alignment would result in the removal of some mature trees and vegetation. The removal of vegetation would likely be most expansive under the wider trail proposed in Alternative 3. The wooded quality of Klingle Valley is intrinsic to its natural setting and is a defining feature of the tributary park. The Action Alternatives would have potential for effects from the loss of mature trees and vegetation that comprise the natural setting of Klingle Valley and the demolition or continued deterioration of stone retaining walls and culvert features. Therefore, Alternatives 2, 3, and 4 include measures to minimize vegetation loss, and protect and

replant trees. Furthermore, FHWA and DDOT, as part of the Klingle Valley remediation in combination with considerations for the trail alternatives and stream restoration, have included as part of the proposed action to stabilize, rehabilitate, or reconstruct retaining walls in accordance with the *Secretary of the Interior's Guidelines for the Treatment of Historic Properties*. Rehabilitation of each retaining wall will be evaluated on a case-by-case basis in coordination with DC HPO and NPS once more detailed trail and stream design is completed to fully determine the need for and location of each wall in relationships to the trail alignment and stream restoration.

### **Klingle Creek Restoration Options A and B (Preferred Option)**

#### *Klingle Road and Klingle Valley*

The Klingle Creek Restoration Options A and B would not have an effect on the historic qualities of Klingle Road since they would not affect the proposed alignment, width, or surface material of the trail.

As with the trail alternatives, the proposed stream restoration would result in the removal of some mature trees and vegetation. Klingle Creek Restoration Option A would result in up to 1.36 acres of impacts to vegetation and removal of up to 37 large trees, up to 7 of which are on NPS land. Klingle Creek Restoration Option B would result in 2.57 acres of impacts to vegetation and removal of up to 54 large trees, up to 21 of which are on NPS land. As previously mentioned, the wooded quality of Klingle Valley is intrinsic to its natural setting and is a defining feature of the tributary park. Klingle Creek Restoration Options would have potential for effects from the loss of mature trees and vegetation that comprise the natural setting of Klingle Valley and the demolition or continued deterioration of stone retaining walls and culvert features. Therefore, the proposed action includes measures to minimize vegetation loss, and protect and replant trees. Furthermore, FHWA and DDOT, as part of the Klingle Valley remediation in combination with considerations for the trail alternatives and stream restoration, have included as part of the proposed action to stabilize, rehabilitate, or reconstruct retaining walls in accordance with the *Secretary of the Interior's Guidelines for the Treatment of Historic Properties*. Rehabilitation of each retaining wall will be evaluated on a case-by-case basis in coordination with DC HPO and NPS once more detailed trail and stream design is completed to fully determine the need for and location of each wall in relationships to the trail alignment and stream restoration.

### **Access to Rock Creek Trail Options A, B, C and C-Modified (Preferred Option)**

Access to Rock Creek Trail Option A would not have an effect on historic resources since it would not change the alignment of Klingle Road, alter the natural setting of Klingle Valley, or require additional grading beyond what is proposed in the trail and stream alternatives. Additionally, the trailhead would not impact views from nearby historic properties. Similarly, Options B *and C-Modified* would not have an effect on historic resources since these options would simply dedicate a portion of the existing road as a bike lane. These options would not

affect the alignment of Klingle Road, alter the natural setting of Klingle Valley, require additional grading, or affect views from other historic properties.

Access to Rock Creek Trail Option C would not have an effect on *the historic qualities of* Klingle Road, since the extended trail would follow the existing alignment of the road. However, Rock Creek Trail Option C would require additional grading, although this disturbance is limited to 0.22 acres. Even so, the grading has the potential to have a very limited effect on vegetation and retaining walls and culvert features. However, these impacts would be avoided through measures to preserve and replant vegetation, and stabilize, rehabilitate, or rebuild retaining walls.

#### **Lighting Options A and B (Preferred Option)**

The Lighting Options would not have an effect on the historic qualities of the cultural landscape. The road alignment has been illuminated in the past when the road was functional. The lighting would not affect the proposed alignment, width, or surface material of the trail. The lighting would be slightly visible from other historic properties along the alignment because of the valley is steep and well below these properties. Also, there is existing lighting on the Connecticut Avenue Bridge, nearby apartment buildings, and resident properties, which further minimize any effect the lighting, would have on the cultural landscape.

Lighting Option B would have a minor long-term site-specific impact on the natural setting of Klingle Valley. Lighting fixtures would be designed to minimize their impact on the natural setting. *Lighting Option B would be timed to correspond with commuter use of the trail.*

### **4.2.3 Archeological Resources**

#### **Alternative 1 – No Action Alternative**

The District of Columbia archaeological site files indicate that no archeological investigations have been conducted and no archeological sites have been identified or evaluated in Klingle Valley. However, the identification of prehistoric Native American archaeological sites in similar small tributary stream valleys during recent NPS-sponsored archeological investigations of Rock Creek Park suggest that the Klingle Valley project area has a moderate to high potential for undiscovered archaeological resources. While it is possible that prior ground disturbing activities associated with road construction and stream movement in the project area have disturbed or destroyed any archeological resources that may have been present, consideration of the effects of the proposed alternatives on archeological resources is merited. In the event that archeological resources are present, Alternative 1 is likely to have an effect on archeological resources due to the widening of the stream channel and stream bank erosion. The gradual, long-term loss of unknown archeological resources caused by erosion would constitute an indirect effect.

### **Alternatives 2 (Preferred Alternative), 3 and 4**

The District of Columbia archaeological site files indicate that no archeological investigations have been conducted and no archeological sites have been identified or evaluated in Klingle Valley. However, the identification of prehistoric Native American archaeological sites in similar small tributary stream valleys during recent NPS-sponsored archeological investigations of Rock Creek Park suggest that the Klingle Valley project area has a moderate to high potential for undiscovered archaeological resources. It is assumed that prior ground disturbing activities associated with road construction in the project area have disturbed or destroyed any archeological resources that may have been present. Therefore, there is a low to moderate potential for intact archaeological resources under Alternatives 2, 3, and 4. *Through consultation by FHWA with the DC HPO under the Section 106 process, FHWA determined that the proposed undertaking would include a geoarcheological study of the Klingle Valley Trail project area. This study would be conducted prior to ground-disturbing activities. Such a study would determine whether intact landforms are present within the limit of disturbance, including landforms currently covered by the existing road. If the geoarcheological survey determined that the limit of disturbance retains subsurface integrity and has the potential for previously unrecorded archeological resources, traditional archeological survey methods, including shovel text pit excavations and visual inspection of exposed surfaces and stream cutbanks, would be employed as discovery methods. The DC HPO provided concurrence (June 18, 2010) with FHWA's finding of no adverse effect.* If archeological resources are found, FHWA would consult with DC HPO on measures to avoid or mitigate the potential adverse impacts to these resources.

### **Klingle Creek Restoration Options A and B (Preferred Option)**

Both Klingle Creek Restoration Options A and B would require varying degrees of grading of stream banks, and therefore have the potential to impact unidentified archeological resources. The limits of disturbance for both creek restoration options include areas that appear to have been less impacted by previous disturbances although natural causes such as stream migration and erosion may have destroyed any resources present. Given the reduced scale of previous impacts, the creek restoration areas would have a moderate to high potential for the presence of archaeological sites, with the potential increasing with size of the limit of disturbance options. *Through consultation by FHWA with the DC HPO under the Section 106 process, FHWA determined that the proposed undertaking would include a geoarcheological study of the Klingle Valley Trail project area. This study would be conducted prior to ground-disturbing activities. Such a study would determine whether intact landforms are present within the limit of disturbance, including landforms currently covered by the existing road. If the geoarcheological survey determined that the limit of disturbance retains subsurface integrity and has the potential for previously unrecorded archeological resources, traditional archeological survey methods, including shovel text pit excavations and visual inspection of exposed surfaces and stream cutbanks, would be employed as discovery methods. The DC HPO provided concurrence (June 18, 2010) with FHWA's finding of no adverse effect.* If

archeological resources are found, FHWA would continue consultation with DC HPO on measures to avoid or mitigate the potential adverse impacts to these resources.

**Access to Rock Creek Trail Options A, B, C and C-Modified (Preferred Option)**

Access to Rock Creek Trail Options A, B and C-Modified would not have an effect on archeology because no additional grading or ground disturbance would occur. Option C would require additional grading, although this disturbance is limited to 0.22 acres. Even so, the grading has the potential to have a very limited effect on vegetation, retaining walls and culvert features. However, these impacts would include measures to preserve and replant vegetation, stabilize, rehabilitate, or rebuild retaining walls, and efforts to minimize and avoid the potential impacts on archeological resources.

**Lighting Options A and B (Preferred Option)**

The Lighting Options would not have an effect on archeology because no additional grading or ground disturbance would occur.

**4.2.4 Paleontological Resources**

**Alternative 1, Alternatives 2 (Preferred Alternative) 3 and 4**

No known paleontological resources exist within Klingle Valley. However, if such resources would be uncovered during construction, work would be halted and a study conducted. Since no known resources exist within the project area, no impact to paleontological resources would occur from the No Action or the Action Alternatives.

**Klingle Creek Restoration Options A and B (Preferred Option)**

As with the trail alternatives, no resources are present.

**Access to Rock Creek Trail Options A, B, C and C-Modified (Preferred Option)**

As with the trail alternatives, no resources are present.

**Lighting Options A and B (Preferred Option)**

As with the trail alternatives, no resources are present.

**4.2.5 Cultural Resources Summary**

The proposed trail and stream restoration alternatives for the Klingle Valley Trail would redevelop Klingle Road into a multi-use trail and restore portions of Klingle Creek. The proposed action, which is consistent with the 2008 Act, also includes actions to remediate Klingle Valley. In general, Alternatives 2, 3, and 4, in combination with one of the Klingle Creek Restoration Options, would have a long-term benefit on historic properties and the cultural landscape because of the removal of the deteriorated infrastructure in the valley, bank stabilization of the existing Klingle Creek, and the rehabilitation of retaining walls and culvert features. Each alternative also retains the approximate historic transportation alignment and corridor. The analysis revealed that trail alternatives and stream restoration options would have potential for effects from the loss of mature trees and vegetation that comprise the natural setting

of Klingle Valley and the demolition or continued deterioration of stone retaining walls and culvert features. Therefore, Alternatives 2, 3, and 4 include measures to minimize vegetation loss, and protect and replant trees. Furthermore, FHWA and DDOT, as part of the Klingle Valley remediation in combination with considerations for the trail alternatives and stream restoration, have included as part of the proposed action to stabilize, rehabilitate, or reconstruct retaining walls in accordance with the *Secretary of the Interior's Guidelines for the Treatment of Historic Properties*. Rehabilitation of each retaining wall will be evaluated on a case-by-case basis in coordination with DC HPO and NPS once more detailed trail and stream design is completed to fully determine the need for and location of each wall in relationships to the trail alignment and stream restoration. Alternatives 2, 3, and 4, when coupled with these actions to remediate the valley, would have no adverse impacts to surrounding historic properties and overall, most historic properties would benefit from the aesthetic improvements, rehabilitation of retaining walls, and stream stabilization measures to Klingle Valley and Klingle Creek. Based on FHWA consultation with DC HPO, the proposed undertaking would have no adverse effect in terms of the Section 106 analysis. ***The complete Assessment of Effects Report and DC HPO concurrence letter is presented in Appendix B of this EA.***

### 4.3 Socioeconomic Resources

#### 4.3.1 Land Use

The methodology used to determine the environmental consequences to land use was derived from the potential for changes to land use as a result of the implementation of any of the Action Alternatives.

##### **Alternative 1 – No Action Alternative**

Land use surrounding Klingle Valley is either developed to full or near full capacity, or protected against development by park legislation. It is unlikely that the privately and Federally owned land parcels would be impacted by the No Action Alternative, and DDOT would continue to maintain and manage the right-of-way within Klingle Valley. An application for subdivision of the historic Tregaron Property was approved by the ***DC HPO, in exchange for the landowner's donation of approximately 13 acres for permanent open space preservation on the historic property***, in March 2006. ***However***, the Decision and Order approving the subdivision acknowledges that five of the properties would have frontage on “that portion of Klingle Road which is currently closed to traffic” (DC HPO, 2006). ***Additionally, the Decision and Order did not infer or imply access to the five properties from Klingle Road and there has never been an access road on the portion of the Tregaron property that frontage on the barricaded segment of Klingle Road, between Portland Street, NW and Cortland Place, NW.*** Klingle Road has been barricaded to traffic since 1991 and land use has not changed significantly during the 19 years of closure. Therefore the No Action Alternative would have a negligible impact on future land use.

### **Alternatives 2 (*Preferred Alternative*), 3 and 4**

Alternatives 2, 3, and 4 are consistent with the District's 2006 *Revised Comprehensive Plan*, which calls for preservation and improvement of the natural environment and improvement of multi-modal access to Rock Creek Park in both the Rock Creek East and West Area Elements (DC OP). The Action Alternatives would convert the barricaded portion of Klingle Road to a *primarily* non-motorized, *bicycle and pedestrian facility and would maintain the existing right-of-way in the events of emergency and utility and maintenance work, when limited motorized transportation use is required*. However, this segment has been barricaded for *over* 19 years, and use of the roadway as a motorized transportation route has been nonexistent during this time. Under all Action Alternatives, DDOT would maintain the right-of-way for the proposed multi-use trail, and the barricaded segment of Klingle Road would continue to be used as a transportation corridor for non-motorized uses. However, a 10-foot to 12-foot multi-use trail would provide improved access to Klingle Valley for *motorized utility and maintenance* vehicles and emergency response vehicles.

It is unlikely that building a trail would promote new development especially considering the current surrounding land uses; the majority of which are either protected parkland or low to high residential areas near full build out. Potential impacts to the proposed Tregaron Property subdivision are *expected to be negligible because of the fact that Klingle Road was closed to traffic as acknowledged and known at the time the land owner donated the property in exchange for the subdivision. The Decision and Order did not infer or imply access to the five properties from Klingle Road. Additionally*, Klingle Road has been barricaded to traffic since 1991, and land use has not changed significantly during the 19 years *since the barricade. The construction of a multi-use trail along Klingle Road does not eliminate access to the Tregaron Property because no access exists or had existed to the Tregaron Property portion that frontage on the barricaded segment of Klingle Road, between Portland Street, NW and Cortland Place, NW. Additionally, maps and plans of the Tregaron site show that the Tregaron property can be accessed from other locations*. Therefore, Alternatives 2 (*the Preferred Alternative*), 3, and 4 would have negligible impacts on land use.

### **Klingle Creek Restoration Options A and B (*Preferred Option*)**

The Klingle Creek Restoration Options would have no impact on land use because Klingle Creek within the project area would continue to be used as parkland.

### **Access to Rock Creek Trail Options A, B, C and C-Modified (*Preferred Option*)**

The proposed Access to Rock Creek Trail Options A, B, C *and C-Modified* would have no impact on land use because all of the proposed options would occur within DDOT right-of-way.

### **Lighting Options A and B (*Preferred Option*)**

The lighting options would have no impact on land use.

### 4.3.2 Demographics

#### **Alternative 1 – No Action Alternative**

Under the No Action Alternative, a multi-use trail would not be constructed within the DDOT right-of-way, and existing conditions would remain unchanged. There would be no impact to demographics under the No Action Alternative.

#### **Alternatives 2 (*Preferred Alternative*), 3 and 4**

The proposed Klingle Valley Trail would be constructed within existing DDOT right-of-way and would not result in any residential relocations, nor would it directly affect populations in the project area. The Action Alternatives would have no impact on population distribution within the project area.

#### **Klingle Creek Restoration Options A and B (*Preferred Option*)**

The Klingle Creek Restoration Options would not result in any residential relocations and would have no impact on demographics.

#### **Access to Rock Creek Trail Options A, B, C and C-Modified (*Preferred Option*)**

The proposed Access to Rock Creek Trail Options A, B, C and C-Modified would not result in any residential relocations and would therefore have no impact on demographics.

#### **Lighting Options A and B (*Preferred Option*)**

Lighting Options A and B would have no impact on demographics.

### 4.3.3 Zoning

#### **Alternative 1 – No Action Alternative**

There would be no change in zoning, and therefore no impact under the No Action Alternative.

#### **Alternatives 2 (*Preferred Alternative*), 3 and 4**

Under the Action Alternatives, construction of a multi-use trail would not change zoning within or surrounding the project area; therefore there would be no impact to zoning.

#### **Klingle Creek Restoration Options A and B (*Preferred Option*)**

The Klingle Creek Restoration Options would have no impact to zoning because no changes to zoning would occur.

#### **Access to Rock Creek Trail Options A, B, C and C-Modified**

The proposed Access to Rock Creek Trail Options A, B, C and C-Modified would have no impact to zoning because no changes to zoning would occur.

#### **Lighting Options A and B (*Preferred Option*)**

The proposed Lighting Options A and B would have no impact to zoning because no changes to zoning would occur.

#### **4.3.4 Environmental Justice**

##### **Alternative 1 – No Action Alternative/Alternatives**

Under the No Action Alternative, a multi-use trail would not be constructed within DDOT right-of-way and maintenance activities would occur as with existing conditions. No impacts to low-income or minority populations would occur under the No Action Alternative.

##### **Alternatives 2 (*Preferred Alternative*), 3 and 4**

The Action Alternatives would not result in impacts to low-income or minority populations. During the public scoping period prior to the public meetings for the project, advertisements were placed in several area newspapers, including The Washington Informer African American Paper, and El Tiempo Latino Spanish newspaper, The Washington Post, The Current Newspapers, and postings were made to the surrounding communities' and ANC listservs, as well as the project website. A contact was provided with each advertisement for individuals to request special assistance or translation services during the meetings, and English and Spanish versions of meeting handouts were available at each public meeting or upon request (please see the Public Involvement section of this EA).

##### **Klingle Creek Restoration Options A and B (*Preferred Option*)**

The Klingle Creek Restoration Options would have no impact to low-income or minority populations.

##### **Access to Rock Creek Trail Options A, B, C and C-Modified (*Preferred Option*)**

The proposed Access to Rock Creek Trail Options would have no impact on low-income or minority populations.

##### **Lighting Options A and B (*Preferred Option*)**

The proposed Lighting Options A and B would have no impact on low-income or minority populations.

#### **4.3.5 Economics and Development**

##### **Alternative 1 – No Action Alternative**

Under the No Action Alternative, a multi-use trail would not be constructed. No impact would occur to existing economics and development.

##### **Alternatives 2 (*Preferred Alternative*), 3 and 4**

The Action Alternatives would not change employment or development in the project area. Minimal employment opportunities and some related revenues would result from the construction of the proposed project. While construction activities have the potential to be beneficial, the relatively small scope of the project makes economic impacts negligible and short-term in nature.

**Klinge Creek Restoration Options A and B (Preferred Option)**

The Klinge Creek Restoration Options would have negligible benefits to economics and development during construction due to the relatively small scope and short duration of the project.

**Access to Rock Creek Trail Options A, B, C and C-Modified (Preferred Option)**

The proposed Access to Rock Creek Trail Options would also have negligible benefits to economics and development during construction due to the relatively small scope and short duration of the project.

**Lighting Options A and B (Preferred Option)**

Lighting Options A and B would have no impact on economics and development.

**4.3.6 Joint Development****Alternative 1 – No Action Alternative**

The No Action Alternative would have no impact on joint development, since there are no proposed or existing joint developments within or surrounding the project area.

**Alternatives 2 (Preferred Alternative), 3 and 4**

There are no developments in or adjacent to Klinge Valley which would be enhanced through the implementation of Alternatives 2, 3 and 4. Therefore, no impacts to joint development would occur.

**Klinge Creek Restoration Options A and B (Preferred Option)**

The Klinge Creek Restoration Options would have no impacts to joint development because there are no proposed or existing joint developments within or surrounding the project area.

**Access to Rock Creek Trail Options A, B, C and C-Modified (Preferred Option)**

The proposed Access to Rock Creek Trail Options would have no impacts to joint development because there are no proposed or existing joint developments within or surrounding the project area.

**Lighting Options A and B (Preferred Option)**

The proposed Lighting Options A and B would have no impacts to joint development because there are no proposed or existing joint developments within or surrounding the project area.

**4.3.7 Aesthetics and Visual Quality**

NEPA requires the examination of environmental impacts of a Federal project including those associated with the visual and aesthetic quality of a project area.

**Alternative 1 – No Action Alternative**

The No Action Alternative would not result in a change to the existing visual quality associated with the deteriorated condition of the project area. The barricaded portion of Klinge Road has

been damaged by the forces of uncontrolled stormwater, which has resulted in significant erosion and sedimentation. Portions of the roadbed, jersey barriers, and stones from retaining walls have been washed into Klingle Creek, and existing vegetation and large trees have been damaged.

The No Action Alternative would have a long-term impact on visual quality to and from Klingle Valley as unchecked stormwater continues to cause erosion, affecting the existing roadbed, slopes, and vegetation. These impacts would be minor, since Klingle Valley has been barricaded to the public.

### **Alternatives 2 (*Preferred Alternative*), 3 and 4**

Existing views to and from Klingle Valley are largely obscured by the heavily vegetated steep slopes leading into the Valley, particularly in the growing season. Alternatives 2, 3 and 4 would include construction activities such as removal of pavement and replacement with trail surface, regrading of eroded areas, removal of debris from Klingle Creek and Valley, rebuilding of retaining walls, stream bank stabilization, installation of amenities, and other construction related activities. These construction activities would have minor short-term impacts on views to the project area.

The Action Alternatives include restoration of Klingle Valley, which would provide aesthetics that are consistent with the natural surroundings of the adjacent Rock Creek Park. DDOT would apply context sensitive design elements that would further increase the visual quality of the project area and cause the trail to blend more harmoniously with the surrounding natural environment. Therefore, the Action Alternatives would enhance views, providing a minor long-term site-specific benefit.

### **Klingle Creek Restoration Options A and B (*Preferred Option*)**

Under the Klingle Creek Restoration Options, DDOT would apply context sensitive design elements to blend in with the natural setting of Klingle Valley and Rock Creek Park. Restoration of the Klingle Creek in locations where there is visible vegetation damage, erosion, and/or debris would increase the visual quality of the project area. Therefore, the Klingle Creek Restoration Options would enhance visual quality, providing a minor long-term site-specific benefit.

### **Access to Rock Creek Trail Options A, B, C and C-Modified (*Preferred Option*)**

Access to Rock Creek Trail Option A would have no additional impacts on visual quality because the proposed trailhead would occur under all Action Alternatives. Under Options B, C, *and C-Modified*, construction impacts would be negligible, short-term, and site-specific. Following construction, the shared-use road or multi-use trail would follow or be adjacent to the existing roadway. As with the Action Alternatives, DDOT would apply context sensitive design for Options B, C, *and C-Modified*, and the trail connections would blend with the surrounding environment. Visual impacts would be negligible.

### **Lighting Options A and B (Preferred Option)**

Lighting Option A would have no impact on aesthetics or visual quality. Lighting Option B would have minor long-term site-specific impacts on views to the project area as lighting would add an additional visual element to the project. An unobtrusive design would be used to minimize impacts from lighting fixtures. *Additionally, lighting would be timed to coincide with commuter use of the trail.*

### **4.3.8 Health and Safety**

#### **Alternative 1 – No Action Alternative**

Under the No Action Alternative, the project area would remain in hazardous condition posing a continued threat to public safety for those who use Klingle Valley illegally. Although barricades block the entrance, pedestrians and cyclists who skirt the security would continue to be at risk of injury due to the broken pavement and weakened subsurface. In addition, a criminal element may be attracted to the desolate nature of the barricaded roadway. The deteriorated condition of the existing roadbed would pose difficulties for emergency response to Klingle Valley if needed by those who have bypassed the barriers. The current deteriorated state of the roadbed and continued use of Klingle Valley by individuals bypassing the existing barriers creates a moderate long-term local impact to public health and safety.

#### **Alternatives 2 (Preferred Alternative), 3 and 4**

Under the Action Alternatives, overall impacts to public health and safety would be improved over existing conditions. Although barricaded with jersey barriers and “no trespassing” signs, the deteriorated roadway is currently used by pedestrians and bicyclists who skirt the barriers. The Action Alternatives would include the removal of the undermined roadway and debris from Klingle Valley and Klingle Creek, and a sustainable multi-use trail would be constructed within the existing DDOT right-of-way.

Measures to benefit health and safety could be incorporated using design strategies that deter criminal behavior, such as clearly marked trailheads and signage. Potential lighting options, which would be coordinated with DDOT and NPS as more detailed design occurs, could also deter criminal behavior. A 10-foot to 12-foot multi-use trail and additional shoulders would also safely accommodate emergency response and utility vehicles. Design features at the trailheads would be used to block access to unauthorized motorized vehicles, but allow access for emergency response and utility vehicles. Such trailhead features may include, but would not be limited to, lockable bollards or landscaping treatments that would exclude unauthorized motorized vehicles but allow passage by utility or emergency response vehicles. Overall, the Action Alternatives would result in a moderate long-term local benefit to public health and safety over existing conditions because a new multi-use trail would provide legal and safe access to Klingle Valley for bicyclists and pedestrians, as well as emergency response and utility vehicles.

**Klinge Creek Restoration Options A and B (Preferred Option)**

Under Klinge Creek Restoration Options A and B, debris would be removed from Klinge Creek and the stream banks and channel would be stabilized, which would result in safety improvements for visitors. A minor long-term site-specific benefit would result.

**Access to Rock Creek Trail Options A, B, C and C-Modified (Preferred Option)**

Access to Rock Creek Trail Option A would provide a trailhead at the east end of the project area. Users would traverse the existing Klinge Road to connect to and from Rock Creek Trail, existing sidewalk on Porter Street, and other points east. Traffic volumes on Klinge Road east of the barricaded portion are very low; in turn, sight distance is good and there is low potential for conflict between motorized vehicles and pedestrians or bicycles. Under Option A, access to Rock Creek Park Trail and points east would remain the same as under existing conditions. Therefore there would be no impact to health and safety under Option A.

Under Access to Rock Creek Trail Options B, C, *and C-Modified*, pavement markings would designate a bicycle/pedestrian lane along existing Klinge Road, leading to a shared-use roadway or multi-use trail that would connect to Rock Creek Trail. Physical barriers would be constructed to separate bicyclists and pedestrians from vehicular traffic. Adequate lane width would be provided for both motorized and non-motorized users. While potential for conflicts among the different types of users is already minimal due to low vehicular traffic volumes at this location, the addition of clearly marked shared lanes and physical barriers would result in a minor long-term local benefit to health and safety for all types of users.

**Lighting Options A and B (Preferred Option)**

Lighting Option A would result in a minor long-term site-specific impact to health and safety, since there would be no lighting at night. Generally, DDOT trails are open 24 hours a day and therefore, Klinge Valley Trail would be accessible after dark. Safety would be compromised by use of the trail after dark since the area is heavily wooded.

Lighting Option B would result in a minor long-term site-specific benefit to health and safety by providing **limited** night lighting for trail users accessing Klinge Valley after dark.

**4.3.9 Community Resources****Alternative 1 – No Action Alternative**Emergency Services

The No Action Alternative would have no impact on emergency services in the general project vicinity. Klinge Road has been barricaded to vehicular traffic for nearly 19 years without any known impacts to emergency response times to points east and west of the study area (Louis Berger Group, 2005). Alternative routes have been used over the last 19 years by Fire, Rescue, and Police personnel to respond to emergencies. While the barricaded portion of Klinge Road has been closed to the public for 19 years, individuals continue to bypass the barricades to access Klinge Valley. In the case of an emergency, the No Action Alternative would continue to limit

access of emergency services to the bottom of Klingle Valley because of existing barricades and roadway conditions. Therefore, long-term impacts would occur under the No Action Alternative; however, these impacts would be minor in the context of the study area.

### Schools

Under the No Action Alternative, the project area would remain closed to the public; therefore, it is not anticipated that this alternative would have any appreciable impact to schools. The public would continue to access these community resources using other roadways, trails, bike lanes, and sidewalks in and around the Klingle Valley Trail study area. The No Action Alternative would have no impacts to schools in the study area.

### Parks and Recreation Areas

The No Action Alternative would have no direct impact on NPS land or the National Zoological Park. However, continued lack of maintenance of the project area would induce indirect impacts on the natural and biological resources of NPS lands. Erosion and sedimentation would gradually worsen as the road structure deteriorates, causing continued sedimentation and debris falling into Klingle Creek. The No Action Alternative would result in moderate long-term indirect impacts to NPS land, natural and biological resources, and the water quality of Klingle and Rock Creeks if Klingle Valley is left in its current state and maintenance/clean-up is not performed.

## **Alternatives 2 (Preferred Alternative), 3 and 4**

### Emergency Services

Under the Action Alternatives, it is anticipated that impacts to emergency response would be relatively similar to the No Action Alternative. However, there would be a minor long-term local benefit with Alternatives 2, 3 and 4 because emergency response vehicles would have adequate access to the bottom of the valley in an emergency situation via a 10-foot or 12-foot wide multi-use trail with 2-foot shoulders.

### Schools

Area schools have been accessed by routes other than the barricaded portion of Klingle Road for 19 years. A new east-west pedestrian and bicycle route, which would connect to the larger area trail and bicycle network, may provide a shorter or more appealing route to access local schools for some users. However, this benefit would be minor in the context of the region.

### Parks and Recreation Areas

Alternatives 2, 3 and 4 would include short-term construction impacts to NPS lands. The Action alternatives would also have minor short-term impacts to the National Zoological Park due to construction related activities. These impacts would likely be a result of noise generated from construction equipment and from general construction activities associated with building the trail and restoring Klingle Creek. These impacts would also be of short duration. The National Zoological Park is located well above the Klingle Valley Trail project area on a heavily vegetated slope; therefore, visual impacts would not occur.

**Klingle Creek Restoration Options A and B (Preferred Option)**

Klingle Creek restoration activities would take place outside of existing DDOT right-of-way and would require temporary construction activities on NPS land. However, these impacts would be of short duration (8 to 12 months). Following construction, the restored Klingle Creek would result in a net benefit to the protected parkland. The requirements of Section 4(f) do not apply as the officials with jurisdiction, NPS, would be in agreement with the temporary occupancy requirements as set forth in 23 CFR 774.13 because restoration of Klingle Creek would have a local long-term benefit to park resources. Coordination between DDOT, FHWA, and NPS would continue. See Permits and Authorization, Section I, for more information.

**Access to Rock Creek Trail Options A, B, C and C-Modified (Preferred Option)**

The construction of the Access to Rock Creek Trail Options are anticipated to have negligible impacts to community resources, as access to schools, parks, and for emergency and utility vehicles would be maintained along the existing roadways during construction.

**Lighting Options A and B (Preferred Option)**Emergency Services

Lighting Option A would result in a negligible long-term impact to emergency services, since no lighting would be provided should the trail need to be accessed by emergency vehicles after dark.

Lighting Option B would result in a negligible long-term benefit to emergency services by providing *limited* lighting for access by emergency vehicles after dark.

Schools

There would be no impact to schools Lighting Options A or B.

Parks and Recreation Areas

Lighting Option A would have no impact to NPS lands.

According to NPS Management Policies (2006), the goal of the NPS is to “restrict the use of artificial lighting in parks to those areas where security, basic human safety, and specific cultural resource requirements must be met.” Lighting of Klingle Valley Trail is considered a safety issue since, as a DDOT-owned trail it would be open 24 hours a day. Prior to 1991, Klingle Road was lined with Street Lights. Under Lighting Option B only minimal-impact lighting techniques would be considered and incorporated into more detailed design. There would be a long-term, minor, site-specific impact to NPS land under Lighting Option B.

**4.3.10 Utilities and Infrastructure**

Impacts to utilities and other infrastructure were assessed through coordination with various utilities companies to determine existing infrastructure and utility demands. Utility coordination would continue into the design phase of the project.

**Alternative 1 – No Action Alternative**

Under the No Action Alternative, existing utilities within Klingle Valley could be threatened by uncontrolled stormwater. In addition, the present condition of the roadbed and other infrastructure restricts access of utility vehicles to Klingle Valley for needed maintenance activities. Because of the threat of uncontrolled stormwater to existing infrastructure and the restricted access needed by utility vehicles for routine and emergency maintenance, the No Action Alternative would result in moderate site-specific impacts to utilities in Klingle Valley.

**Alternatives 2 (*Preferred Alternative*), 3 and 4**

During construction of the Action Alternatives, existing utilities in Klingle Valley such as those that run under Klingle Road, and parallel to or across Klingle Creek, would have to be considered. DDOT would continue to coordinate with utility companies during design and construction to avoid utilities where possible, and the contractor would be required to contact “Miss Utility” to identify and mark all utilities prior to earth disturbance. With appropriate avoidance, construction activities would have no impact on existing utilities and infrastructure in the area.

Implementation of Alternatives 2, 3 and 4 would upgrade existing cross culverts and pipes and would not have any additional demand on utilities in the corridor. If lighting were included in later design, an electric utility line may be needed, but this line would be unlikely to impact service in the area. According to PEPCO, existing conduits for electric lines may be present within the project area; however, power has been terminated.

Under all Action Alternatives, a 10-foot to 12-foot multi-use trail with 2-foot shoulders would be designed to accommodate utility vehicles. Currently, access to Klingle Valley for routine and emergency utility maintenance is restricted due to the deteriorated conditions.

Because of the minor improvements to utility infrastructure that would be required as part of the project, and because access for utility vehicles to Klingle Valley would be improved, a minor long-term site-specific benefit would result under the Action Alternatives.

**Klingle Creek Restoration Options A and B (*Preferred Option*)**

*A DC Water sewer encasement and manhole is present within Klingle Creek at Priority Area 2. As with Alternatives 2, 3, and 4, DDOT would continue to coordinate with DC Water during construction of the Klingle Creek Restoration Options, and no impacts to utilities are anticipated as a result of the Klingle Creek Restoration Options.*

**Access to Rock Creek Trail Options A, B, C and C-Modified (*Preferred Option*)**

No impacts to utilities are anticipated as a result of construction activities for any of the Access to Rock Creek Trail Options.

**Lighting Options A and B (Preferred Option)**

Lighting Options A and B would have no impact to negligible to utilities, since neither option would increase the footprint of the project area. Under Lighting Option B adequate room for utility vehicle access would be incorporated into the design.

**4.3.11 Indian Trust Resources****Alternative 1, Alternatives 2 (Preferred Alternative) 3 and 4**

No known Indian Trust Resources exist within the proposed project area, and the lands are not held in trust by the Secretary of Interior for the benefit of American Indians and Alaska Native Tribes. Therefore there would be no impact to Indian Trust Resources from the No Action or Action Alternatives.

**Klinge Creek Restoration Options A and B (Preferred Option)**

No impacts would occur to Indian Trust Resources under the Klinge Creek Restoration Options as no known resources are present within the project area.

**Access to Rock Creek Trail Options A, B, C and C-Modified (Preferred Option)**

No impacts would occur to Indian Trust Resources under the Access to Rock Creek Trail Options as no known resources are present within the project area.

**Lighting Options A and B (Preferred Option)**

No impacts would occur to Indian Trust Resources under the Lighting Options as no known resources are present within the project area.

**4.3.12 American Indian Sacred Sites****Alternative 1, 2 (Preferred Alternative), 3 and 4**

Under Secretarial Order 3206, no American Indian sacred sites are known to occur within the proposed project area. Therefore there would be no impact to Indian Trust Resources from the No Action or Action Alternatives.

**Klinge Creek Restoration Options A and B (Preferred Option)**

No impacts would occur to American Indian Sacred Sites under the Klinge Creek Restoration Options as no known resources are present within the project area.

**Access to Rock Creek Trail Options A, B, C and C-Modified (Preferred Option)**

No impacts would occur to American Indian Sacred Sites under the Access to Rock Creek Trail Options as no known resources are present within the project area.

**Lighting Options A and B (Preferred Option)**

No impacts would occur to American Indian Sacred Sites under the Lighting Options as no known resources are present within the project area.

## 4.4 Transportation

### 4.4.1 Bicycle and Pedestrian Network

#### Alternative 1 – No Action Alternative

Under the No Action Alternative, DDOT would not build a multi-use trail. There are currently no other pending plans for the rehabilitation of Klingle Valley. Infrastructure would remain deteriorated and unusable to the general public. Klingle Road would remain barricaded to discourage use by pedestrians, bicyclists, and other forms of non-motorized use. Transient users would continue the unsafe practice of circumventing barriers and ignoring the posted “No Trespassing” signs to use the corridor for recreational purposes and as a cut-through to Rock Creek Park to the east and locations to the west of Klingle Valley.

Other pedestrians and bicyclists who desire to travel east-west in the general area would continue to use the designated bike routes on Tilden Road and Calvert Streets to the north and south of Klingle Valley. Each of these routes is located over 0.5 mile from Klingle Valley. Walking and bicycling are a very popular means of transportation in the District. Approximately 37% of households within the District do not own a car, compared with 10% in the rest of the nation (DDOT, 2005). In general, bike lanes are less desirable than trails to recreational bicyclists because of potential conflicts with motor vehicles. Pedestrians would continue to use existing sidewalks, which mostly parallel the roadways, throughout the area. The No Action Alternative would have minor long-term regional impacts to the Pedestrian and Bicycle Network, because of the high level of pedestrian and bicycle activities in the area, and the lack of east-west connections available to the pedestrian and bicycle network serving the area.

#### Alternatives 2 (*Preferred Alternative*) 3 and 4

Under Alternatives 2, 3 and 4, DDOT would build a 10-foot to 12-foot wide multi-use trail that runs east-west through Klingle Valley from Cortland Place, NW to Porter Street, NW. DDOT would provide signage on Klingle Road between the currently barricaded portion to the signed bike route along Woodley Road. The trail would support pedestrians, bicyclists, dog walkers, and other non-motorized transportation/recreational uses. DDOT would create a trailhead just west of Cortland Place, NW where pedestrians and bicyclists would enter Klingle Valley Trail to the east. From there, the trail would provide a connection to the Rock Creek Trail, which is a main north-south multi-use trail in the District.

During construction, temporary disruption could occur to users of Klingle Valley; however those users are accessing the site illegally in its current state. In general, the Klingle Valley Trail can be constructed with minimal disruption to the pedestrian and bicycle network; therefore, Alternatives 2, 3 and 4 would have negligible short-term impacts on the bicycle and pedestrian network.

Klingle Valley Trail is not identified as a multi-use trail on the DC Bike Plan; however, the DC Bike Plan does show an access point to Rock Creek Trail at this location. The DDOT Bike Plan

would be updated during the next revision to reflect Klingle Valley Trail as a multi-use trail. As a result of the increased east-west connectivity to the larger north-south Rock Creek Trail and other pedestrian and bike facilities in the region, implementation of Alternatives 2, 3 and 4 would have a long-term regional benefit on the pedestrian and bicycle network.

#### **Klinge Creek Restoration Options A and B (Preferred Option)**

No impacts would occur to the bicycle and pedestrian network as a result of the Klingle Creek Restoration Options as all improvement would take place outside of the existing network.

#### **Access to Rock Creek Trail Options A, B, C and C-Modified (Preferred Option)**

Under Option A, impacts to the bicycle and pedestrian network would be the same as with the Alternatives 2, 3 and 4. During construction of Options B, C, *and C-Modified*, temporary disruption could occur to trail users accessing Rock Creek Trail. DDOT would work with the NPS to identify a temporary detour or phasing plans to construct the tie-in with Rock Creek Trail. It is anticipated that the duration of temporary closure/detour needed to construction the tie-in would be one to two days and could be completed during non-peak trail use period. Therefore, any disruptions would be negligible and short-term in nature. However, additional access to Rock Creek Trail would have moderate long-term regional benefits on the bicycle and pedestrian network by creating a new, legal, and safe connection to Rock Creek Park from points west.

### **4.4.2 Roadway Network and Traffic**

#### **Alternative 1 – No Action Alternative**

Under the No Action Alternative, DDOT would not build a multi-use trail. There are no other pending plans for the rehabilitation of Klingle Valley or Klingle Road. For the purposes of this EA, the closure of Klingle Road is an existing condition common to the No Action and Action Alternatives because the road has been barricaded since 1991 and there are no plans to rebuild the road at the time of this EA. The impacts to the roadway network associated with the road closure were previously documented in the Klingle Road Draft EIS prepared by FHWA and DDOT in 2003. Under the No Action Alternative, the road would remain barricaded to motorized traffic and the traffic would continue to be diverted to other roads as has been the case since 1991. Based on the 2009 traffic data collection, traffic volumes have not changed substantially since 2003 and based on this data, a growth rate for traffic volumes on neighboring roads was estimated to be zero. The Level of Service for each road was assessed and is provided in the Affected Environment Section of this document. The traffic analysis shows Beach Drive at Klingle Road/Porter Street operates at a LOS F with significant delays. This is a “T” Intersection with a stop control and this adverse impact is an existing condition in the study area. Klingle Road at Park Street was calculated to operate at a LOS E in the AM peak period and the other nine intersections in the study area operated in the PM and AM peak periods at LOS D or better. Under the No Action Alternative, a minor long-term impact would occur to the roadway

network because of existing traffic levels surrounding the project area. It should be noted this is an existing condition common to all the alternatives for the project.

### **Alternatives 2 (*Preferred Alternative*), 3 and 4**

Under Alternatives 2, 3, and 4, DDOT would construct a multi-use path in the existing transportation right-of-way. During construction of the trail and removal of the road and stormwater infrastructure, temporary impacts would occur to traffic on local streets from truck traffic generated by construction activities. Specifically, the contractor would have to remove the existing concrete, asphalt and other materials by dump truck and would be required to deliver clean fill, asphalt or concrete, and other construction materials to build the trail. DDOT would prepare a *Maintenance of Traffic Plan* that would identify routes to be used by the contractor to minimize traffic impacts and disruption to residential areas and parkland. It is anticipated that construction could use either end of the Klingle Road to access the site which would add traffic to Porter Street or Woodley Road. The duration of construction for the project is estimated to be 8 to 12 months. As a result, Alternatives 2, 3 and 4 would have minor short-term impacts because of temporary traffic delays and congestion caused during the hauling in and out of construction materials.

The long-term impacts on the roadway network associated with the road closure were previously documented in the Klingle Road Draft EIS prepared by FHWA and DDOT in 2003. For the purposes of this EA, the closure of Klingle Road is an existing condition common to the No Action and Action Alternatives because the road has been barricaded since 1991, and there are no current plans to reopen the road to motorized traffic. As a result, the long-term impacts are the same as described previously for the No Action Alternative.

### **Klinge Creek Restoration Options A and B (*Preferred Option*)**

No impacts would occur to the roadway network or traffic as a result of the Klingle Creek Restoration Options as all improvement would take place outside of the existing network.

### **Access to Rock Creek Trail Options A, B, C and C-Modified (*Preferred Option*)**

The trail connection from the barricaded portion of Klingle Road toward Rock Creek would generally follow Klingle Road to the interchange ramp that goes under Porter Street. Under Option A, multi-use trail users would either turn around and head back on Klingle Valley Trail or would transverse an unmarked road to connect to Rock Creek Trail or existing sidewalk on Porter Street. DDOT would provide signage under Option A directing users to the Rock Creek Trail. Because Klingle Valley is already used to access Rock Creek Trail by pedestrian and bicyclists, Option A is similar to existing conditions, and a negligible impact would occur to the roadway network and traffic.

Under Option B, the connection to Rock Creek Trail would be an on-street bike lane with soft barrier. A barrier is recommended for Option B because this option would support two way bicycle traffic on a one way ramp. Under Option C, the curb would be moved to reduce the vehicle lane width and an adjacent multi-use pathway would be constructed. *Under Option C-*

***Modified, the trail would be constructed within the footprint of the existing roadway and would be separated via a curb and gutter from the main travel lane on the ramp which leads to Rock Creek Trail under Porter Street, NW. Under Options B, C and C-Modified, the roadway lane width in this area would be reduced from 20 feet to 14 feet to accommodate the multi-use trail or bike lane with barrier. This width would be in conformity with AASHTO guidelines for a ramp with this level of traffic volumes and existing geometry.***

The average daily traffic (ADT) along the ramp and portion of Klingle Road is very low (estimated to be less than 15 cars per hour based on visual observations) since it only serves drivers who want to make a “U” turn or residents/visitors traveling from the Klingle Ridge small residential neighborhood. Access to Rock Creek Trail Options B, C ***and C-Modified*** would have a minor long-term impact on the local roadway network and traffic because of the reduced lane width and construction of a trail or bike lane with barriers along the roadway.

#### **Lighting Options A and B (Preferred Option)**

Lighting Option A would have no impact on the roadway network or traffic since this maintains an existing condition. Lighting Option B would have no impact on the roadway network or traffic because only the area within the portion barricaded to traffic would include additional lighting.

#### **4.4.3 Transit**

##### **Alternative 1 – No Action Alternative**

The No Action Alternative would have no impact on transit operations or the public’s ability to use transit in the study area. WMATA would continue to service its Red Line, which runs along Connecticut Avenue and under the project area.

##### **Alternatives 2 (Preferred Alternative), 3 and 4**

Under Alternatives 2, 3, and 4, DDOT would construct a multi-use trail, designed to allow utility vehicles to access Klingle Valley. With the restoration of Klingle Valley and construction of a 10-foot to 12-foot multi-use trail, WMATA would have improved access to infrastructure near the Connecticut Avenue Bridge to continue to service the Metro Red Line. The construction of the trail would have no impact on the public’s ability to use transit in the study area, and a negligible benefit to accessing transit surrounding the study area by providing an additional east-west access route to existing bus stops. Therefore, Alternatives 2, 3 and 4 would result in a minor regional benefit by allowing improved access to WMATA to service the Red Line, and an east-west route for the public to access existing bus stops surrounding the project area.

##### **Klingle Creek Restoration Options A and B (Preferred Option)**

No impacts would occur to transit as a result of the Klingle Creek Restoration Options.

##### **Access to Rock Creek Trail Options A, B, C and C-Modified (Preferred Option)**

Benefits to transit access would be the same under the Access to Rock Creek Trail Options as under Alternatives 2, 3 and 4.

### **Lighting Options A and B (*Preferred Alternative*)**

Lighting Options A or B would have no impacts to transit.

## **4.5 Air Quality**

Impacts to air quality can generally occur in three ways: 1) through the generation of airborne dust from construction activities; 2) by introducing new stationary sources, such as the case with development; and 3) by raising the vehicle emission levels near a project site through an increase in vehicular traffic.

### **Alternative 1 – No Action Alternative**

Under the No Action Alternative, the Klingle Valley study area would remain in its current state, including closure of Klingle Road to vehicles. Therefore, the No Action Alternative would have no impact to air quality.

### **Alternatives 2 (*Preferred Alternative*), 3 and 4**

#### *Project-Level CO Conformity*

Under 40 CFR § 93.126, certain types of projects are exempt from the requirement to determine conformity. The Klingle Valley Trail Project is exempt from air quality conformity as a safety project that corrects, improves, or eliminates a hazardous location or feature; and as a bicycle and pedestrian facility. There would be no impact to CO conformity from any of the Action Alternatives.

#### *Project-level Fine Particulate Matter (PM<sub>2.5</sub>) Conformity*

The Klingle Valley Trail Project is located in the Washington, DC-MD-VA PM<sub>2.5</sub> nonattainment area. Federally-funded or approved transportation projects in PM<sub>10</sub> and PM<sub>2.5</sub> nonattainment and maintenance areas deemed to be projects of air quality concern as identified in 40 CFR 93.123(b)(1) must be assessed for localized air quality impacts. The Klingle Valley Trail Project does not meet the definition of a project of air quality concern according to 40 CFR 93.123(b)(1). According to the traffic analysis, the No Action Alternative and Action Alternatives are the same. Implementation of any of the Action Alternatives would not contribute additional air emissions and therefore, there would be no impact.

#### *Mobile Source Air Toxics*

As determined in the traffic analysis, Alternatives 2, 3 and 4 traffic volumes (ADT) are equal to the No Action traffic volumes. The Klingle Valley Trail Project would be a project with no meaningful potential MSAT effects, since it would not result in changes in traffic volumes or any other factor that would cause an increase in MSAT impacts of the project from that of the No Action Alternative. Therefore, the Action Alternatives would have no impact on MSATs.

### *Greenhouse Gas (GHG) Impacts*

The Klingle Valley Trail project would not increase roadway capacity and would not increase vehicle emissions or vehicle miles traveled. Therefore, the project would not contribute to an increase in greenhouse gases. Alternatives 2, 3 and 4 would have no impact on greenhouse gases.

### **Klingle Creek Restoration Options A and B (Preferred Option)**

During construction, impacts to air quality would be similar to those of Alternatives 2, 3 and 4. No long-term impacts would occur under the Klingle Creek Restoration Options.

### **Access to Rock Creek Trail Options A, B, C and C-Modified (Preferred Option)**

During construction, impacts to air quality would be similar to those of Alternatives 2, 3 and 4. No long-term impacts would occur under the Access to Rock Creek Trail Options.

### **Lighting Options A and B (Preferred Option)**

No impacts to air quality would occur from Lighting Option A or B.

## **4.6 Noise and Vibration**

The ability to perceive changes in noise levels varies greatly between individuals and the extent to which individuals are affected by noise is controlled by several factors, including:

- The duration and frequency of sound;
- The distance between the sound source and the receptor;
- The intervening natural and man-made barriers or structures, and
- The ambient environment.

### **Alternative 1 – No Action Alternative**

No new noise sources would be created in the Klingle Valley study area as a result of the No Action Alternative; therefore, impacts to the existing noise and vibration levels are not expected to occur.

### **Alternatives 2 (Preferred Alternative), 3 and 4**

All of the Action Alternatives would have a short-term impact to noise and vibration levels in the study area during the construction phase. The length and degree of noise impacts associated with construction activities would vary and would be caused by activities associated with removal of the existing infrastructure, grading and laying the trail surface, constructing the stormwater management facilities, and completing the stream restoration. However, these noise impacts would be temporary and could be minimized by implementing BMPs, such as time restrictions, during construction.

No appreciable impacts to noise and vibration would occur from operation of the Action Alternatives. The recessed location of the study area coupled with the thick vegetation, would

minimize any affect usage of the trail may have on existing noise levels. The majority of the sensitive noise receptors is located well above the project area and are currently surrounded by other noise generating sources, which would nearly eliminate noise produced by the trail users. Therefore, short and long-term local impacts to the existing noise and vibration levels from any of the Action Alternatives would be negligible.

**Klinge Creek Restoration Options A and B (Preferred Option)**

During construction, noise and vibration impacts would be similar to those of Alternatives 2, 3 and 4. No long-term impacts would occur under the Klinge Creek Restoration Options.

**Access to Rock Creek Trail Options A, B, C and C-Modified (Preferred Option)**

Noise and vibration impacts for all Access to Rock Creek Trail Options would be the same as those under Alternatives 2, 3 and 4.

**Lighting Options A and B (Preferred Option)**

No impacts to noise and vibration would occur under Lighting Options A or B.

## **4.7 Hazardous Waste and Materials**

**Alternative 1 – No Action Alternative**

Based on a review of available data and site inspection, no evidence of recognized environmental concerns was identified within the project area. Therefore, there would be no impact from Hazardous Wastes/Materials under the No Action Alternative.

**Alternatives 2 (Preferred Alternative), 3 and 4**

Because there are no known concerns regarding hazardous waste and materials within the project area, the Action Alternatives are anticipated to have no impacts. In the event that suspected hazardous materials or potentially contaminated materials are encountered during construction activities, contractors would be directed to stop work until further assessment occurs.

**Klinge Creek Restoration Options A and B (Preferred Option)**

Impacts from hazardous materials/wastes under all Klinge Creek Restoration Options would be the same as under Alternatives 2, 3 and 4.

**Access to Rock Creek Trail Options A, B, C and C-Modified (Preferred Option)**

Impacts from hazardous materials/wastes under all Access to Rock Creek Park Options would be the same as under Alternatives 2, 3 and 4.

**Lighting Options A and B (Preferred Option)**

Impacts from hazardous materials/wastes under all Lighting Options would be the same as under Alternatives 2, 3 and 4.

## 4.8 Energy Conservation

### Alternative 1 – No Action Alternative

There is currently no active power to the site. The No Action Alternative would have no impact on energy consumption.

### Alternatives 2 (*Preferred Alternative*), 3 and 4

There is currently no active power to the site and the Action Alternatives do not involve installing power to the site. Therefore, there would be no impact on energy consumption from the Action Alternatives.

### Klinge Creek Restoration Options A and B (*Preferred Option*)

There would be no impact on energy as a result of the Klinge Creek Restoration Options.

### Access to Rock Creek Trail Options A, B, C and C-Modified (*Preferred Option*)

Impacts to energy would be the same under the Access to Rock Creek Park Options as under Alternatives 2, 3 and 4.

### Lighting Options A and B (*Preferred Option*)

According to AASHTO, lighting for multi-use trails is important and should be considered where night usage is expected. The adjacent Rock Creek Park and trails, in accordance with *NPS Management Policies* (2006), are closed from dusk to dawn. Conversely, DDOT trails are generally lit, and open 24 hours a day.

Lighting Option A would have no impact on energy usage because no lighting would be installed.

It is anticipated that commuters and other users may access the proposed Klinge Valley Trail after dusk. Under Lighting Option B DDOT will investigate energy efficient means to provide lighting such as solar energy and light emitting diodes (LEDs). Any energy consumed by lighting the trail as part of the proposed action would have a negligible impact on the quantity of energy consumed or available within the project area. ***Additionally, lighting of the trail will be limited to those hours most frequently used by commuters.***

## 4.9 Indirect and Cumulative Effects

The CEQ regulations, which implement NEPA, require assessment of cumulative impacts in the decision-making process for federally funded projects. Cumulative impacts are defined as “the impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (Federal or non-Federal) or person undertakes such other actions” (40 CFR 1508.7). Cumulative effects can result from individually minor, but collectively moderate or major actions taking place over a period of time.

Cumulative effects were determined by combining the impacts of the alternatives with other past, present, and reasonable foreseeable future actions. Therefore, it was necessary to identify other past, ongoing, or foreseeable future projects within immediate vicinity of the project area and, if necessary, the surrounding region. Cumulative effects are evaluated in a regional context, which varies for each impact topic; however, in general, the regional context is Klingle Valley, Rock Creek Park, Rock Creek Watershed, and the surrounding Wards and Neighborhoods including but not limited to Crestwood, Cleveland Park, Woodley Park, and Mount Pleasant. The study area for cumulative impacts differs based on resource topic. For instance, cumulative effects to water quality generally use a larger watershed to define the study area; whereas, cumulative effects on aesthetics would use a study area defined by viewsheds. Generally, short-term impacts do not result in a cumulative effect (unless specified in this section) and if there is no impact or a beneficial impact, the alternatives would not have a cumulative impact regardless of other actions in the project vicinity. As presented earlier in this EA, implementation of the alternatives would have no long-term impacts on certain resources because the resource is either not present or the proposed action would have no to negligible impact on the resource. As a result, there would be no appreciable cumulative effect. The resources that would not have not appreciable cumulative effects include: geology and topography, farmland, archeology, demographics, environmental justice, zoning, economics and development, joint development, Indian trust resources, American Indian sacred sites, air quality, hazardous materials, and energy conservation.

Past, present, and future representative projects that would have the potential to add to cumulative effects are described below. Cumulative effects are considered for all alternatives and are presented in this section for each resource topic. Indirect impacts are identified in the impact analysis under each resource topic when applicable.

#### **4.9.1 Past Actions**

##### **Rehabilitation of the Klingle Valley Bridge (Connecticut Avenue)**

DDOT completed a capital improvement project to rehabilitate the historic bridge on Connecticut Avenue that spans Klingle Road and Valley. The bridge is individually listed in the NRHP. As part of this project, the bridge superstructure, substructure, and structural steel was repaired, the existing deck replaced, and the bridge cleaned and painted. These improvements resulted in safety and aesthetics improvements including abatement of the lead paint and removal of contaminated soils, BMPs for erosion under the bridge, and planting of native plant species.

#### **4.9.2 Current or Future Actions**

##### **Rock Creek Park and Rock Creek and Potomac Parkway General Management Plan**

NPS has prepared a *General Management Plan* (GMP) which outlines their approach to manage Rock Creek Park and the Rock Creek and Potomac Parkway. In the GMP, the NPS sets the long-term goals for resource protection and identifies improvements to retain and improve the current scope of visitor uses at the Park. These actions include but not limited to upgrading trails and

rehabilitating deteriorating segments, rehabilitating the Peirce Mill complex to focus on the history of milling and land use in the area; and rehabilitating the Linnaean Hill complex for adaptive use compatible with park values. In addition, the existing park roadway system would be retained and non-recreational through-traffic would be accommodated. The GMP allows for continued weekday auto travel throughout the park, but prescribes traffic-calming and speed enforcement measures to reduce traffic speeds and volumes to improve visitor safety and better control traffic volumes and speeds through the park. Speed tables and additional traffic signs would be installed on Beach Drive in the gorge area. (NPS, 2007b)

### **Rock Creek Trail Improvement**

DDOT and NPS have started planning for the rehabilitation of a 3.7-mile segment of the existing Rock Creek Trail and a 3,000-foot segment of the existing Rose Park Trail; construction of new trail along Piney Branch Parkway from Beach Drive to Arkansas Avenue at Taylor Street; and construction of a new trail and/or bicycle route adjacent to the exit/entrance ramp connecting P Street to the Rock Creek Parkway. This project is consistent with the aforementioned Rock Creek Park's *General Management Plan*.

### **National Zoological Park Facilities Master Plan**

The Smithsonian Institution (SI) recently underwent a process to identify facilities and infrastructure needs at the National Zoological Park and proposes to implement strategies for the next two decades through a master planning process. SI finalized a *Comprehensive Facilities Master Plan* in 2009 that will help guide facilities renewal at the National Zoo related to animal welfare, research, exhibits, visitor services, and circulation. SI also prepared an *Environmental Assessment* that documents anticipated impact associated with each activity in the *Master Plan*. These activities include but are not limited to realignment of North Road, construction of a parking structure, an aerial tram, historic structure rehabilitation, exhibit renewal, and other site improvements.

### **Tregaron Property Subdivision and Cultural Landscape Rehabilitation**

The country estate known as “the Causeway” or “Tregaron” borders on Klingle Road. Built in 1912 by James Parmelee, a financier from Cleveland, the grounds of the estate were carefully landscaped by architect Charles A. Platt to enhance the vistas to and from the Georgian Revival mansion on the hilltop. In addition to being within the Cleveland Park Historic District, Tregaron is listed on the NRHP. The Washington International School has a campus on Tregaron. *In 2006, an application for subdivision of one acre of the historic Tregaron Property was approved by the DC HPO in exchange for the landowner's donation of approximately 13 acres for permanent open space preservation on the historic property (DC HPO, 2006). The rehabilitation of the cultural landscape is currently underway, and the land is now open to the public (Tregaron, 2009).*

### **Actions Identified in Rock Creek Watershed Implementation Plan including RSCs**

DDOE, in the *Rock Creek Watershed Implementation Plan*, proposes specific management measures, programs, and capital improvements to address the pollutant problems in the watershed. The Plan provides both general management measures that will be applied broadly across the watershed and details specific restoration projects for defined locations in the watershed. The Klingle Creek Stream Restoration is one of the projects identified in the Plan. Another action proposed is the installation of RSCs in the Rock Creek Watershed. DDOE has identified the installation of RSC at two locations (at Bingham Run and at Oregon Avenue) for implementation in the near future. These projects have water quality benefits.

#### **4.9.3 Cumulative Effects**

##### **Cumulative Effects Analysis for Soils**

The District of Columbia is a highly urbanized environment and most soils throughout the District have been altered overtime. Past, present, and reasonably foreseeable future actions would likely continue to affect soils. For instance, the future development of the eight lots on the subdivided Tregaron Property would likely adversely affect soils from land clearing activities to build new houses and construct a stormwater management facility. These impacts on soils would be minimized by the developer having to adhere to the District's sediment and erosion control requirements administered by DDOE. In general, the Klingle Valley Trail is surrounded by land administered by the NPS, which provides an added level of protection that would prevent development. However, smaller projects such as the Rock Creek Trail Improvements and various improvements identified in the *National Zoological Park Master Plan* would result in soil disturbance during construction. These projects would be required to implement BMPs in erosion and sediment control to minimize soil loss.

The Action Alternatives for the Klingle Valley Trail would result in soil disturbance to remove the existing deteriorated road and drainage infrastructure. These construction activities would be mostly within an existing disturbed transportation right-of-way where the soils have been previously disturbed in the past. DDOT would minimize the footprint of construction using context sensitive design principles and would implement a sediment and erosion control plan which would prescribe measures to further prevent soil disturbance and loss. Overall, the impact on soils would be minor as described in the impact analysis for soils. From a regional context, the incremental impact on soils from the Action Alternatives would be negligible and would not cause the cumulative impact to be significant.

##### **Cumulative Effects Analysis for Water Resources**

The Action Alternatives would have a net benefit to Water Resources from the removal of deteriorated road infrastructure in Klingle Valley, stream bank stabilization measures, and stormwater management. These improvements would improve water quality and stream habitat. No long-term adverse impacts would occur and therefore, there would be no cumulative effect.

### **Cumulative Effects Analysis for Biological Resources**

The Action Alternatives would have a net benefit to Biological Resources from the removal of deteriorated road infrastructure in Klingle Valley, corrective actions to control stormwater, revegetation, and other improvements. The use of the multi-use trail would have a negligible impact on Biological Resources because the trail would exist in a highly urbanized area where many of the species have adaptive to low impact uses such as recreation activities on trails. No long-term adverse impacts would occur and therefore, there would be no cumulative effect.

### **Cumulative Effects Analysis for Vegetation**

Other past, present, and future project have result in impacts to vegetation such as the Rock Creek Trail improvements, facilities improvements outlined in the *National Zoological Park Master Plan*, and rehabilitation of the Klingle Valley Bridge. The Action Alternatives would have minor long-term adverse impacts on vegetation from tree removal and other vegetation impacts resulting from construction activities to build the trail and stabilize the steam banks. The incremental impacts on vegetation from the Action Alternatives is small because of the area of trees and vegetation clearing is a small portion of the larger Rock Creek Park system and green space in the District. As a result, the Action Alternatives when add to other past, present or future projects would have a minor adverse cumulative effect to vegetation. In general, the Action Alternatives would have a beneficial impact on the forested ecosystem because of the site restoration, includes stream bank stabilization protecting again future loss of trees along the banks of Klingle Creek.

### **Cumulative Effects Analysis for Cultural Resources**

Other past, present and future projects outlined in this EA have mainly resulted in beneficial impacts to cultural resources such as the Tregaron Cultural Landscape Rehabilitation, Rehabilitation of the Peirce Mill Complex and Linnaean Hill Complex outlined in the Rock Creek and Rock Creek and Potomac Parkway GMP; and facilities improvements to historic structures at National Zoological Park. A few projects at the National Zoological Park or Rock Creek Park could have adverse impacts on historic structures, the cultural landscape, or archeological resources. *However*, the Action Alternatives would result in a net benefit to Klingle Road and Valley and nearby historic resources *as* described in this EA. The context of the cumulative effect is the surrounding area of nearby historic sites identified within the Area of Potential Effect. Overall, the Action Alternatives would have no adverse effect under Section 106 of the NHPA. The benefit of the Action Alternatives when added to other past, present and future projects outlined in this EA, would have a minor adverse cumulative effect and would not diminish the integrity of the historic resources in the project vicinity.

### **Cumulative Effects Analysis for Land Use**

Past, present, and future activities have and would continue to change land use in the study area. In general the area surrounding the project area is nearly built out so changes, such as the subdivided properties of the Tregaron Estates where potentially new houses would be built and

the land converted to residential use, would be minor. *Access to the Tregaron Property would not be affected by the construction of the Klingle Valley Trail along Klingle Road because, as shown on maps and plans that have been developed for the site, there are other available access points to the property, which were used prior to the Klingle Road barricade and are currently being used. Additionally, there has never been access from the barricaded segment of Klingle Road, between Porter Street, NW and Cortland Place, NW, to the Tregaron Property.* Parkland and the National Zoological Park adjacent to the Klingle Valley Trail would likely not change. The Action Alternatives would slightly change Land Use of Klingle Valley by providing a multi-use trail for transportation and recreation. The project area has been used in the past for motorized transportation (prior to 1991 when the Klingle Road was barricaded). The new land use would *continue to* be transportation (*primarily* non-motorized) and recreation. The DDOT right-of-way would continue to exist for transportation purposes. The change in land use of the Action Alternatives is neither considered beneficial or adverse but in general the change and overall effect on land use in the study area is minor. The incremental impact on Land Use from the Action Alternatives when added to other past, present and future actions would have a minor cumulative effect on Land Use.

#### **Cumulative Effects Analysis for Aesthetics and Visual Quality**

The Action Alternatives would have a net benefit to Aesthetics and Visual Quality from the removal of deteriorated road infrastructure in Klingle Valley and construction of a multi-use trail with supporting amenities and landscaping. No long-term adverse impacts would occur and therefore, there would be no cumulative effect.

#### **Cumulative Effects Analysis for Health and Safety**

The Action Alternatives would have a net benefit to Health and Safety from the restoration of Klingle Valley and removal of deteriorated infrastructure. No long-term adverse impacts would occur and therefore, there would be no cumulative effect.

#### **Cumulative Effects Analysis for Community Resources**

The Action Alternatives would have a net benefit to Community Resources from the renewed access into Klingle Valley for emergency response. No long-term adverse impacts would occur and therefore, there would be no cumulative effect.

#### **Cumulative Effects Analysis for Utilities and Infrastructure**

The Action Alternatives would have a net benefit to Utilities from the renewed access into Klingle Valley for utility maintenance and would have no effect on existing utility service to nearby areas because no utilities or services would be interrupted or affected. As a result, no long-term adverse impacts would occur and therefore, there would be no cumulative effect.

#### **Cumulative Effects Analysis on Transportation**

The Action Alternatives would provide for enhanced trail connectivity in the District by providing a multi-use trail that provides east-west route and connection to the larger Rock Creek

Trail network. The Action Alternatives are also consistent with the DDOT's goals outlined in the DC *Bicycle Master Plan*. The Action Alternatives would not change existing or future traffic levels, or affect transit use or operations. Therefore, the Action Alternative would have no long-term adverse impacts on Transportation and thus, no cumulative effects would occur.

### **Cumulative Effects Analysis for Air Quality**

The Action Alternative would have no long-term adverse impacts on Air Quality and therefore; no cumulative effects would occur.

### **Cumulative Effects Analysis for Noise**

The Action Alternatives would result in a negligible increase in noise levels from trail users (e.g., talking, dog barking). The noise would not be noticed by most people because of the existing background noise from automobile traffic along Connecticut Avenue, Porter Street NW, and Beach Drive, existing topography, and distance to residential areas. Therefore, the Action Alternatives when added to other past, present and future actions would have no cumulative effect on noise in the general project area. The incremental increase to existing noise levels would be very small and not noticeable to the general public.

## **4.10 Mitigation Measures**

Mitigation measures are presented as part of the Preferred Alternative and have been developed to lessen the effects. The following mitigation measures are recommended for implementing the Preferred Alternative:

### **Soils**

Erosion and sediment control plans would be prepared in accordance with the DDOE current Standards and Specifications for Soil Erosion and Sediment Control and implemented during construction of the trail. These plans will include project-specific measures to avoid and/or minimize soil erosion and transport due to ground-disturbing activities, such as vegetation clearing and grading. Specific BMPs, such as the use of stabilized construction entrances, silt fences, temporary sediment traps and filtering devices and earth dikes could be used and would be detailed in the approved erosion and sediment control plans.

### **Water Resources**

Implementation of erosion and sediment control practices, such as installation of silt fence, sediment trapping or filtering, and other BMPs, will help to avoid temporary impacts to water quality during construction. Stormwater management plans will also be prepared and implemented onsite to address long-term runoff and pollutant discharge into the local watershed.

### **Wildlife including Threatened and Endangered Species**

BMPs would be utilized to minimize impacts to forest and stream habitats. Detailed tree save plans would be developed and implemented during construction to protect surrounding trees that form forest habitat for local wildlife. Erosion and sediment control plans will also be prepared

that will provide the measures to minimize potential impacts to aquatic habitat within the watershed due to soil erosion and sediment transport.

### **Vegetation**

Measures would be implemented, to the extent practical, to avoid impacts to larger tree specimens both inside and outside of the existing DDOT right-of-way. Such protection may include the installation of tree protection fencing at the outer drip line of trees to be saved, staging construction equipment to avoid damaging trees and their root systems, and avoiding collision of equipment with trees and other vegetation. Future design efforts would consider each specimen tree individually, using techniques such as imbricated riprap walls, minor relocations of the stream channel and/or multi-use trail, or building banks out from large trees in order to protect healthy specimen trees while simultaneously stabilizing the stream channel. All landscaping would fulfill functional and aesthetic requirements along with those mandated by DDOT policy and Federal regulations. Landscape plans would be developed in coordination with the NPS and DDOT's Urban Forestry Administration. The landscape plans may include planting, grading, erosion control, and irrigation systems. Where possible, landscaping may be utilized to improve storm water management features following the concept and objectives of Low Impact Development (LID). Areas replanted following construction would be monitored to ensure successful establishment.

### **Parkland**

To notify park visitors and commuters of construction-related delays or changes in traffic patterns, DDOT would use public notification techniques such as posting information on the DDOT and NPS's website to notify users of Rock Creek Trail of closures or detours or other restriction to trail use.

### **Aesthetic and Visual Quality**

All landscaping and site amenities would consider aesthetics. Landscape plans would be developed in coordination with the NPS and DDOT's Urban Forestry Administration and Landscaping plans and other proposed aesthetic treatments would be submitted to the DC Commission of Fine Arts (CFA) and NPS for review and comment.

### **Health and Safety**

DDOT would employ environmental design strategies that rely on the ability to influence offender decisions that precede criminal acts as outline in Crime Prevention through Environmental Design (CPTED). DDOT would consider in the trail design ways to include Natural Surveillance, Natural Access Control and Natural Territorial Reinforcement.

During construction, the project site would be closed to pedestrians using signage and fences. After construction, the trail would be maintained in order to provide a continuously safe mode of transportation for the public. Maintenance activities that will ensure protection of the public using the trail include the removal of debris along the trail, removing snow and ice during winter

months, sealing cracks and filling potholes that may be hazardous to bicyclists, and policing the area to deter any illegal activities.

To minimize the potential safety impact from the Access to Rock Creek Trail Options *B, C, and C-Modified*, safety design features could be incorporated into the project such as pavement markings, bollards and guardrail which would help distinguish the trail from the roadway.

### **Community Resources**

During design, DDOT would coordinate with the local emergency services with regards to access and removable bollards or other devices to allow access to the Klingle Valley Trail from each end of the project area.

### **Utilities and Infrastructure**

Care would be taken during construction activities so as to avoid all underground utilities. This would be done through consultations with each of the respective utilities early in design to determine exactly where, and to what depth the utilities are buried. These areas would then be marked off and carefully excavated to ensure the utilities are not accidentally damaged during construction of the trail. Utilities that are determined to be damaged will be repaired prior to the construction of the trail.

### **Bicycle and Pedestrian Network**

DDOT would add Klingle Valley Trail to the DC Bike Map and notify the public of the trail opening and availability through the DDOT website.

### **Roadway Network and Traffic**

Plans to maintain traffic during construction will be developed to minimize impacts to local traffic. Work schedules for construction may be adjusted to minimize impacts during peak traffic volumes.

### **Transit**

DDOT would continue to coordinate with WMATA during design and construction to avoid impacts to WMATA's facilities, maintain access, and allow for future access.

### **Air Quality**

BMPs would be utilized during construction of the trail to avoid and/or minimize the release of airborne pollutants. Such practices that may be used include, spraying water in active grading areas and material stockpiles to control airborne dust, the use of temporary vegetative stabilization on inactive areas, and covering open-body trucks for transporting materials. Other construction equipment related mitigation may be used to reduce the emission of airborne pollutants, such as limiting unnecessary idling times on diesel powered engines, and using low sulfur diesel fuel in off-road construction equipment.

## Noise

Temporary noise impacts would be minimized during construction by utilizing BMPs, as necessary, to meet the requirements of the Washington, DC Noise Control Act.

### 4.11 Permits and Authorizations

The COE has been regulating activities in the nation's waters since 1890. Until the 1960s the primary purpose of the regulatory program was to protect navigation. Since then, as a result of laws and court decisions, the program has been broadened so that it now considers the full public interest for both the protection and utilization of water resources.

The regulatory authorities and responsibilities of the COE are based on the following laws:

- Section 10 of the Rivers and Harbors Act (33 U.S.C. 403) prohibits the obstruction or alteration of navigable waters of the United States without a permit from the Corps of Engineers.
- Section 404 of the Clean Water Act (33 U.S.C. 1344) prohibits the discharge of dredged or fill material into waters of the U.S. without a permit from the Corps of Engineers.
- Section 103 of the Marine Protection, Research, and Sanctuaries Act of 1972, as amended (33 U.S.C. 1413) authorizes the Corps of Engineers to issue permits for the transportation of dredged material for the purpose of dumping it into ocean waters.
- Section 106 of the NHPA (16 U.S.C. 470) sets forth the procedures for compliance with the NHPA. This created the President's ACHP to review and comment upon activities sponsored or licensed by the Federal Government, that may have an effect on resources listed or eligible for listing on the NRHP. Compliance through Section 106 involves a demarcation of area to be effected and may include surveys to ascertain the presence of artifacts that are eligible for National Register listing.

The basic premise of the program is that no discharge of dredged or fill material may be permitted if: (1) a practicable alternative exists that is less damaging to the aquatic environment, or (2) the nation's waters would be significantly degraded. As such, applicants first must establish that impacts to wetlands and waterways cannot be avoided. Permit applicants then must demonstrate that reasonable efforts to minimize impacts to wetlands and waterways have been made in the design and construction plans. Upon approval, the COE may require a plan for compensation of unavoidable impacts to the regulated resources.

Other laws may also affect the processing of applications for COE permits. Among these laws are the NEPA, the Coastal Zone Management Act, the Fish and Wildlife Coordination Act, and the Endangered Species Act (ESA). Others include the Deepwater Port Act, the Federal Power Act, the Marine Mammal Protection Act, the Wild and Scenic Rivers Act, and the National Fishing Enhancement Act of 1984.

Proposed activities are regulated through a permit review process. An individual permit is required for potentially significant impacts. Individual permits are reviewed by the COE, which

evaluates applications under a public interest review, as well as the environmental criteria set forth in the CWA Section 404 Guidelines. However, for most discharges that will have only minimal adverse effects, a general permit or nationwide permit may be suitable. Nationwide permits are issued for categories of activities involving discharges of dredged or fill material if the Secretary determines that the activities in such category are similar in nature, will cause only minimal adverse environmental effects when performed separately, and will have only minimal cumulative adverse effect on the environment

Klingle Creek and Rock Creek are located within the project area. Both of these streams are jurisdictional under Section 404 of the CWA as “waters of the U.S.” Neither of these streams are considered navigable waters under Section 10 of the Rivers and Harbors Act. Therefore, the Klingle Creek stabilization options would require authorization from the COE under Section 404 of the CWA prior to the initiation of project activities. Based on consultation with the COE, the stream restoration aspect of the project will likely be authorized under Nationwide Permit 27 (Aquatic Habitat Restoration, Establishment, and Enhancement Activities). Nationwide Permit (NWP) 27 is applicable because it is a general permit for the restoration and enhancement of non-tidal streams, provided those activities result in net increases in aquatic resource functions and values.

Correspondence from the FWS was received on January 21, 2010. The FWS stated that, “except for occasional transient individuals, no proposed federally listed endangered or threatened species are known to exist within the project impact area” (FWS, 2010). Therefore, no further Section 7 consultation with the U.S. Fish and Wildlife is required.

A NPS Special Use Permit will be required for DDOT and its contractors to perform work on NPS property for the stream restoration and potentially to gain access to portions of the site. A Special Use Permit authorizes work on NPS property and outlines conditions for which work can be performed on NPS property. The requirements for Special Use Permits and required applications can be found in Director’s Order 53 Special Park Uses at <http://www.nps.gov/policy/DO-53draft.htm>.

***A NPS Special Use Permit will be required to conduct geoarchaeological soil borings and an archaeological site survey. In addition, an Archaeological Resources Protection Act (ARPA) Permit will be required for conducting archeological fieldwork on federal lands. An ARPA permit is issued under the authority of the Archaeological Resources Protection Act of 1979 (16 U.S.C. 470aa-mm; 43 CFR 7) and The Antiquities Act of 1906 (P.L. 59-209; 34 Stat. 225; 16 U.S.C. 431-433; 43 CFR 3). Issuance and use of an ARPA permit with the NPS is described in Director’s Order 28A: Archeology.***

In addition, in accordance with NPS DO-77, any disturbance within Klingle Creek or floodplain on NPS lands will require authorization from the NPS Water Resources Division.

## 4.12 Section 4(f) of the U.S. DOT Act of 1966

A large portion of the Klingle Valley Trail study area is parkland. As such, it is afforded special protection by legislation including Section 4(f) of the U.S. DOT Act of 1966, the National Park Service Organic Act and the 1890 Rock Creek Enabling Legislation.

Section 4(f) of the U.S. DOT Act states that, “special effort should be made to preserve the natural beauty of the countryside and public park and recreation lands, wildlife and waterfowl refuges, and historic sites. The Secretary of Transportation shall cooperate and consult with the Secretaries of the Interior, Housing and Urban Development, and Agriculture, and with the States in developing transportation plans and programs that include measures to maintain or enhance the natural beauty of the lands traversed.” *Furthermore, it states that the FHWA may not approve the use of land from a significant publically owned public park, recreation area, or wildlife and waterfowl refuge, or any significant historic site unless a determination is made that there is no feasible and prudent alternative to the use of land from the property, and the action includes all possible planning to minimize harm to the property resulting from such use.*

Section 4(f) defines “use” of a protected resource in three ways:

- Land from a 4(f) site is **permanently incorporated** into a transportation facility,
- There is a **temporary occupancy** of land that is adverse in terms of the Section 4(f) statute's preservationist purposes (23 C.F.R. 771.135(p)(7)), or
- When there is a **constructive use** of land (23 C.F.R. 771.135(p) (2)).

In 1977, FHWA approved a Negative Declaration/Section 4(f) Statement for Independent Bikeways or Walkway Projects applicable to projects such as Klingle Valley Trail. The Negative Declaration eliminates the reporting requirements for FHWA to prepare a separate Section 4(f) statement when the project requires use of parkland or recreation areas. It requires FHWA to obtain approval from the official with jurisdiction over the Section 4(f) property that the project is acceptable and consistent with the designated use of the project and that location and design have been accomplished in such a manner that will not cause harm to the property.

Exceptions to Section 4(f) are listed in 23 CFR 774.13 and include temporary occupancies of protected resources so long as the following conditions are met:

- Duration must be temporary and there should be no change in ownership of the land;
- Scope of work must be minor;
- There are no anticipated permanent adverse physical impacts, nor will there be interference with the protected activities, features, or attributes of the property, on either a temporary or permanent basis;
- The land being used must be fully restored to a condition which is at least as good as that which existed prior to the project; and,

- There must be documented agreement of the officials with jurisdiction over the Section 4(f) resource regarding the above conditions.

The stream restoration activities proposed as part of each Alternative would be of short duration and would allow Klingle Creek and Valley to be returned to a condition better than the existing condition. NPS, the officials with jurisdiction over the protected resource, are in full concurrence with the proposed temporary impacts the Action alternatives would have on Rock Creek Park. The NPS has been a cooperating agency throughout the course of the development of this Environmental Assessment. As a result, the temporary occupancy requirements have been met; therefore, Section 4(f) does not apply to Alternatives 2, 3, and 4.

### 4.13 Impairment to Park Resources Analysis

Given that the Klingle Valley Trail project includes activities requiring approval from the NPS and the NPS is serving as a cooperating agency in the NEPA and Section 106 processes, this EA is also being written in such a manner to satisfy requirements of NPS Director's Order #12 "*Conservation Planning, Environmental Impact Analysis and Decision-making*" and the NPS's *Management Policies, 2006* (NPS, 2006). *NPS Management Policies, 2006* requires analysis of potential effects to determine whether or not actions would impair park resources. The fundamental purpose of the NPS, established by the Organic Act and reaffirmed by the General Authorities Act, as amended, begins with a mandate to conserve park resources and values. NPS managers must always seek ways to avoid, or to minimize to the greatest degree practicable, adversely impacting park resources and values. However, the laws do give the NPS the management discretion to allow impacts to park resources and values when necessary and as appropriate to fulfill the purposes of a park, as long as the impact does not constitute impairment of the affected resources and values. Although Congress has given the NPS the management discretion to allow certain impacts, that discretion is limited by the statutory requirement that the NPS must leave park resources and values unimpaired, unless a particular law directly and specifically provides otherwise. The prohibited impairment is an impact that, in the professional judgment of the NPS manager, would harm the integrity of park resources or values, including opportunities that otherwise would be present for the enjoyment of those resources and values. An impact to any park resource or value may constitute an impairment, but an impact would be more likely to constitute an impairment to the extent that it has a major or severe adverse effect upon a resource or value whose conservation is as follows:

- necessary to fulfill specific purposes identified in the enabling legislation or proclamation of the park;
- key to the natural or cultural resources integrity of the park or to opportunities for enjoyment of the park; or
- identified as a goal in the park's General Management Plan or other relevant NPS planning documents.

Impairment may result from NPS activities in managing the park, visitor activities, or activities undertaken by concessionaires, contractors, and others operating in the park.

In addition, because the Klingle Valley Trail study area encompasses part of the NPS owned and administered Rock Creek Park, the area is subject to the requirements as set forth by the National Park Service Organic Act and the 1890 *Rock Creek Park Authorization*. The NPS Organic Act defines the mission of all NPS units, and states:

*“ to promote and regulate the use of the...national parks...which purpose is to conserve the scenery and the natural and historic objects and the wildlife therein and to provide for the enjoyment of the same in such manner and by such means as will leave them unimpaired for the enjoyment of future generations.”*

The enabling legislation called for Rock Creek Park to *“provide for the preservation from injury or spoliation of all timber, animals, or curiosities within said park and their retention in their natural condition as nearly as possible.”*

As described in this Environmental Consequences chapter and impact analysis, the Klingle Valley Trail project will in general have a net benefit impact to park resources as a result of the restoration activities of Klingle Valley. Therefore, the Klingle Valley Trail Action Alternatives would have no major adverse impacts to resources or values whose conservation are (1) necessary to fulfill specific purposes identified in the establishing legislation or proclamation of the GWMP; (2) key to the natural or cultural integrity of the park; or (3) identified as a goal in the park’s *General Management Plan* or other relevant NPS planning document, there would be no impairment of the park’s resources or values.

#### **4.14 Irreversible and Irretrievable Commitment of Resources**

Construction of a multi-use trail, installing stormwater infrastructure, and restoring Klingle Creek would involve the irreversible and irretrievable commitment of resources. Some of these resources include land, construction materials, and manpower. Land within the right-of-way used for the construction of the proposed trail alignment is considered an irretrievable resource, however, the 50 foot right-of-way presently exist and DDOT as part of this project would continue to maintain the right-of-way for transportation purposes. The construction of the proposed trail would require that the existing infrastructure be removed, which would also involve the commitment of resources. In the future, if a greater need for the land is identified, or if the transportation corridor is no longer necessary, it would be possible to convert the property to another use. It is not likely, however, that either of these situations would occur.

Construction of the proposed multi-use trail would require the use of fossil fuels for construction vehicles, construction equipment, and construction personnel vehicles. Electrical energy would also be used onsite to power maintenance trailers (if applicable) and other equipment. Fossil fuels and electrical energy would be expended to manufacture the materials and products associated with construction of the proposed trail. In addition to those materials already

mentioned, other materials such as asphalt, sand, aggregate, and steel would be used. These resources are not retrievable; however, the proposed project would not have an adverse effect on their continued availability. In order to minimize the usage of these resources, DDOT would consider ways to minimize resource commitments by reusing materials or by using recycled materials when possible, to construct the proposed trail.

The current alignment of Klingle Road has been used as a transportation corridor since 1839. Constructing a multi-use trail would not require the commitment of additional land because the proposed trail would remain within the existing transportation right-of-way. The proposed trail would result in a minor loss of vegetation and wildlife habitat, and would not affect special-status species and the movement of wildlife. Land used for the proposed trail is considered an irreversible commitment during the time it is used for a transportation corridor and as a right-of-way for several utilities. Alteration of the landscape by the proposed trail would also be considered an irreversible change, since the surrounding land is administered by the NPS, which is mandated to keep it as undeveloped parkland. Long-term maintenance costs for the trail would also be considered irretrievable.

The commitment of these resources is established on the premise that the local and regional residents, commuters, and business communities would benefit from the proposed multi-use trail. The proposed trail would be beneficial to local community and the watershed by improving safety, enhancing local mobility and circulation, and decreasing the amount of erosion within Klingle Valley. These long-term benefits are anticipated to outweigh the above-listed natural and fiscal resources.

## 5.0 AGENCY COORDINATION AND PUBLIC INVOLVEMENT

### 5.1 Agency Coordination

As part of the planning process for the Klingle Valley Trail EA, DDOT conducted agency coordination. Coordination included project scoping, consultation with resource agencies in accordance with Section 7 of the ESA, consultation with the DC HPO and NPS in accordance with Section 106 of the NHPA, and individual meetings. In addition, DDOT conducted a Green Highways Workshop. Agency correspondences *received prior to submittal of the June 2010 EA are presented in Appendix E of the June 2010 EA. Written comments received from the agencies on the June 2010 EA are provided in the Appendix C of the Final EA.*

#### Agency Scoping

DDOT and FHWA held an Agency Scoping Meeting on September 10, 2009. Agencies in attendance included CFA, NPS, DC Office of Planning (DCOP), and DDOE. The purpose of the scoping meeting was to solicit feedback from the agencies that could potentially affect the scope or content of the EA.

#### NPS and FHWA Meetings

A meeting was held with NPS, FHWA, DDOT, and Greenhorne & O'Mara (G&O) on August 5, 2009. The primary meeting goals were to kickoff the project and discuss project coordination between the DDOT, FHWA, and the NPS as well as go over the project history, the purpose and need, and project milestones/schedule for the public involvement and EA. The agencies representatives agreed that FHWA would be the lead for the Finding of No Significant Impact (FONSI) (i.e., first line signatory) and NPS, as a cooperating agency would concur with FHWA's FONSI (as second signature). For the Section 106, the NPS would prepare their own separate letter. Section 4(f) issues were discussed and FHWA stated since there is not a permanent use of parklands, a Section 4(f) evaluation is not required.

On November 5, 2009, DDOT met with representatives from FHWA and NPS to present design concepts that would be used to develop the alternatives for the EA. Subsequent FHWA, DDOT, and NPS meetings occurred on February 25, 2010 and April 20, 2010. The purpose of the February meeting was to discuss concept designs for the multi-use trail, stormwater management, and associated impacts, and the purpose of the April meeting was to further discuss practical stormwater management options for Klingle Valley.

*On August 10, 2010, DDOT and FHWA met with representatives from the NPS to discuss the preparation of a Statement of Findings for Wetland Protection and compliance with Director's Orders 77-2 and its procedural guide. While FHWA/DDOT follows the 1987 Army Corps of Engineers' Wetland Delineation Manual and all subsequent guidance and clarifications, NPS officially recognizes the wetlands definition developed by Cowardin and used by U.S. Fish and Wildlife Service (FWS) as outlined in Classification of Wetlands and*

*Deepwater Habitats of the United States (Cowardin, 1979). From this meeting, the parties agreed that additional information was needed to determine if a Statement of Findings is necessary for compliance with EO 11990 (Protection of Wetlands) and EO 11988 (Floodplain Management). Based on additional information provided to the NPS, the NPS Water Resources Division determined that in-stream activities for infrastructure protection or stream enhancement are considered actions "excepted", therefore no Statement of Findings is necessary for this project (NPS, 2010). According to NPS Procedural Manual #77-1: Wetland Protection, Section 4.2.1(g), the impacts (footprint of fill) for the protection of infrastructure will be less than 0.1 acre. Therefore the project falls under the excepted action of maintenance, repair, or renovation of currently serviceable facilities. The excepted action decision assumes best management practices and conditions for the proposed actions (as described in Appendix 2 of the NPS Procedural Manual #77-1: Wetland Protection) will be followed.*

### **DC HPO**

DDOT met with the DC HPO on September 3, 2009 to initiate the National Historic Preservation Act Section 106 process with the DC HPO. The process moving forward was discussed. At project initiation (Summer 2009), FHWA consulted with the DC SHPO regarding impacts to historic resources and determined that there would be “no adverse effects” to those resources, and in subsequent discussions regarding the proposed bike/pedestrian facility that determination has remained consistent.

On January 19, 2010, FHWA consulted with DC HPO regarding the Area of Potential Effect (APE) and review the preliminary Assessment of Effects prior to submittal. A final APE was agreed upon, and the DC HPO formally concurred on January 20, 2010. FHWA and DDOT submitted the Klingle Valley Trail Assessment of Effects Report to DC HPO for review and comment on May 21, 2010. ***In a letter June 18, 2010, the DC HPO concurred that there would be “no adverse effects” to historic properties within the project area.*** The findings of this report are summarized in the cultural resources sections of this EA.

### **DDOE**

A meeting with DDOE, DDOT, and project consultants was held on October 15, 2009. The purpose of this meeting was to coordinate with DDOE about the stormwater management options for the Klingle Valley Trail.

On December 10, 2009, a site visit was conducted with NPS and DDOE. The purpose of the site visit was to discuss the results of the *Stream Assessment* and *Wetland Delineation Reports*, which had been provided in advance of the meeting, and to present proposed stream restoration and stormwater management concepts.

On January 21, 2010, DDOT and project consultants met with DDOE to discuss improvements recommended for the Klingle Creek watershed in the DDOE *Rock Creek Watershed*

*Implementation Plan*, and to discuss various options for stormwater management and stream restoration for the Klingle Valley Trail project.

***On August 2, 2010, DDOT met with representatives of DDOE to discuss DDOE comments and concerns on the Klingle Valley Trail approach to stormwater management. On October 20, 2010, DDOT provided written responses to their comments. In a letter dated November 22, 2010, DDOE clarified previous comments on the EA, and expressed satisfaction with the outcome of the meeting and DDOT's written response to DDOE's earlier comments. DDOE encouraged continued consultation between the agencies as the project moves forward (DDOE, 2010c).***

### **Green Highways Workshop**

The Green Highways Workshop for the Klingle Valley Trail was conducted on October 22, 2009. The Green Highways Partnership is a voluntary program to get the stakeholders and agency staff together to discuss the project challenges and design options in terms of themes including sustainability; reuse and recycle; conservation and ecosystem restoration; and a watershed based approach. Multiple agencies attended.

### **COE**

DDOT held a meeting with the COE on January 20, 2010. The purpose of the meeting was to ***review the project, project schedule, and future permitting requirements. A Jurisdictional Determination (JD) Field Meeting was held August 27, 2010. The delineated Waters of the U.S. were confirmed by the COE.*** DDOT will submit the required permit application during more detailed design.

## **5.2 Public Involvement**

### **Public Meetings**

DDOT held two public meetings to solicit comments prior to submittal of the Klingle Valley Trail EA for public comment. Numerous methods were employed to publicize these public meetings including newspaper advertisements in The Washington Post, The Current Newspapers, The Washington Informer, City Paper, and El Tiempo Latino and the notice was posted to the project website at [www.kingletrail.com](http://www.kingletrail.com). Additionally, postings were made to the surrounding communities' and ANC's listservs; announcements were mailed to adjacent property owners; and individual email invitations were sent to groups previously involved in the prior EIS process, or requesting announcements through the project website. No requests for special assistance or translations were received prior to the meetings. Meeting handouts were available in English and Spanish at both meetings. In addition to public meetings, DDOT provided a project website that detailed the project history and current activities associated with the proposed Klingle Valley Trail Project. This website invited the public to provide comments via an electronic form on the website or by e-mail. ***A summary of comments from these public meetings is presented in Appendix G of the June 2010 EA.***

DDOT held a Public Scoping Meeting at the National Zoological Park Visitors Center on October 7, 2009 from 6:30 to 8:30 p.m. The purpose of the open house was to introduce the project and existing conditions to the community; and to solicit comments on the Purpose and Need as well as general comments about the project. Seventy citizens signed-in at the meeting. Written comments were submitted by individuals who attended the meeting as well as group and community representatives. Additionally, DDOT provided a court reporter to document comments by meeting attendees at their request. Four (4) citizens provided their comments on the proposed project in this fashion. In addition to the aforementioned public meeting, DDOT provided a project website that detailed the project history and current goings on associated with the proposed trail.

DDOT held a public meeting at the Mount Pleasant Public Library on December 16, 2009 from 6:00 to 8:00 p.m. The purpose of the open house was to present trail design concepts under review by the project team. These concepts are to be used in the development of the project alternatives for detailed analysis in the EA. Visitors were encouraged to provide comments on the design concepts in writing or on the project website. Of the citizens who attended the meeting, 21 signed-in. Written comments were submitted by seven (7) individuals at the meeting. Alternatively, comments were also submitted to the project team electronically. Additionally, DDOT provided a court reporter to document comments by meeting attendees at their request. Eight (8) citizens provided their verbal comments on the proposed project in this fashion.

### ***Public Hearing***

***Prior to the release of the EA, a notice of availability and notice of public hearing was distributed through a variety of outlets. Following circulation of the June 2010 EA, DDOT held a Public Hearing at the National Zoological Park Visitor Center on June 23, 2010. The purpose of the public hearing was to give interested parties the opportunity to provide formal comments on the June 2010 EA and Section 106 Evaluation. Fifty-three (53) individuals signed-in at the meeting. Twenty-two (22) people provided public testimony and four (4) people provided private testimony. Additionally, formal comments were accepted through the project website. Copies of all comments received and responses to those comments are contained in Appendix D of the Final EA. The entire Public Hearing transcript is presented in Appendix E. A summary of the comments received throughout the formal comment period follows:***

- ***Of the comments received from citizens and organizations, the majority were in support of the construction of a multi-use trail facility within the 0.7 mile barricaded portion of Klingle Road. Alternative 2 was the most frequently cited build alternative preferred by the commenters.***
- ***The need for the restoration of Klingle Creek was identified by many of the commenting individuals. The Klingle Creek Restoration Option B was most frequently identified as the preferred option.***

- *Access to Rock Creek Trail Options: Options B was favored by those providing comments. The main reason cited was separation from vehicular traffic, which Option A would not provide, while minimize impacts to unpaved areas as in Option C.*
- *Lighting Options: The majority of individuals favored Option A, the No Lighting Option. Several individuals stated they understand why lighting would be beneficial and suggested limiting the hours lighting would be provided as a way of implementing Option B - Lighting Option. Low-impact lighting such as solar or LED was preferred.*
- *Some individuals opposed the project and questioned the legal process associated with prohibiting motor vehicle traffic on Klingle Road and constructing a multi-use trail; maintenance of utility and emergency services access; and traffic in surrounding areas, specifically Mount Pleasant. Also noted was the one acre approval for subdivision by DC HPO on the Tregaron Property.*

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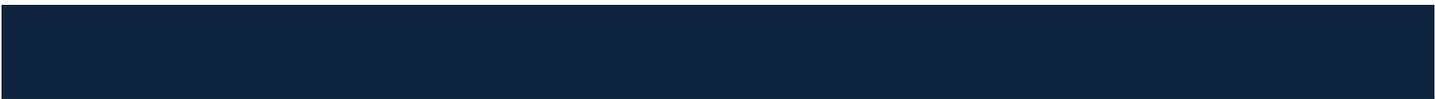
# APPENDICES



APPENDIX

A

COST ESTIMATES





**KLINGLE VALLEY TRAIL  
ALTERNATIVE 2 (Preferred Alternative)**

**CONSTRUCTION COST ESTIMATE (Preliminary Plan)**

Item	Description	Unit	Unit Cost	Quantity	Total Cost
<b>TRAIL IMPROVEMENTS</b>					
201030	CLASS 1 EXCAVATION	CY	\$52.50	822	\$43,163
202065	BORROW EXCAVATION	CY	\$63.00	1,372	\$86,448
	SELECT BACKFILL	CY	\$49.00	1,608	\$78,792
210025	REMOVAL OF EXISTING PAVEMENT	CY	\$91.00	1,608	\$146,328
504212	HOT MIX ASPHALT SUPERPAVE 12.5MM FOR BASE, PG 64-22, LEVEL 2 (2")	TON	\$180.00	48	\$8,583
520113	6 INCH GRADED AGGREGATE BASE (4 Lifts)	SY	\$38.15	15,775	\$601,804
504206	HOT MIX ASPHALT SUPERPAVE 12.5MM FOR SURFACE, PG 64-22, LEVEL 2 (4")	TON	\$196.00	95	\$18,693
	Aggregate for Drainage (Check Dams)	LS	\$35,000.00	1	\$35,000
<b>SUBTOTAL</b>					<b>\$1,018,811</b>
<b>STORMWATER MANAGEMENT IMPROVEMENTS</b>					
	25% of TRAIL IMPROVEMENTS and RETAINING WALL CONSTRUCTION				\$296,900
<b>SUBTOTAL</b>					<b>\$296,900</b>
<b>UTILITY IMPROVEMENTS</b>					
	30% of TRAIL IMPROVEMENTS and RETAINING WALL CONSTRUCTION				\$356,280
<b>SUBTOTAL</b>					<b>\$356,280</b>
<b>RETAINING WALL CONSTRUCTION</b>					
400000	Retaining Wall	SF	\$181.30	931	\$168,790
<b>SUBTOTAL</b>					<b>\$168,790</b>
<b>LANDSCAPING</b>					
	45% of TRAIL IMPROVEMENTS, RETAINING WALL, and SWM IMPROVEMENTS				\$668,025
<b>SUBTOTAL</b>					<b>\$668,025</b>
<b>ALTERNATIVE 2 SUB TOTAL</b>					<b>\$2,508,807</b>
<b>CONTINGENCY</b>					<b>\$1,128,963</b>
<b>ALTERNATIVE 2 SUB TOTAL DIRECT COST</b>					<b>\$3,637,770</b>
<b>ENGINEERING DESIGN AND CONSTRUCTION SERVICES</b>					<b>\$668,025</b>
<b>TOTAL INCLUDING CONTINGENCY AND DESIGN SERVICES</b>					<b>\$4,305,795</b>
<b>ANNUAL MAINTENANCE</b>					
	DEEP CLEAN	MONTHLY	\$450.00	2	\$900
	MOWING (\$20/PP/DAY)	MONTHLY	\$320.00	12	\$3,840
	VACUUM SWEEP TRAIL	MONTHLY	\$250.00	4	\$1,000
	INSPECTION (BASED ON 5 MANHOURS)	ANNUAL	\$100.00	1	\$100
<b>ANNUAL MAINTENANCE COSTS</b>					<b>\$5,840</b>

**KLINGLE VALLEY TRAIL  
ALTERNATIVE 3**

**CONSTRUCTION COST ESTIMATE (Preliminary Plan)**

Item	Description	Unit	Unit Cost	Quantity	Total Cost
<b>TRAIL IMPROVEMENTS</b>					
201030	CLASS 1 EXCAVATION	CY	\$52.50	938	\$49,231
202065	BORROW EXCAVATION	CY	\$63.00	1,600	\$100,813
	SELECT BACKFILL	CY	\$49.00	1,608	\$78,792
210025	REMOVAL OF EXISTING PAVEMENT	CY	\$91.00	1,608	\$146,328
504212	HOT MIX ASPHALT SUPERPAVE 12.5MM FOR BASE, PG 64-22, LEVEL 2 (2")	TON	\$180.00	61	\$11,038
520113	6 INCH GRADED AGGREGATE BASE (4 Lifts)	SY	\$38.15	20,286	\$773,902
504206	HOT MIX ASPHALT SUPERPAVE 12.5MM FOR SURFACE, PG 64-22, LEVEL 2 (4")	TON	\$235.20	123	\$28,846
	Aggregate for Drainage (Check Dams)	LS	\$35,000.00	1	\$35,000
<b>SUBTOTAL</b>					<b>\$1,223,951</b>
<b>STORMWATER MANAGEMENT IMPROVEMENTS</b>					
	25% of TRAIL IMPROVEMENTS and RETAINING WALL CONSTRUCTION				\$348,185
<b>SUBTOTAL</b>					<b>\$348,185</b>
<b>UTILITY IMPROVEMENTS</b>					
	30% of TRAIL IMPROVEMENTS and RETAINING WALL CONSTRUCTION				\$417,822
<b>SUBTOTAL</b>					<b>\$417,822</b>
<b>RETAINING WALL CONSTRUCTION</b>					
400000	Retaining Wall	SF	\$181.30	931	\$168,790
<b>SUBTOTAL</b>					<b>\$168,790</b>
<b>LANDSCAPING</b>					
	45% of TRAIL IMPROVEMENTS, RETAINING WALL, and SWM IMPROVEMENTS				\$783,417
<b>SUBTOTAL</b>					<b>\$783,417</b>
<b>ALTERNATIVE 3 TOTAL</b>					<b>\$2,942,166</b>
<b>CONTINGENCY</b>					<b>\$1,323,975</b>
<b>ALTERNATIVE 3 SUB TOTAL DIRECT COST</b>					<b>\$4,266,141</b>
<b>ENGINEERING DESIGN AND CONSTRUCTION SERVICES</b>					<b>\$783,417</b>
<b>TOTAL INCLUDING CONTINGENCY AND DESIGN SERVICES</b>					<b>\$5,049,558</b>
<b>ANNUAL MAINTENANCE</b>					
	DEEP CLEAN	MONTHLY	\$450.00	2	\$900
	MOWING (\$20/PP/DAY)	MONTHLY	\$320.00	12	\$3,840
	VACUUM SWEEP TRAIL	MONTHLY	\$250.00	4	\$1,000
	INSPECTION (BASED ON 5 MANHOURS)	ANNUAL	\$100.00	1	\$100
<b>ANNUAL MAINTENANCE COSTS</b>					<b>\$5,840</b>

**KLINGLE VALLEY TRAIL  
ALTERNATIVE 4**

**CONSTRUCTION COST ESTIMATE (Preliminary Plan)**

Item	Description	Unit	Unit Cost	Quantity	Total Cost
<b>TRAIL IMPROVEMENTS</b>					
201030	CLASS 1 EXCAVATION	CY	\$52.50	858	\$45,055
202065	BORROW EXCAVATION	CY	\$63.00	1,379	\$86,870
	SELECT BACKFILL (CONTINGENT)	CY	\$49.00	1,608	\$78,792
210025	REMOVAL OF EXISTING PAVEMENT	CY	\$91.00	1,608	\$146,328
504212	HOT MIX ASPHALT SUPERPAVE 12.5MM FOR BASE, PG 64-22, LEVEL 2 (2")	TON	\$180.00	48	\$8,583
520113	6 INCH GRADED AGGREGATE BASE (4 Lifts)	SY	\$38.15	15,775	\$601,804
504206	HOT MIX ASPHALT SUPERPAVE 12.5MM FOR SURFACE, PG 64-22, LEVEL 2 (4")	TON	\$235.20	95	\$22,431
	<b>SUBTOTAL</b>				<b>\$989,863</b>
<b>STORMWATER MANAGEMENT IMPROVEMENTS</b>					
	25% of TRAIL IMPROVEMENTS and RETAINING WALL CONSTRUCTION				\$289,663
	<b>SUBTOTAL</b>				<b>\$289,663</b>
<b>UTILITY IMPROVEMENTS</b>					
	30% of TRAIL IMPROVEMENTS and RETAINING WALL CONSTRUCTION				\$347,596
	<b>SUBTOTAL</b>				<b>\$347,596</b>
<b>RETAINING WALL CONSTRUCTION</b>					
400000	Retaining Wall	SF	\$181.30	931	\$168,790
	<b>SUBTOTAL</b>				<b>\$168,790</b>
<b>LANDSCAPING</b>					
	45% of TRAIL IMPROVEMENTS, RETAINING WALL, and SWM IMPROVEMENTS				\$651,742
	<b>SUBTOTAL</b>				<b>\$651,742</b>
<b>ALTERNATIVE 4 SUB TOTAL</b>					<b>\$2,447,655</b>
<b>CONTINGENCY</b>					<b>\$1,101,445</b>
<b>ALTERNATIVE 4 SUB TOTAL DIRECT COST</b>					<b>\$3,549,100</b>
<b>ENGINEERING DESIGN AND CONSTRUCTION SERVICES</b>					<b>\$651,742</b>
<b>TOTAL INCLUDING CONTINGENCY AND DESIGN SERVICES</b>					<b>\$4,200,842</b>
<b>ANNUAL MAINTENANCE</b>					
	DEEP CLEAN	MONTHLY	\$450.00	0	\$0
	MOWING (\$20/PP/DAY)	MONTHLY	\$320.00	12	\$3,840
	VACUUM SWEEP TRAIL	MONTHLY	\$250.00	0	\$0
	INSPECTION (BASED ON 5 MANHOURS)	ANNUAL	\$100.00	1	\$100
	<b>ANNUAL MAINTENANCE COSTS</b>				<b>\$3,940</b>

**KLINGLE VALLEY TRAIL  
KLINGLE CREEK RESTORATION OPTIONS  
OPTION A**

**CONSTRUCTION COST ESTIMATE (Preliminary Plan)**

Item/Description	Option A
MOBILIZATION	\$20,000
CONSTRUCTION STAKEOUT	\$15,000
TRAFFIC MAINTENANCE	\$15,000
DEBRIS JAM REMOVAL	\$5,000
EROSION AND SEDIMENT CONTROL	\$5,000
STREAM DIVERSION	\$15,000
CLEARING & GRUBBING	\$5,000
STREAM CHANNEL EXCAVATION	\$30,000
SELECT BORROW	\$10,000
FURNISH AND INSTALL STEP POOLS	\$50,000
IMBRICATED RIPRAP	\$50,000
SOIL STABILIZATION MATTING	\$5,000
STABILIZE DRAIN OUTFALLS	\$5,000
SEED & MULCH	\$2,000
LIVE STAKES	\$2,000
TREES & SHRUBS	\$25,000
<b>SUBTOTAL</b>	<b>\$259,000</b>
CONTINGENCIES (25% OF TOTAL)	\$64,750
<b>KLINGLE CREEK RESTORATION OPTION A</b>	<b>\$323,750</b>

**KLINGLE VALLEY TRAIL  
KLINGLE CREEK RESTORATION OPTIONS  
OPTION B (Preferred Option)**

**CONSTRUCTION COST ESTIMATE (Preliminary Plan)**

Item/Description	Option B (Preferred Option)
MOBILIZATION	\$50,000
CONSTRUCTION STAKEOUT	\$30,000
TRAFFIC MAINTENANCE	\$15,000
DEBRIS JAM REMOVAL	\$10,000
EROSION AND SEDIMENT CONTROL	\$10,000
STREAM DIVERSION	\$25,000
CLEARING & GRUBBING	\$10,000
STREAM CHANNEL EXCAVATION	\$75,000
SELECT BORROW	\$25,000
FURNISH AND INSTALL STEP POOLS	\$250,000
IMBRICATED RIPRAP	\$200,000
SOIL STABILIZATION MATTING	\$20,000
STABILIZE DRAIN OUTFALLS	\$20,000
SEED & MULCH	\$10,000
LIVE STAKES	\$10,000
TREES & SHRUBS	\$100,000
<b>SUBTOTAL</b>	<b>\$860,000</b>
CONTINGENCIES (25% OF TOTAL)	\$215,000
<b>KLINGLE CREEK RESTORATION OPTION B SUB TOTAL</b>	<b>\$1,075,000</b>

**KLINGLE VALLEY TRAIL  
ACCESS TO ROCK CREEK TRAIL OPTION B**

**CONSTRUCTION COST ESTIMATE (Preliminary Plan)**

Item	Description	Unit	Unit Cost	Quantity	Total Cost
<b>TRAIL IMPROVEMENTS</b>					
201030	CLASS 1 EXCAVATION	CY	\$52.50	10	\$525
201010	REMOVAL OF EXISTING CURB AND GUTTER	LF	\$20.00	20	\$400
504212	HOT MIX ASPHALT SUPERPAVE 12.5MM FOR BASE, PG 64-22, LEVEL 2 (2")	TON	\$180.00	7	\$1,297
520113	6 INCH GRADED AGGREGATE BASE (4 Lifts)	SY	\$38.15	2,384	\$90,967
504206	HOT MIX ASPHALT SUPERPAVE 12.5MM FOR SURFACE, PG 64-22, LEVEL 2 (4")	TON	\$196.00	14	\$2,826
<b>SUBTOTAL</b>					<b>\$96,015</b>
<b>STORMWATER MANAGEMENT IMPROVEMENTS</b>					
	25% of TRAIL IMPROVEMENTS and RETAINING WALL CONSTRUCTION				\$24,004
<b>SUBTOTAL</b>					<b>\$24,004</b>
<b>UTILITY IMPROVEMENTS</b>					
	30% of TRAIL IMPROVEMENTS and RETAINING WALL CONSTRUCTION				\$28,804
<b>SUBTOTAL</b>					<b>\$28,804</b>
<b>RETAINING WALL CONSTRUCTION</b>					
400000	Retaining Wall	SF	\$181.30	0	\$0
<b>SUBTOTAL</b>					<b>\$0</b>
<b>LANDSCAPING</b>					
	45% of TRAIL IMPROVEMENTS, RETAINING WALL, and SWM IMPROVEMENTS				\$54,008
<b>SUBTOTAL</b>					<b>\$54,008</b>
<b>ACCESS TO ROCK CREEK TRAIL OPTION B SUB TOTAL</b>					<b>\$202,831</b>
<b>CONTINGENCY</b>					<b>\$91,274</b>
<b>ACCESS TO ROCK CREEK TRAIL OPTION B SUB TOTAL DIRECT COST</b>					<b>\$294,104</b>
<b>ENGINEERING DESIGN AND CONSTRUCTION SERVICES</b>					<b>\$54,008</b>
<b>TOTAL COST</b>					<b>\$348,113</b>
<b>ACCESS TO ROCK CREEK TRAIL OPTION B PRELIMINARY TOTAL</b>					<b>\$349,000</b>
<b>ANNUAL MAINTENANCE</b>					
	DEEP CLEAN	MONTHLY	\$450.00	0	\$0
	MOWING (\$20/PP/DAY)	MONTHLY	\$160.00	12	\$1,920
	VACUUM SWEEP TRAIL	MONTHLY	\$250.00	0	\$0
	INSPECTION (BASED ON 5 MANHOURS)	ANNUAL	\$100.00	1	\$100
<b>ANNUAL MAINTENANCE COSTS</b>					<b>\$2,020</b>

**KLINGLE VALLEY TRAIL  
ACCESS TO ROCK CREEK TRAIL OPTION C**

**CONSTRUCTION COST ESTIMATE (Preliminary Plan)**

Item	Description	Unit	Unit Cost	Quantity	Total Cost
<b>TRAIL IMPROVEMENTS</b>					
201030	CLASS 1 EXCAVATION	CY	\$52.50	80	\$4,217
202065	BORROW EXCAVATION	CY	\$63.00	257	\$16,160
	SELECT BACKFILL (CONTINGENT)	CY	\$49.00	153	\$7,492
210025	REMOVAL OF EXISTING PAVEMENT	CY	\$91.00	153	\$13,913
504212	HOT MIX ASPHALT SUPERPAVE 12.5MM FOR BASE, PG 64-22, LEVEL 2 (2")	TON	\$180.00	14	\$2,507
520113	6 INCH GRADED AGGREGATE BASE (4 Lifts)	SY	\$38.15	4,608	\$175,778
504206	HOT MIX ASPHALT SUPERPAVE 12.5MM FOR SURFACE, PG 64-22, LEVEL 2 (4")	TON	\$196.00	28	\$5,460
<b>SUBTOTAL</b>					<b>\$225,526</b>
<b>STORMWATER MANAGEMENT IMPROVEMENTS</b>					
	25% of TRAIL IMPROVEMENTS and RETAINING WALL CONSTRUCTION				\$98,579
<b>SUBTOTAL</b>					<b>\$98,579</b>
<b>UTILITY IMPROVEMENTS</b>					
	30% of TRAIL IMPROVEMENTS and RETAINING WALL CONSTRUCTION				\$118,295
<b>SUBTOTAL</b>					<b>\$118,295</b>
<b>RETAINING WALL CONSTRUCTION</b>					
400000	Retaining Wall	SF	\$181.30	931	\$168,790
<b>SUBTOTAL</b>					<b>\$168,790</b>
<b>LANDSCAPING</b>					
	45% of TRAIL IMPROVEMENTS, RETAINING WALL, and SWM IMPROVEMENTS				\$221,803
<b>SUBTOTAL</b>					<b>\$221,803</b>
<b>ACCESS TO ROCK CREEK TRAIL OPTION C SUB TOTAL</b>					<b>\$832,994</b>
<b>CONTINGENCY</b>					<b>\$374,847</b>
<b>ACCESS TO ROCK CREEK TRAIL OPTION C SUB TOTAL DIRECT COST</b>					<b>\$1,207,841</b>
<b>ENGINEERING DESIGN AND CONSTRUCTION SERVICES</b>					<b>\$221,803</b>
<b>TOTAL INCLUDING CONTINGENCY AND DESIGN SERVICES</b>					<b>\$1,429,644</b>
<b>ANNUAL MAINTENANCE</b>					
	DEEP CLEAN	MONTHLY	\$450.00	2	\$900
	MOWING (\$20/PP/DAY)	MONTHLY	\$160.00	12	\$1,920
	VACUUM SWEEP TRAIL	MONTHLY	\$250.00	4	\$1,000
	INSPECTION (BASED ON 5 MANHOURS)	ANNUAL	\$100.00	1	\$100
<b>ANNUAL MAINTENANCE COSTS</b>					<b>\$3,920</b>

**KLINGLE VALLEY TRAIL  
ACCESS TO ROCK CREEK TRAIL OPTION C-MODIFIED (Preferred Option)**

**CONSTRUCTION COST ESTIMATE (Preliminary Plan)**

Item	Description	Unit	Unit Cost	Quantity	Total Cost
<b>TRAIL IMPROVEMENTS</b>					
201030	CLASS 1 EXCAVATION	CY	\$52.50	79	\$4,171
202065	BORROW EXCAVATION	CY	\$63.00	230	\$14,467
	SELECT BACKFILL (CONTINGENT)	CY	\$49.00	153	\$7,492
210025	REMOVAL OF EXISTING PAVEMENT	CY	\$91.00	153	\$13,913
504212	HOT MIX ASPHALT SUPERPAVE 12.5MM FOR BASE, PG 64-22, LEVEL 2 (2")	TON	\$180.00	10	\$1,728
520113	6 INCH GRADED AGGREGATE BASE (4 Lifts)	SY	\$38.15	3,175	\$121,130
504206	HOT MIX ASPHALT SUPERPAVE 12.5MM FOR SURFACE, PG 64-22, LEVEL 2 (4")	TON	\$196.00	19	\$3,762
<b>SUBTOTAL</b>					<b>\$166,663</b>
<b>STORMWATER MANAGEMENT IMPROVEMENTS</b>					
	25% of TRAIL IMPROVEMENTS and RETAINING WALL CONSTRUCTION				\$83,863
<b>SUBTOTAL</b>					<b>\$83,863</b>
<b>UTILITY IMPROVEMENTS</b>					
	30% of TRAIL IMPROVEMENTS and RETAINING WALL CONSTRUCTION				\$100,636
<b>SUBTOTAL</b>					<b>\$100,636</b>
<b>RETAINING WALL CONSTRUCTION</b>					
400000	Retaining Wall	SF	\$181.30	931	\$168,790
<b>SUBTOTAL</b>					<b>\$168,790</b>
<b>LANDSCAPING</b>					
	45% of TRAIL IMPROVEMENTS, RETAINING WALL, and SWM IMPROVEMENTS				\$188,692
<b>SUBTOTAL</b>					<b>\$188,692</b>
<b>ACCESS TO ROCK CREEK TRAIL OPTION C SUB TOTAL</b>					<b>\$708,645</b>
<b>CONTINGENCY</b>					<b>\$318,890</b>
<b>ACCESS TO ROCK CREEK TRAIL OPTION C SUB TOTAL DIRECT COST</b>					<b>\$1,027,535</b>
<b>ENGINEERING DESIGN AND CONSTRUCTION SERVICES</b>					<b>\$188,692</b>
<b>TOTAL INCLUDING CONTINGENCY AND DESIGN SERVICES</b>					<b>\$1,216,228</b>
<b>ANNUAL MAINTENANCE</b>					
	DEEP CLEAN	MONTHLY	\$450.00	2	\$900
	MOWING (\$20/PP/DAY)	MONTHLY	\$160.00	12	\$1,920
	VACUUM SWEEP TRAIL	MONTHLY	\$250.00	4	\$1,000
	INSPECTION (BASED ON 5 MANHOURS)	ANNUAL	\$100.00	1	\$100
<b>ANNUAL MAINTENANCE COSTS</b>					<b>\$3,920</b>

**KLINGLE VALLEY TRAIL  
LIGHTING OPTION B (Preferred Option)**

**SAMPLE POLE LIGHTING ESTIMATE**

ITEM NO.	DESCRIPTION	UNIT	QUANTITY	UNIT PRICE	TOTAL
1	TEST PIT EXCAVATION	CY	14	\$175.00	\$2,458.12
2	FURNISH AND INSTALL POLYMER CONCRETE HAND BOX	EA	27	\$1,120.00	\$30,205.36
3	FURNISH AND INSTALL 16-FOOT ROUND, TAPERED, POST-TOP, DIRECT BURIAL FIBERGLASS LIGHT POLE (PAINTED BLACK)	EA	26	\$1,890.00	\$49,909.64
4	FURNISH AND INSTALL 150WATT HPS COLONIAL POST-TOP STYLE LUMINAIRE, LAMP AND PHOTOCELL (PAINTED BLACK)	EA	26	\$840.00	\$22,182.06
5	2 INCH SCHEDULE 40 RIGID PVC CONDUIT-TRENCHED	LF	135	\$11.20	\$1,510.27
6	4 INCH SCHEDULE 40 RIGID PVC CONDUIT-TRENCHED	LF	2,860	\$15.40	\$44,041.62
7	GROUND ROD - 3/4 INCH DIAMETER X 10 FOOT LENGTH	EA	27	\$182.00	\$4,908.37
8	100WATT HIGH PRESSURE SODIUM WALLPACK LAMP AND LUMINARE	EA	1	\$1,400.00	\$1,573.20
9	1 1/2 INCH RIGID GALVANIZED STEEL CONDUIT - ATTACHED	LF	39	\$28.00	\$1,101.24
10	1 1/2 INCH FLEXIBLE GALVANIZED STEEL CONDUIT - ATTACHED	LF	56	\$35.00	\$1,966.49
11	6 INCH X 6 INCH GALVANIZED STEEL JUNCTION BOX - ATTACHED	EA	2	\$700.00	\$1,179.90
12	25' SQUARE TAPERED POLE WITH TWIN 150W HPS RECTILINEAR, MEDIUM-CUTOFF, TYPE III, LUMINAIRES, BRONZE-COLORED	EA	1	\$6,300.00	\$3,539.69
13	CABLE - 1 CONDUCTOR, NO 10 AWG, TYPE THWN/THHN, 600V	LF	927	\$2.38	\$2,206.41
				<b>TOTAL</b>	<b>\$166,782.36</b>
AVERAGE COST PER LINEAR FOOT KLINGLE VALLEY LINEAR FEET			<b>\$61.20</b> 2,725		

**KLINGLE VALLEY TRAIL  
LIGHTING OPTION B**

**SAMPLE BOLLARD LIGHTING ESTIMATE**

ITEM NO.	DESCRIPTION	UNIT	QUANTITY	UNIT PRICE	TOTAL
1	TEST PIT EXCAVATION	CY	15	\$175.00	\$2,625.00
2	FURNISH AND INSTALL POLYMER CONCRETE HAND BOX	EA	23	\$1,120.00	\$25,433.33
3	FURNISH AND INSTALL 42 INCH LED, MOTION SENSING 8 WATT-41 WATT, 180 DEGREE, BOLLARD	EA	91	\$450.00	\$40,875.00
5	2 INCH SCHEDULE 40 RIGID PVC CONDUIT-TRENCHED	LF	135	\$11.20	\$1,512.00
6	4 INCH SCHEDULE 40 RIGID PVC CONDUIT-TRENCHED	LF	2,851	\$15.40	\$43,905.40
7	GROUND ROD - 3/4 INCH DIAMETER X 10 FOOT LENGTH	EA	91	\$182.00	\$16,531.67
9	1 1/2 INCH RIGID GALVANIZED STEEL CONDUIT - ATTACHED	LF	40	\$28.00	\$1,120.00
10	1 1/2 INCH FLEXIBLE GALVANIZED STEEL CONDUIT - ATTACHED	LF	56	\$35.00	\$1,960.00
11	6 INCH X 6 INCH GALVANIZED STEEL JUNCTION BOX - ATTACHED	EA	2	\$700.00	\$1,400.00
13	CABLE - 1 CONDUCTOR, NO 10 AWG, TYPE THWN/THHN, 600V	LF	2,900	\$2.38	\$6,902.00
<b>TOTAL</b>					<b>\$142,264.40</b>
SPACING BETWEEN BOLLARDS ON CENTER (FEET)			30		
KLINGLE VALLEY LINEAR FEET			2,725		
TOTAL NUMBER OF MOTION SENSING BOLLARDS			91		

KLINGLE VALLEY TRAIL

**CONSTRUCTION COST ESTIMATE FOR ROAD REPAIR (Preliminary Plan)**

Item	Description	Unit	Unit Cost	Quantity	Total Cost
<b>ROAD IMPROVEMENTS</b>					
201030	CLASS 1 EXCAVATION	CY	\$52.50	6,914	\$362,979
202065	BORROW EXCAVATION	CY	\$63.00	1,763	\$111,096
	SELECT BACKFILL	CY	\$49.00	1,608	\$78,792
210025	REMOVAL OF EXISTING PAVEMENT	CY	\$91.00	1,608	\$146,328
402002	Superpave Base Course, 19 mm (Two 3.5" Lifts)	TON	\$75.00	2,827	\$212,021
209002	Aggregate Base Course (Two 6" Lifts)	CY	\$42.00	2,218	\$93,159
402010	Superpave Surface Course, 9.5 mm (One 2" Lift)	TON	\$85.00	808	\$68,654
609002	PCC CURB AND/OR GUTTER	LF	\$22.00	4,909	\$107,998
	Aggregate for Drainage (Check Dams)	LS	\$35,000.00	1	\$35,000
<b>SUBTOTAL</b>					<b>\$1,216,028</b>
<b>STORMWATER MANAGEMENT IMPROVEMENTS</b>					
	25% of ROAD IMPROVEMENTS and RETAINING WALL CONSTRUCTION				\$732,170
<b>SUBTOTAL</b>					<b>\$732,170</b>
<b>UTILITY IMPROVEMENTS</b>					
	30% of ROAD IMPROVEMENTS and RETAINING WALL CONSTRUCTION				\$878,603
<b>SUBTOTAL</b>					<b>\$878,603</b>
<b>RETAINING WALL CONSTRUCTION</b>					
400000	Retaining Wall	SF	\$181.30	9,447	\$1,712,650
<b>SUBTOTAL</b>					<b>\$1,712,650</b>
<b>LANDSCAPING</b>					
	45% of ROAD IMPROVEMENTS, RETAINING WALL, and SWM IMPROVEMENTS				\$1,647,381
<b>SUBTOTAL</b>					<b>\$1,647,381</b>
<b>ROAD REPAIR TOTAL</b>					<b>\$6,186,832</b>
<b>CONTINGENCY</b>					<b>\$2,784,075</b>
<b>ROAD REPAIR SUB TOTAL DIRECT COST</b>					<b>\$8,970,907</b>
<b>ENGINEERING DESIGN AND CONSTRUCTION SERVICES</b>					<b>\$1,647,381</b>
<b>TOTAL INCLUDING CONTINGENCY AND DESIGN SERVICES</b>					<b>\$10,618,288</b>

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APPENDIX  
B

ASSESSMENT OF EFFECTS: HISTORIC RESOURCES







US Department  
of Transportation

**Federal Highway  
Administration**

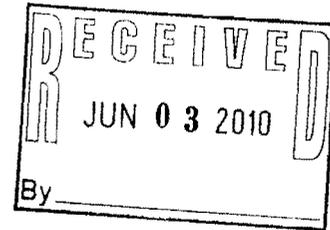
**District of Columbia Division  
(202) 219-3536 FAX 219-3545**

**1990 K Street, NW  
Suite 510  
Washington, DC 20006-1103**

In Reply Refer To: HDA-DC

May 21, 2010

Mr. David Maloney  
State Historic Preservation Officer  
District of Columbia Historic Preservation Office  
2000 14<sup>th</sup> Street, N.W., 4<sup>th</sup> Floor  
Washington, D.C. 20009



Dear Mr. Maloney:

In accordance with Section 106 of the National Historic Preservation Act of 1966 (NHPA), as amended, its implementing regulations, 36 CFR Part 800, and the National Environmental Policy Act of 1969 (NEPA); the Federal Highway Administration (FHWA) and the District Department of Transportation (DDOT) have prepared an assessment of effects of the proposed Klingle Valley Trail project on historic and cultural resources. Through this project, DDOT, working with FHWA as the lead federal agency and in cooperation with the National Park Service (NPS), proposes to construct a multi-use trail along the barricaded 0.7 mile section of Klingle Road between Porter Street, N.W. and Cortland Place, N.W. The project includes the rehabilitation of the Klingle Creek stream channel and restoration of Klingle Valley.

As a first step in assessing the effects of this undertaking on historic properties, DDOT, in concurrence with the D.C. Historic Preservation Office (DC HPO), determined the Area of Potential Effects (APE), as documented in a letter dated January 20, 2010. The APE encompasses the properties that are directly adjacent to the proposed undertaking and share a visual relationship with the valley. The APE encompasses several properties that are listed in the National Register of Historic Places including: the Cleveland Park Historic District, the Tregaron Estate, the Embassy of India Ambassador's Residence, the Connecticut Avenue Bridge, the Kennedy-Warren Apartment Building, and the National Zoological Park. Additionally, Klingle Road and Klingle Valley have been previously determined eligible for the National Register by DC HPO, and the Woodley Park Towers Apartment Building may also qualify for listing in the National Register based on its architectural and historical significance. Recent archaeological investigations within Rock Creek Park also suggest the potential for the APE to include previously undocumented archaeological sites.



DDOT is currently considering several alternatives for a proposed multi-use trail. These Trail Alternatives include a No Action Alternative (Alternative 1) and three Action Alternatives: a 10-foot permeable multi-use trail (Alternative 2); a 12-foot permeable multi-use trail (Alternative 3); and a 10-foot non-permeable multi-use trail (Alternative 4). DDOT is also considering two options for the Restoration of Klingle Creek. Options include a targeted stream restoration (Klingle Creek Restoration Option A) and the restoration of the entire stream channel (Klingle Creek Restoration Option B). If an Action Alternative is selected, one of these stream restoration options must also be selected to ensure the sustainability of the trail. Finally, DDOT is considering three options for connecting the Klingle Valley Trail to the existing Rock Creek Trail: a trailhead at the eastern end of the barricaded section of Klingle Road with no additional infrastructure (Rock Creek Trail Option A); a dedicated bike lane along the segment of Klingle Road leading to the Rock Creek Trail (Rock Creek Trail Option B); and the continuation of the proposed Klingle Valley Trail along the south side of Klingle Road (Rock Creek Trail Option C).

The proposed Trail Alternatives, Klingle Creek Restoration Options, and Access to Rock Creek Trail Options would contain the following modifications to or conditions on the undertaking that would avoid potential adverse effects on historic resources within the APE:

- **Vegetation and Landscaping:** While the loss of vegetation resulting from the proposed undertaking would be limited relative to the size of the heavily-wooded Klingle Valley, the replanting of native tree species and vegetation following construction would eliminate any potential impacts on the natural setting of Klingle Valley. It should be noted that impacts are conservatively estimated based on generalized design concepts, and represent the worst-case scenario not including avoidance measures or best management practices. It is anticipated that as designs for the trail and stream restoration are refined, opportunities to preserve large trees will be actively pursued.
- **Rehabilitation of Retaining Walls and Culvert Features:** The proposed undertaking would potentially require substantial alteration to some of the masonry retaining walls and culvert features that line Klingle Creek. Therefore, the proposed undertaking would include an assessment of the structural and historical integrity of the retaining walls and culvert features to determine the appropriate approach to maintain the valley's historic integrity in accordance with the *Secretary of the Interior's Guidelines for the Treatment of Historic Properties* (36 CFR 68). DDOT would conduct this assessment in consultation with DC HPO. This measure would avoid the potential adverse effects of the alternatives on the retaining walls and culvert features.
- **Archaeological Discovery:** Because of potential for archaeological resources to be located in the project area, the proposed undertaking would include a geoarchaeological study of the Klingle Valley Trail project area. This study would be conducted prior to ground-disturbing activities. Such a study would be used to determine whether intact landforms are present within the limit of disturbance, including landforms currently covered by the existing road. If the geoarchaeological survey determines that the Klingle Road limit of disturbance retains subsurface integrity and has the potential for previously

unrecorded archaeological resources, traditional archaeological survey methods, including shovel test pit excavations and visual inspection of exposed surfaces and stream cutbanks, would be employed as discovery methods. If archeological resources are found, DDOT would continue consultation with DC HPO on measures to avoid or mitigate the potential adverse impacts to these resources.

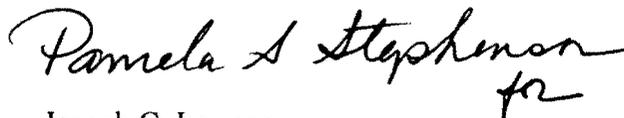
Enclosed with this letter is an Assessment of Effects report that details the potential effects of the proposed undertaking on historic and cultural resources. This report was prepared at the request of the D.C. Historic Preservation Office as a part of the Section 106 review process.

In order to assess the potential effects of the proposed alternatives on historic and cultural resources, the enclosed report applies the Criteria of Adverse Effect, as defined in 36 CFR Part 800.5, to historic properties within the APE. The application of the Criteria of Adverse Effects

reveals that the proposed action alternatives combined with the aforementioned avoidance measures would result in *no adverse effect on historic properties*. The proposed action should have an overall beneficial effect on historic and cultural resources in comparison to the no action alternative. The Trail Alternatives, combined with the Stream Restoration Options and Rock Creek Trail Options would curtail the continued deterioration of Klingle Valley, its character defining features and restore views of the heavily wooded valley from nearby historic properties.

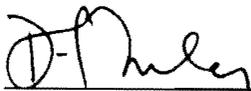
If you agree with the findings as presented in the report, please sign the concurrence line below returning a signed original to the FHWA District of Columbia Division Office and a copy to Austina Casey at DDOT. If you have any questions or comments concerning the assessment of effects, please contact Michael Hicks of my staff at (202) 219-3519 or by email at [michael.hicks@dot.gov](mailto:michael.hicks@dot.gov).

Sincerely,



Joseph C. Lawson  
Division Administrator

I concur with the finding of no adverse effect on historic properties for the undertaking of the Klingle Valley Trail project, including the conditions and modifications to avoid adverse effects as detailed in the Assessment of Effects report.



David Maloney  
State Historic Preservation Officer  
District of Columbia Historic Preservation Office

6-18-2010

Date



**KLINGLE VALLEY TRAIL  
ASSESSMENT OF EFFECTS: HISTORIC RESOURCES**

**May 2010**

**d.**

**District Department of Transportation**  
Transportation Policy and Sustainability Administration  
Project Development and Environment  
2000 14<sup>th</sup> Street, NW, 7<sup>th</sup> Floor  
Washington, DC 20009

**Prepared by**

EHT TRACERIES INC



**EHT Traceries**

and



**Greenhorne & O'Mara, Inc.**



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## **1.0 INTRODUCTION**

### **1.1 Project Background**

The Federal Highway Administration (FHWA) and the District Department of Transportation (DDOT) propose to build a multi-use pedestrian and bicycle trail at the deteriorated 0.7 mile segment of Klinge Road between Porter Street, N.W. and Cortland Place, N.W. in northwest Washington, D.C. As a part of the trail construction, FHWA and DDOT also propose to restore the streambed of the adjacent Klinge Creek. In cooperation with the National Park Service (NPS), FHWA and DDOT are preparing an Environmental Assessment (EA) in accordance with the National Environmental Policy Act (NEPA) to assess the potential impacts of this undertaking. Since the construction of the multi-use trail constitutes a federal undertaking, the project also includes an assessment of historic and cultural resources in accordance with Section 106 of the National Historic Preservation Act of 1966 (NHPA). DDOT has retained Greenhorne & O'Mara, Inc. (G&O) to prepare preliminary engineering and environmental studies to support the development of the EA for the proposed Klinge Valley Trail. In turn, G&O has retained EHT Traceries, Inc. (Traceries) to evaluate the potential effects of the proposed undertaking on historic and cultural resources. DDOT is proposing the following four alternatives for the Klinge Valley Trail Project based on G&O's initial engineering studies:

- Alternative 1 – No Build
- Alternative 2 – 10 Foot Permeable Multi-Use Trail
- Alternative 3 – 12 Foot Permeable Multi-Use Trail
- Alternative 4 – 10 Foot Non-Permeable Multi-Use Trail

The proposed alignment for all three action alternatives is within the existing DDOT right-of-way. In addition to the trail alternatives, there are two proposed options for the restoration of Klinge Creek, and three proposed options for a connection to the Rock Creek Park Trail, located to the east of Klinge Valley. Klinge Creek Restoration Option A would limit the stream restoration to three target areas where erosion and sediment accumulation have been acute. Klinge Creek Restoration Option B would stabilize the stream channel along the entire length of the project area. Rock Creek Trail Option A would construct a trailhead at the site of the current barricade on the east end of Klinge Road. Rock Creek Trail Option B would extend the multi-use trail to Rock Creek Trail via a dedicated bike lane along Klinge Road. Rock Creek Trail Option C would continue the trail to Rock Creek Trail by means of a multi-use trail that would run along the south side of Klinge Road. The proposed trail and stream action alternatives are shown in Figures 1 through 4. The Rock Creek Trail options are shown in Figures 5 through 7.

**Figure 1: Trail Alternatives with Klingle Creek Restoration Option A (Map 1 of 2)**

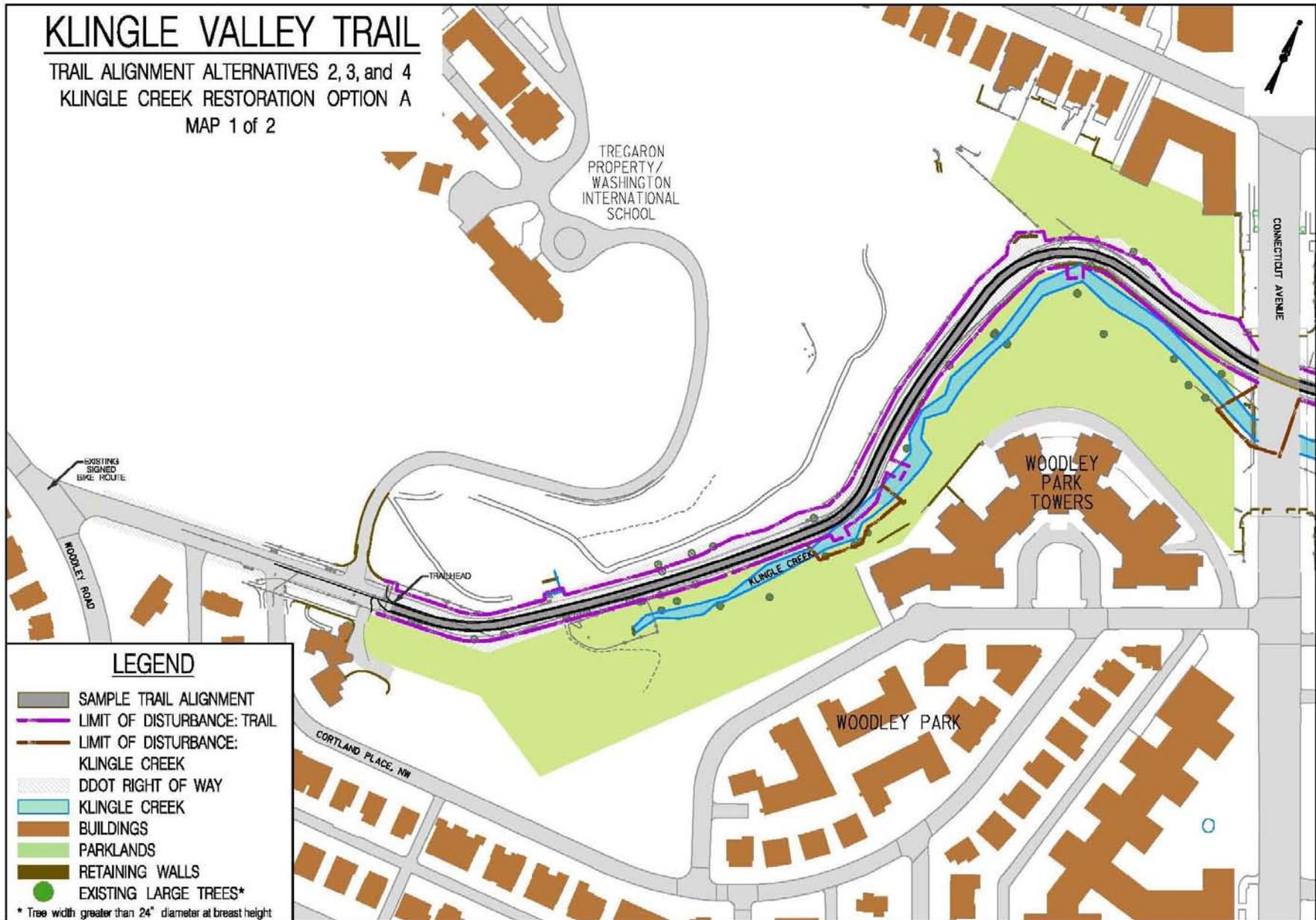


Figure 2: Trail Alternatives with Klingle Creek Restoration Option A (Map 2 of 2)

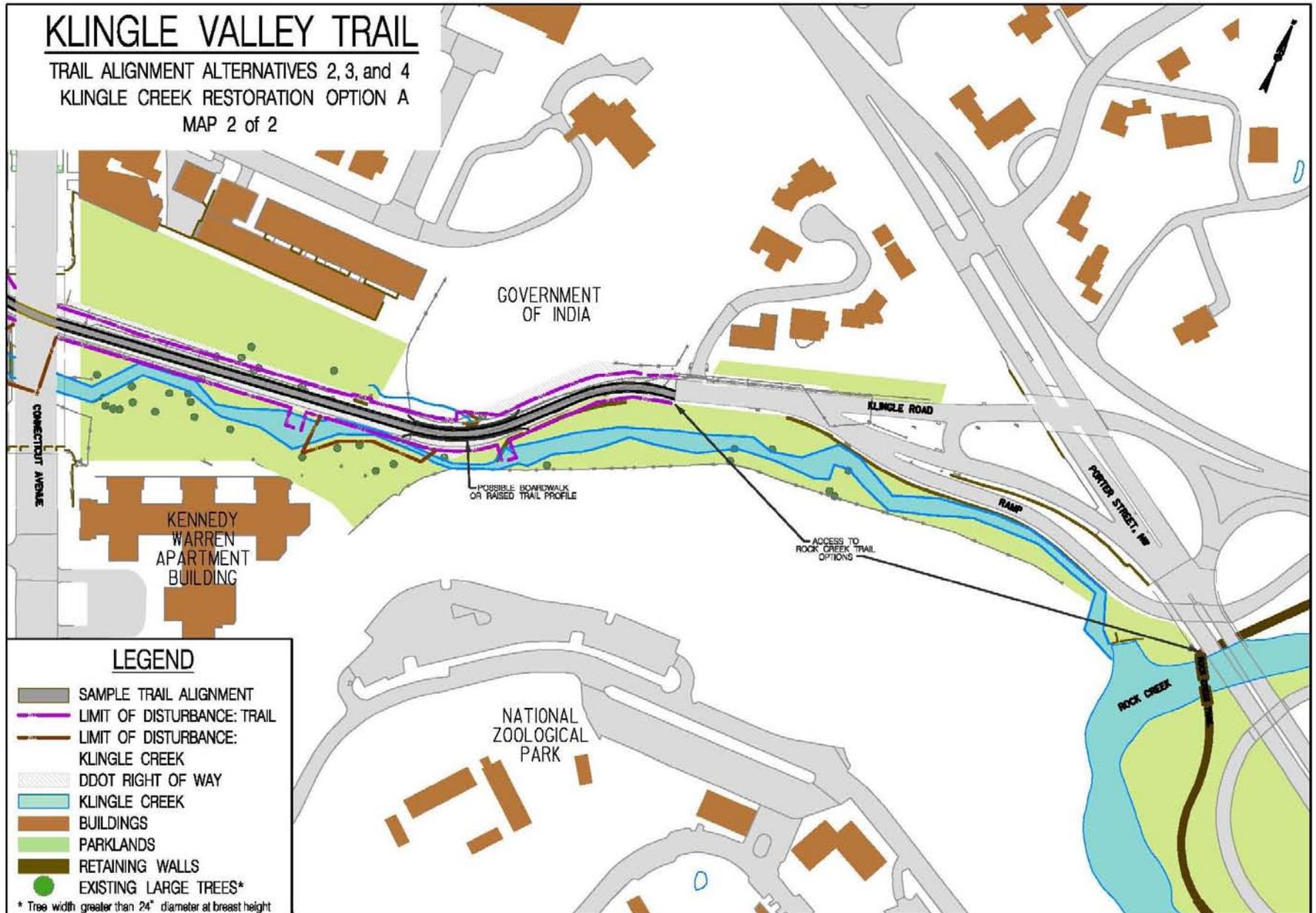


Figure 3: Trail Alternatives with Klingle Creek Restoration Option B (Map 1 of 2)

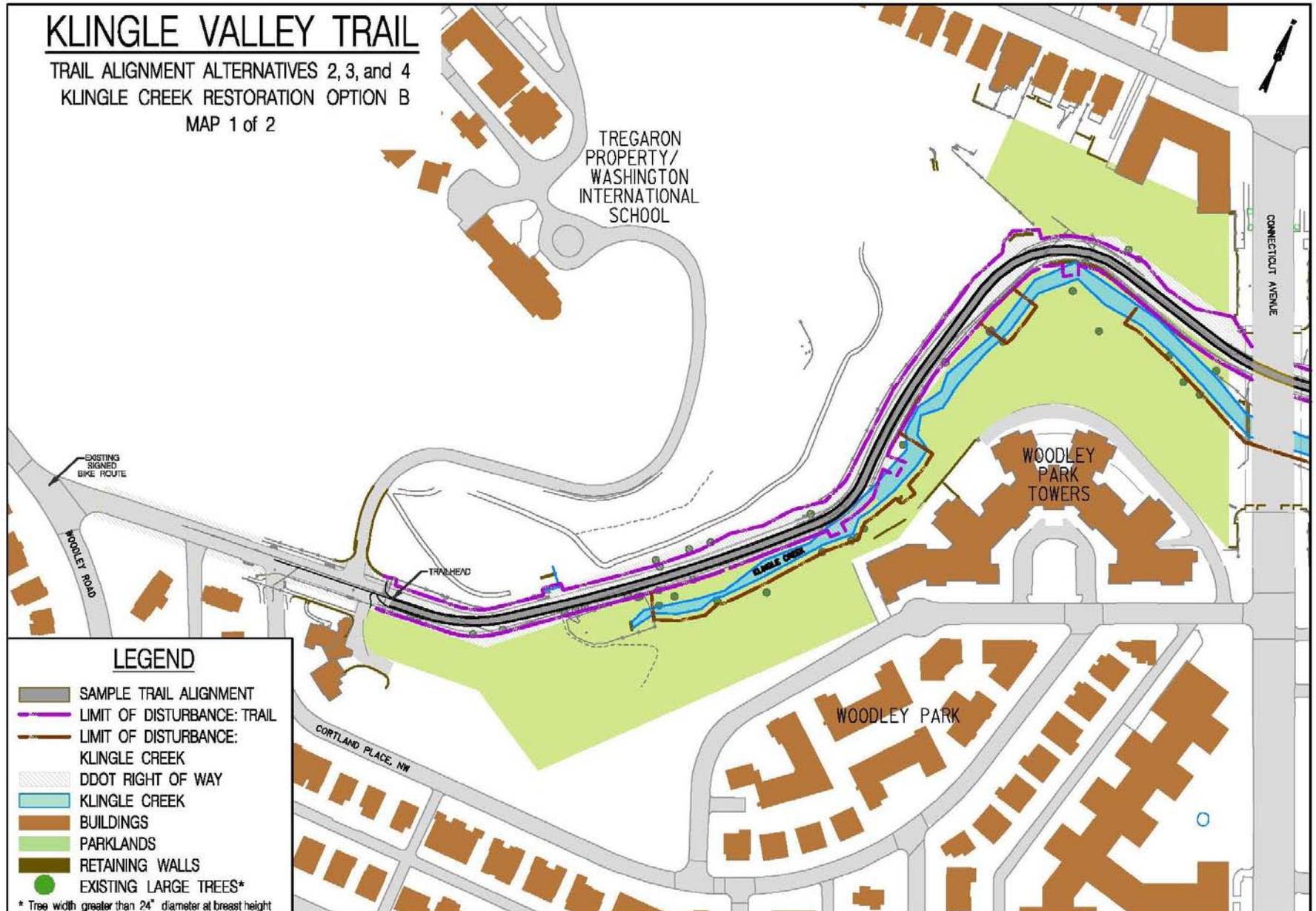
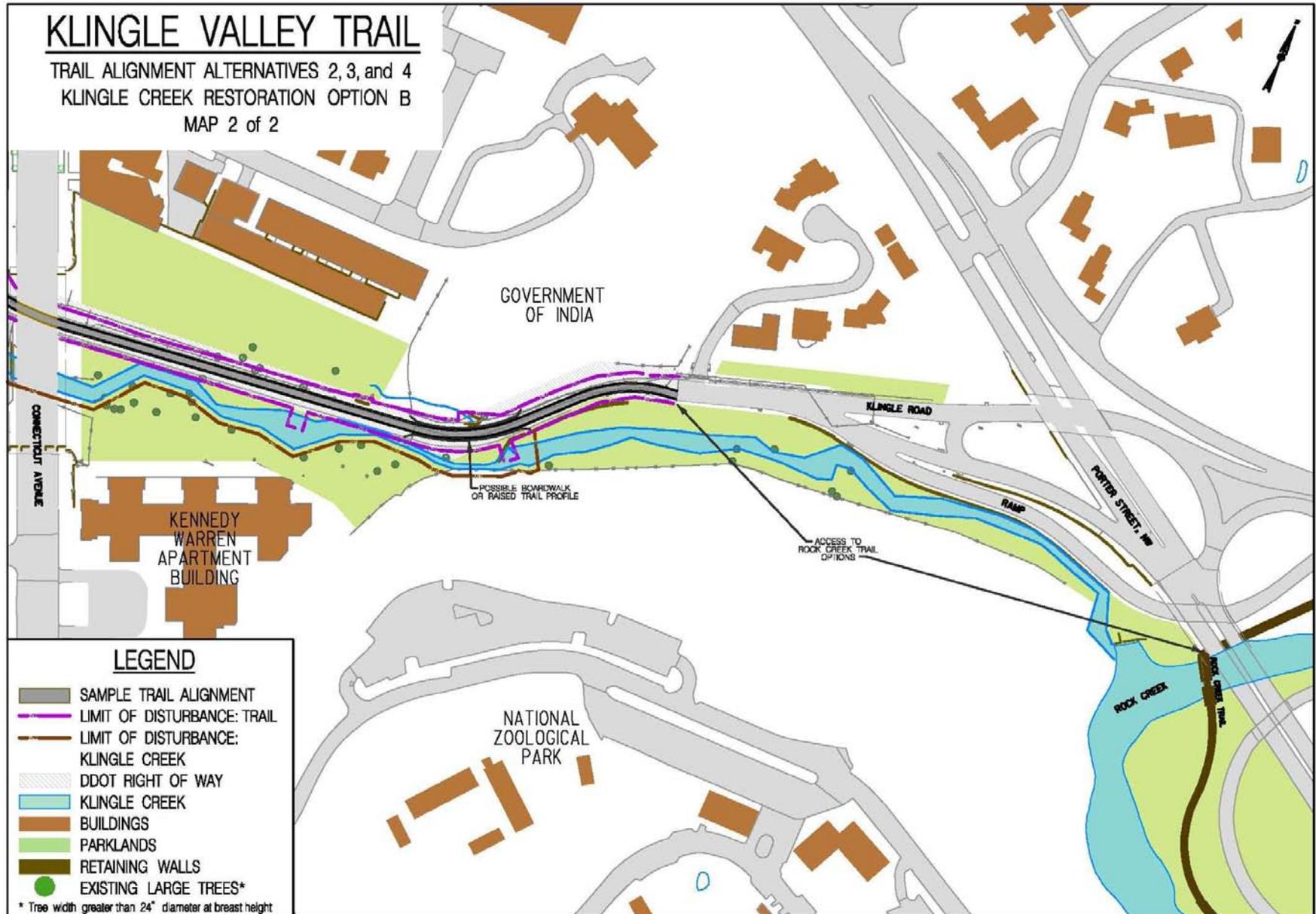
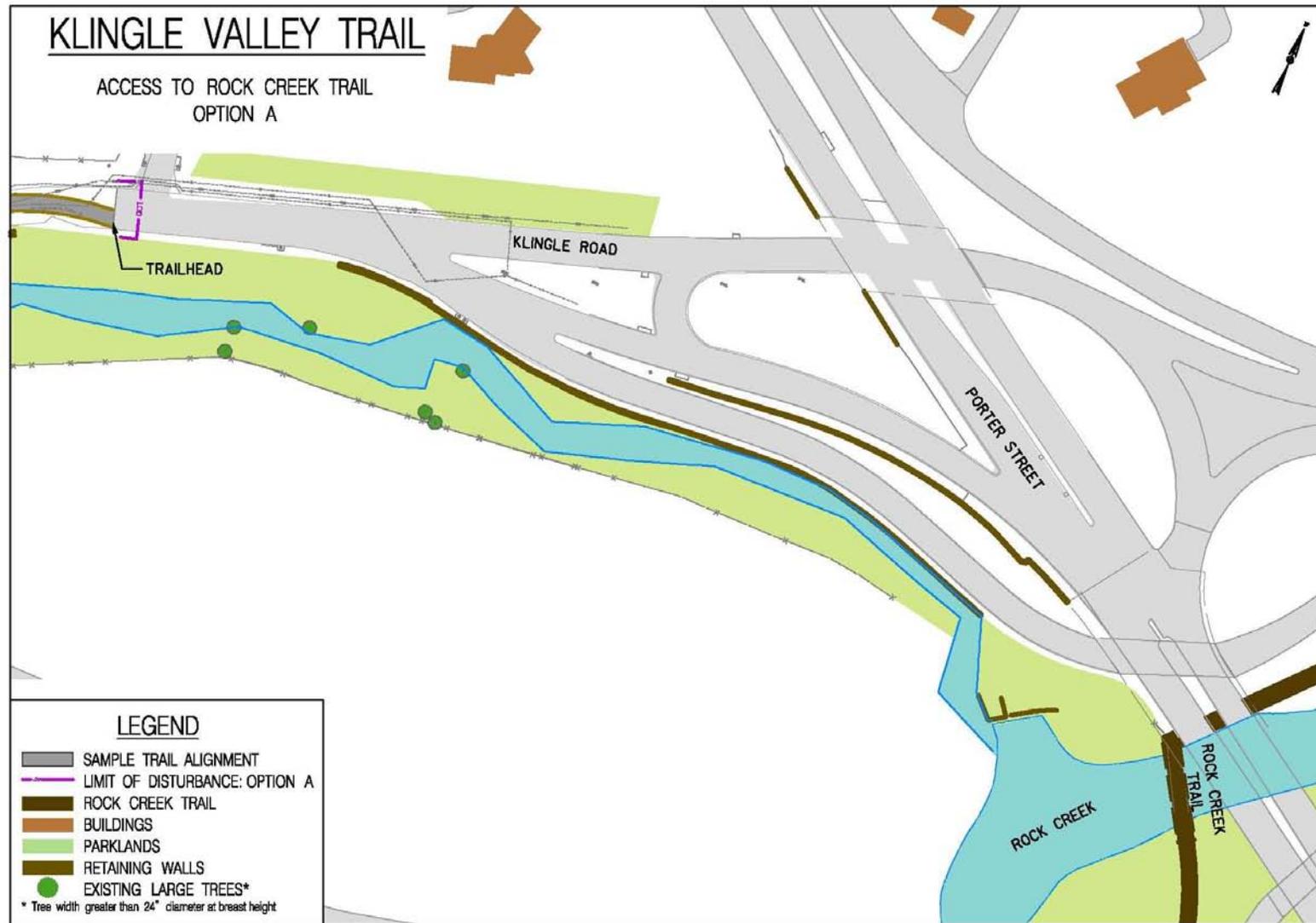


Figure 4: Trail Alternatives with Klingle Creek Restoration Option B (Map 2 of 2)



**Figure 5: Rock Creek Trail Option A**



**Figure 6: Rock Creek Trail Option B**

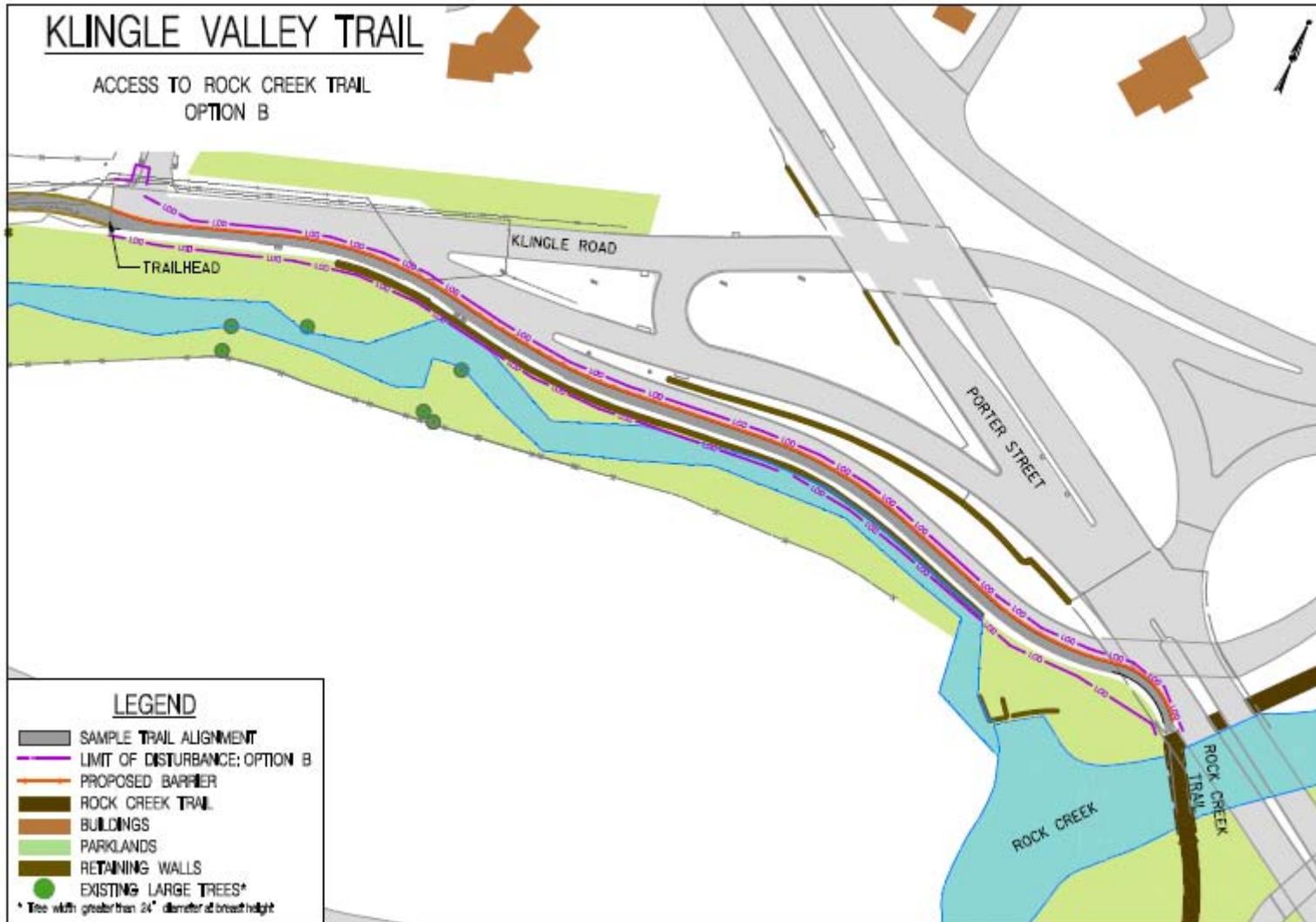
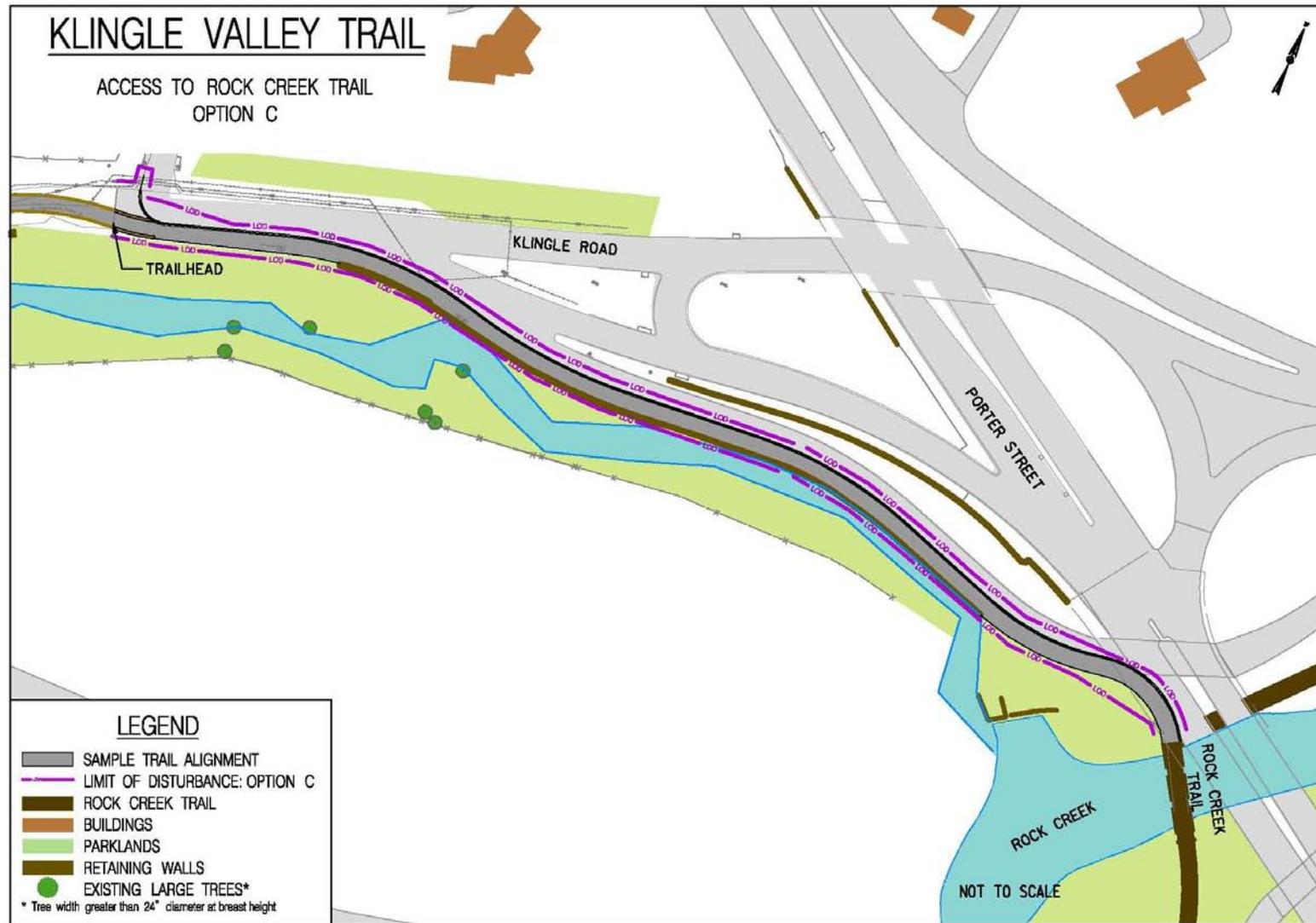


Figure 7: Rock Creek Trail Option C



## **1.2 Purpose**

The purpose of this report is to provide an assessment of the potential effects of the proposed alternatives for the Klinge Valley Trail Project on historic properties. This assessment of potential effects is informed by a previous Section 106 Review conducted in 2006 when DDOT initially proposed to reopen Klinge Road to motorized traffic. This process resulted in finding of no adverse effect as documented in memorandum from DDOT to the D.C. Historic Preservation Office (DC HPO) dated September 7, 2006.

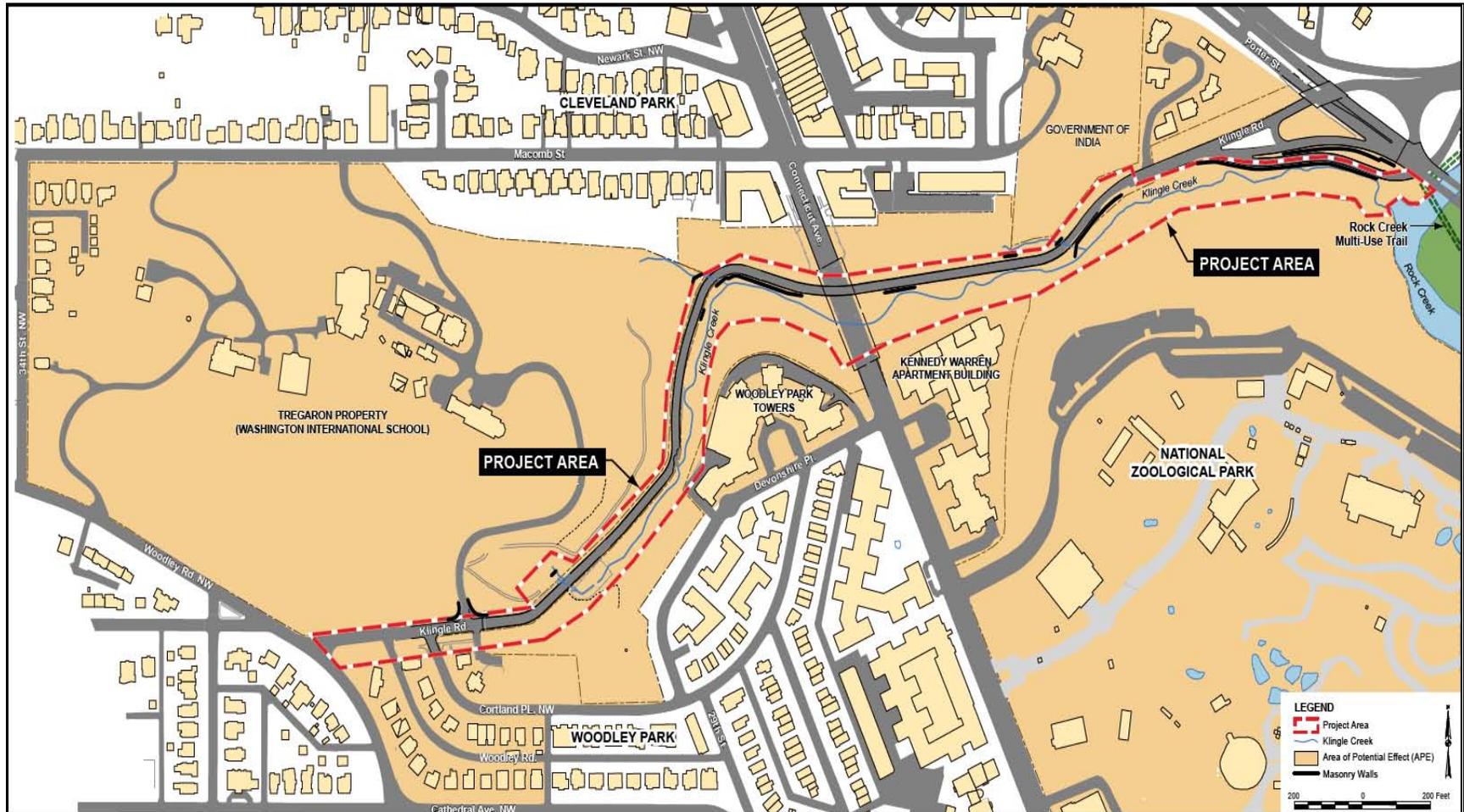
Following the Section 106 Process outlined in the Federal regulations providing for the Protection of Historic Properties (36 CFR 800), this report first identifies historic resources within the project's Area of Potential Effects (APE). For the purposes of this assessment, a property is considered historic if it is listed or is eligible for listing in the National Register of Historic Places (NRHP), the nation's official list of cultural resources worthy of preservation. Following the identification of historic properties, this report applies the Criteria of Adverse Effects as provided in 36 CFR §800.5 to determine if the proposed undertaking may alter, directly or indirectly, any characteristics of a historic property in a manner that would diminish its integrity. The information contained in this report will be incorporated into the EA for the Klinge Valley Trail Project. This report will also be submitted to DDOT, FHWA, and DC HPO in coordination with the preparation of the EA. It will be used as a basis for consultation between the agencies concerning the possible effects of the proposed undertaking on historic properties.

## **2.0 IDENTIFICATION OF HISTORIC PROPERTIES**

### **2.1 Area of Potential Effects**

The project area for the Klinge Valley Trail Project encompasses the DDOT right-of-way and adjacent NPS property along the 0.7-mile closed segment of Klinge Road, between Porter Street, N.W. and Courtland Place, N.W. Klinge Road is located in a steep valley that is dominated by mature trees and dense vegetation. Vistas to and from this segment of Klinge Road are limited due to the foliage and the topography of the ravine. Views of Klinge Road from the south are also obscured by the massive Woodley Park Towers and the Kennedy Warren Apartment Buildings. The APE encompasses the properties directly adjacent to the project area, and includes the properties that extend into Klinge Valley and share a visual relationship with the ravine. The APE is appropriate to the proposed undertaking because of the narrow scale of the project, which is restricted to the DDOT right-of-way, and the limited visibility of Klinge Road to and from the surrounding area. A map outlining the APE is shown in Figure 8.

**Figure 8: Area of Potential Effects**



## **2.2 Identification of Resources**

Historic resources located within the APE were identified by Tracerics in accordance with 36 CFR §800.4. The Section 106 regulations define a historic property as “Any prehistoric or historic district, site, building, structure, or object included in, or eligible for inclusion in, the National Register of Historic Places maintained by the Secretary of the Interior.” Following the methodology prescribed in 36 CFR 800, Tracerics conducted background research and field surveys to identify historic properties within the proposed APE. This effort revealed a number of properties that have been listed in the NRHP; properties that have been determined eligible for the NRHP by DC HPO; and properties that are potentially eligible for the NRHP based on their architectural and historic significance. These properties, in addition to the potential for the discovery of archaeological resources, are described below.

### ***2.2.1 Rock Creek Park and Rock Creek Park Historic District***

The Rock Creek Park Historic District encompasses Public Reservation 339, the 1,700 acre parcel set aside as a park, Rock Creek Park, by Congress in 1890. It extends from the District border with Maryland on the north, to Klingle Road to the south. Additionally, it is roughly bordered by Sixteenth Street, N.W. on the east and Oregon Avenue, N.W. and Branch Road, N.W. to the west (Bushong, 1990a). Rock Creek Park was established to provide a “public park and pleasure ground for the benefit and enjoyment of the people of the United States.” An outgrowth of the urban parks movement, the creation of Rock Creek responded to social reformers’ concerns that Washington had become overcrowded as a result of rapid urbanization following the Civil War. The natural scenery and recreational opportunities afforded by the park were seen as an antidote to crowded, polluted, noisy, and disease-ridden neighborhoods of the industrial nineteenth-century city. The core of the park was formed by Rock Creek with its steep ravines and picturesque wooded valleys. The park was slow to develop at first, but it featured prominently in the City Beautiful Plan for Washington proposed by the McMillan Commission in 1902. As a member of the McMillan Commission, Frederick Law Olmsted Jr., a celebrated urban planner and son of the nation’s foremost landscape architect, proposed a network of parks and parkways throughout the District including the Rock Creek and Potomac Parkway. In 1917, Olmsted, Jr. was retained to develop a comprehensive plan for management of Rock Creek Park. Olmsted’s report articulated the need to preserve the natural scenic qualities of the park while providing accessibility for the public. These values have endured and continue to guide the stewardship of the park (Bushong, 1990a and Spilsbury, 2003).

In the twentieth century, Rock Creek Park grew through the acquisition of land surrounding several tributaries to Rock Creek. These additions were intended to preserve the Rock Creek watershed, but they also allowed for parkways that served as access routes into the park. The parkways were a response to the 1902 McMillan Commission's recommendations for integrated urban greenspaces in the District of Columbia (Mackintosh, 1985 and Crowell et al., 2003).

Although Klinge Road forms the southern boundary of Reservation 339, the NPS lands within the APE do not fall within the Rock Creek Park Historic District (Bushong, 1990b). Therefore, the proposed undertaking and its potential effects do not extend into the Rock Creek Park Historic District. Even though the Rock Creek Park Historic District falls outside the APE, its history and significance is important in understanding twentieth-century improvements to Klinge Road and Klinge Valley.

### ***2.2.2 Klinge Valley Park and Klinge Road***

Along with Piney Branch Parkway and the Rock Creek and Potomac Parkway, Klinge Valley was one of the first parkway extensions of Rock Creek Park. Before the construction of east-west road connections through the District of Columbia, Rock Creek could only be crossed at fords, points where the creek was shallow enough to be waded across. The most frequently used fords were Milk House Road Ford (also known as Rock Creek Ford) and Klinge Ford (Spilsbury, 2003). Klinge Ford was located near the mouth of Klinge Creek at the approximate site of the present day Porter Street Bridge (Spratt 1953-1956). Klinge Road was laid out in 1831 by Joshua Pierce as a connection between his estate, Linnaean Hill, to the west and Pierce Mill Road to the east. By the end of the nineteenth century, Klinge Road followed the entire course of the stream valley, extending all the way to Woodley Land Road to the west. When Rock Creek Park was established in 1890, Klinge Road was one of only three roads—along with Pierce Mill Road and Military Road—that provided connections through Rock Creek Valley north of the city of Washington (Bushong 1990a).

Congressional legislation was first proposed in 1912 to augment the existing Klinge Ford Road with a parkway that would connect Rock Creek Park to Woodley Road. A 1916 plan for the Klinge Valley called for a realignment of the old Klinge Ford Road to create a new parkway with gentle curves and a landscaped median. In the 1920s, Congress also sought a connection between the proposed Klinge Valley Parkway and Normanstone Parkway, running northwest from the Rock Creek Parkway near the Naval Observatory. Land acquisition for the two parkways continued through the 1950s, however, the connection was never completed (Mackintosh, 1985 and Crowell et al., 2003).

In 1933, the District of Columbia transferred portions of Klinge Road's right-of-way to the Office of Public Buildings and Public Parks Department (OPB&PP), the Federal agency that managed Rock Creek Park in the late 1920s and early 1930s. Additionally, the Smithsonian Institution, the owner of the National Zoological Park, transferred portions of their grounds adjacent to Klinge Road to OPB&PP. These conveyances largely established the current DDOT right-of-way (D.C. Surveyor's Office, 1933). Following these transfers, OPB&PP reconstructed the road and installed a stormwater management system. However, the system was unable to handle the increased quantities of runoff that resulted from twentieth-century urbanization. Frequent flooding undermined the structural stability of the road and the effectiveness of the stormwater management system. This culminated in the damage following the 1991 flood, after which the road was closed to vehicles.

Klinge Valley is located outside of the boundaries of the Rock Creek Park Historic District and Rock Creek Park. However, as previously mentioned, during the previous Section 106 process undertaken in 2006, Klinge Valley and Klinge Road were determined eligible for listing in the NRHP via consensus between DDOT and DC HPO.

### **2.2.3 Retaining Walls and Culvert Features**

Within Klinge Valley, a series of stone and concrete retaining walls line the streambed along Klinge Road. Several stone culvert headwalls and arched inlet/outlet surrounds, collectively referred to here as 'culvert features', are also located along the road. These culvert features are elements of the stormwater management system that allowed water to pass underneath Klinge Road. The 1888/1892-1893 USC & GS topographic maps (from the National Oceanic and Atmospheric Administration) show the culverts and retaining walls that were present when the parent survey was conducted in the 1880s. Similar retaining walls and culvert features found throughout Rock Creek Park are considered contributing elements to the Rock Creek Park Historic District. The Rock Creek Park NRHP nomination notes that "Sections of retaining wall and small culverts ... are located throughout Rock Creek Park. In general the historic characteristics of this system of landscape elements can be defined as a native stone material laid in a variety of sizes in mortar or in a few cases dry designed to appear informal and inconspicuous" (Rock Creek Park Historic District, National Register of Historic Places Registration Form, 27 ). Additionally, during the expansion of the Rock Creek parkway system, masonry retaining walls and culverts features were constructed by OPB&PP. The Historic American Engineering Record (HAER) Documentation for the Rock Creek Park Road System notes that "[o]ther road improvements completed by OPB&PP between 1926-1932 included the construction of brick or stone gutters in many locations to improve drainage..." (HAER DC-692, 77). Although no research has been conducted for this assessment to definitively date the retaining walls or culvert

features found along Klinge Road, the HAER documentation suggests that they were conscientiously designed in conjunction with the development of the road and parkway in the first half of the twentieth century.

For the purposes of the previous Section 106 Review, the retaining walls within the Klinge Road right-of-way that are constructed of stone were considered contributing elements to the Klinge Road and Valley NRHP eligible property. In November 2009, Tracerics conducted field work to verify the location of the walls and culvert features that contribute to the NRHP eligible property. Based on the site visit, Tracerics determined that several of these retaining walls and culvert features potentially contribute to the historic character of Klinge Valley (these masonry walls are highlighted on the Map of the APE, as shown in Figure 8). For the purposes of this identification and assessment, retaining walls or culvert features constructed out of field stone or granite are considered contributing elements to the NRHP eligible property. Conversely, retaining walls and culvert features constructed out of concrete are considered modern features that do not contribute to Klinge Valley's historic character. The survey also revealed that several of the retaining walls are in poor or ruinous condition, to the point of collapsing into the stream.

#### **2.2.4 Archaeological**

A review of the archaeological site files maintained by the DC HPO indicates that several archaeological projects of varying degrees of intensity have been conducted, and numerous archaeological sites have been located, in the general vicinity surrounding the Klinge Valley Trail project area. However, no archaeological surveys have been conducted or archaeological sites reported within the Klinge Valley Trail project area. Projects within 0.5 miles of the Klinge Valley Trail project include Phase I reconnaissance and Phase I intensive surveys, which were conducted prior to the construction of private developments and improvements at District parks, and associated with the National Zoological Park and Rock Creek Park. Nine archaeological sites have been located within a 0.5-mile radius of the Klinge Valley Trail project area. Three of these are prehistoric Native American (51NW028, 51NW042, and 51NW060), four date to the Historic period (51NW101, 51NW156, 51NW157, and 51NW205), and the final two have both prehistoric Native American and Historic period components (51NW154 and 51NW206). As mentioned, none of these sites are located within the Klinge Valley Trail project area. A review of historic maps for this location, dating between 1861 and 1921, suggests that there is little evidence for the existence of now-demolished buildings within the project area. However, topographic maps from the 1880s depict the presence of retaining walls or culverts.

While many of the previous archaeological surveys conducted near the Klinge Valley Trail project area are limited both in terms of area surveyed and results, the recently completed survey of portions of Rock Creek Park by the Louis Berger Group for the NPS has provided a wealth of

information on archaeological resources potentially present in upland setting in northwestern Washington, D.C (The Louis Berger Group, 2008). The results of this recent survey of portions of Rock Creek Park indicate that the less developed areas within the District have the potential for the presence of archaeological sites. The survey of portions of the park, reported by The Louis Berger Group, provide valuable information on the location and nature of sites in uplands and along small streams, such as Piney Branch and Maddox Branch, among others (The Louis Berger Group, 2008). The Louis Berger Group document this four-year project conducted for the NPS that, among other tasks, surveyed to varying degrees of intensity 1,280 acres of upland and stream floodplain formations. The field investigations included the excavation of 1,000 shovel test pits across the 1,280 acres and the pedestrian survey of forested upland areas where surface visibility was adequate. The survey resulted in the identification of 62 archaeological sites—51 newly identified sites and 11 previously registered sites. Several site types were defined, including quarries, small lithic scatters representing short-term occupations, lithic scatters on upland ridges with dense concentrations of material thought to be seasonal camps or workshops, and longer-term or more continuously occupied sites located on small stream floodplain formations. These sites are thought to be some type of base camp. Historic period sites included Colonial tenant sites, sites associated with Fort Stevens, and African-American and other post-Civil War tenant sites. The results of this survey indicate that archaeological sites can be located by pedestrian survey in upland settings where visibility is adequate, that small lithic scatters are common, that base camps may be located along small streams, and that cobble quarries may be present along drainages and ravines, including sloped areas typically not surveyed.

The results of the Rock Creek Park archaeological survey provide insight to the potential for undocumented archaeological resources within the Klingle Road project area. Prehistoric Native American archaeological sites, of varying periods and nature of occupation, appear to be quite common in small stream valleys that are tributaries of Rock Creek. Such sites can be located on adjacent upland ridges, slopes, and bottomlands of the small tributary streams. This pattern for the larger Rock Creek area would suggest that the Klingle Valley Trail project area has a moderate to high potential for the presence of undocumented archaeological sites. However, prior disturbances, such as the construction of Klingle Road with concomitant grading, and the installation of water management culverts, could have impacted any sites present. As well, natural events, such as periodic high rates of water flow, have been known to scour small stream valleys to the extent that archaeological deposits are impacted or destroyed. Ultimately, as discussed in Section 4.3, a geoarchaeological study may be required to determine if the project area retains subsurface integrity and has the potential for previously unrecorded archaeological resources.

### **2.2.5 The Cleveland Park Historic District**

Klinge Road borders on the Cleveland Park NHRP Historic District to the north and west; it serves as the southern boundary of the district. Cleveland Park is a mixed-use neighborhood that comprises several intact eighteenth and nineteenth century country estates, a core of late-Victorian era suburban houses, early twentieth-century single family houses, duplexes, and garden apartments, large apartment complexes, and twentieth-century neighborhood retail developments. Cleveland Park is significant as an example of a streetcar suburb that developed as mass transit facilitated the expansion of Washington beyond its historic core. Beginning in the 1890s, the streetcar line along Connecticut Avenue enabled developers Thomas Waggaman and John Sherman to purchase land and subdivide it for residential development. Unlike other suburbs of Washington, the homes in Cleveland Park were designed individually by a number of architects, contributing to the neighborhood's unique sense of place. The rolling topography, curvilinear streets, and diversity of architectural styles all contribute to the character of the Historic District, which is bounded roughly by Wisconsin Avenue, N.W. to the west, Connecticut Avenue, N.W. to the east, Tilden Street, N.W. to the north, and Klinge Road to the south (Wood, 1987).

### **2.2.6 Tregaron**

A country estate within the Cleveland Park Historic District known as "the Causeway" or "Tregaron" borders on Klinge Road. Gardiner Green Hubbard, the founder of the National Geographic Society, acquired Twin Oaks, a large estate that formerly included the Causeway, in the 1880s. After Hubbard's death, the property was inherited by his daughter Mabel, who married Alexander Graham Bell, the inventor of the telephone. In 1911, Mrs. Bell sold the twenty-acre parcel of Twin Oaks that now comprises Tregaron to James Parmelee, a financier from Cleveland. The other half of Twin Oaks now serves as a residence for the Ambassador of Taiwan. Still known as Twin Oaks, this property is also listed in the NRHP.

In 1912, Parmelee and his wife, Alice, hired the era's foremost country house architect, Charles Adams Platt, to plan their estate. Platt designed a brick Georgian Revival mansion that crowns the hilltop, providing carefully planned vistas. Platt also designed the carefully landscaped grounds that enhance and blend with the mansion. Rustic structures such as retaining walls and bridges constructed of fieldstone augment the estate's natural topography. The landscape and formal gardens were executed Ellen Shipman, an important early twentieth-century landscape architect. In addition to its architectural significance, Tregaron is noted for its association with Joseph Edward Davies, a lawyer and diplomat who resided at the estate from 1941 to 1958. During his storied public service career, Davies played a vital role in shaping relations between the United States and the Soviet Union. Tregaron was listed in the NRHP in 1989 (Wood, 1989).

### ***2.2.7 The Embassy of India Ambassador's Residence***

The Embassy of India occupies the last country estate house constructed in the Cleveland Park Historic District. Designed by Frederick Bennett Pyle in 1914, the house was built for prominent merchant and philanthropist David Joseph Kaufman and his wife, Clara J. Luchs Kaufman. Originally known as “The Homestead,” the house was redesigned by Ward Brown to appear like a Georgian Mansion in 1930. The house, then known as “La Quinta” served as the D.C. residence of diplomat Walter H. Schoellkopfs and his wife, Anna Johnston Schoellkopfs. In 1945, the newly independent nation of India purchased the house for its ambassador’s residence. Although not individually listed in the NRHP, the building is a contributing resource to the Cleveland Park Historic District (Wood, 1987).

### ***2.2.8 Connecticut Avenue Bridge***

The Connecticut Avenue Bridge spans Klingle Valley; its long steel arches rise from piers anchored on the banks of the ravine. Connecticut Avenue was a historic streetcar route and is presently a major transportation thoroughfare that connects downtown Washington with the surrounding neighborhoods in the District and suburban Maryland. The bridge was constructed in 1931 to replace an obsolete viaduct that had been constructed by the Rock Creek and Potomac Railway Company in 1891. Designed by architect Paul Cret and engineer Ralph Modjeski, the bridge was built for the D.C. Department of Highways under the supervision of Engineer of Bridges Clifford Riddle Whyte. The nearly 500-foot-long open-spandrel Art Deco-style steel bridge was planned soon after Klingle Valley had been selected as the site for a new federally-owned park and parkway. Thus, the bridge was designed with particular attention to the view from below. The current configuration was ultimately chosen for its aesthetic contributions to the surrounding environment. The Connecticut Avenue Bridge is listed in the NRHP for its significance as a work of civic architecture and engineering (Crowell et al., 2003).

### ***2.2.9 The Kennedy-Warren Apartment Building***

The Kennedy-Warren Apartment Building borders Klingle Valley to the south, directly east of the Connecticut Avenue Bridge. The lot occupied by the massive building drops precipitously into the ravine and the rear extensions of the Kennedy-Warren’s complex footprint are directly adjacent to the project area. The Kennedy-Warren is one of the most significant examples of luxury apartment buildings in the District of Columbia. Constructed between 1931 and 1935 by developers Edgar S. Kennedy and Monroe Warren, Sr., the apartment building was considered the largest and most architecturally significant in the city. Originally designed by Joseph Younger (with an addition by A. H. Sonnemann) in the Art-Deco style, the fourteen-story brick and concrete building with limestone trim was a distinctive addition to the Connecticut Avenue corridor. It featured modern luxuries such as air conditioning, a maid service, and a ballroom for

entertaining. Advertisements heralded the 441-unit building as “ultra-modern” and the “finest completely air cooled apartment in the city.” The building reflects the desirability of a prestigious Connecticut Avenue address prior to the Great Depression and World War II. In the decade before the Kennedy Warren was built, 50 apartment buildings were constructed along the street. But the Kennedy-Warren stood out among all the others. The massive irregularly-shape building, erected on a lot which drops precipitously into Klinge Valley, rises majestically above Connecticut Avenue. The Kennedy-Warren Apartment Building was listed in the NRHP in 1994 for its architectural significance and its role in the development of the Connecticut Avenue corridor (Barsoum, 1994).

### **2.2.10 Woodley Park Towers**

Although the Woodley Park Towers are not listed in the NRHP, Tracerics has determined that the apartment building is potentially eligible owing to its historical and architectural significance. Constructed in 1929, Woodley Park Towers was the last of the large apartment buildings constructed along Connecticut Avenue between World War I and the Great Depression, the heyday of refined apartment-hotels on the fashionable corridor. The building was designed in the Late Gothic Revival style by architect Louis T. Roleau (1896-1937). A native Washingtonian, Roleau received his architecture degree from Catholic University. In the 1930s, he was particularly known for his apartment building designs in Washington and Baltimore (Andrich, 1987). According to architectural historian James Goode, “the most striking feature of Woodley Towers is its unusual outline and shape.... Its irregular V shape includes a radial plan with four wings projecting from the rear of the building overlooking Rock Creek Park and Klinge Road (Goode, 1988).” The traditionally-inspired tan brick building also features restrained Art Deco geometric detailing. The D.C. Apartment Building Survey (Tracerics, 1987) found that the Woodley Park Towers meet several criteria for inclusion on the NRHP. These criteria reflect the building’s role in the development of the Connecticut Avenue corridor, the expression of the Late Gothic Revival style, and the work of skilled architect Louis T. Roleau.

### **2.2.11 The National Zoological Park**

The National Zoological Park is located directly south of Klinge Road. Established by Congress in 1889 for the preservation of indigenous animals, the National Zoological Park encompasses nearly 170 acres of picturesque rugged terrain in Rock Creek Valley. The Zoo was planned by F. L. Olmsted and Company, the nation’s leading landscape design and urban planning firm. Olmsted and Company designed a system of curving paths and prominently sited buildings that took advantage of the area’s natural grandeur and showcased America’s endangered animals. The design of the National Zoological Park was highly influential in shaping the development of the surrounding residential areas and the park system of the District as a whole. In recognition of

its influential design and contributions to zoological research, the National Zoological Park was listed in the NRHP in 1973 (Gerson, 1972).

### **3.0 ASSESSMENT OF EFFECTS**

#### **3.1 Methodology**

To assess the potential effects of the proposed Klinge Valley Trail Project, this report applies the Criteria of Adverse Effect, as defined in 36 CFR §800.5, to each historic property within the APE. The Criteria of Adverse Effect states, “An adverse effect is found when an undertaking may alter, directly or indirectly, any of the characteristics of a historic property that qualify the property for inclusion in the National Register in a manner that would diminish the property’s location, design, setting, materials, workmanship, feeling, or association.” Additionally, “adverse effects may include reasonably foreseeable effects caused by the undertaking that may occur later in time, be farther removed in distance or be cumulative.” Examples of adverse effects include:

- Physical destruction of or damage to all or part of the property;
- Alteration of a property that is not consistent with the Secretary of the Interior’s Standards for the Treatment of Historic Properties (36 CFR 68) and applicable guidelines;
- Removal of the property from its historic location;
- Change of the character of the property’s use or physical features within the property’s setting that contribute to its historic significance;
- Introduction of visual, atmospheric or audible elements that diminish the integrity of the property’s significant historic features;
- Neglect of a property which causes its deterioration;
- Transfer, lease, or sale of the property out of Federal ownership or control without adequate and legally enforceable restrictions or conditions to ensure long-term preservation of the property’s historic significance.

The potential for the proposed alternatives to have direct or indirect effects on the individual historic resources within the APE is discussed in detail in the subsequent sections. Since the three trail alternatives (Alternatives 2, 3, and 4) have a similar potential for effects, they are discussed collectively following the evaluation of the No Action Alternative (Alternative 1). The discussion of the potential effects of the two stream restoration options (Klinge Creek Restoration Options A and B) is also combined. Although the trail alternatives and stream restoration options will be discussed together, this analysis will highlight differences in the alternatives where they exist. The analysis of the potential for the Rock Creek Trail Options to affect historic properties is presented in a later section of this report.

### **3.2 Alternative 1 – No Build**

Frequent flooding has severely damaged Klinge Road and Klinge Valley and compromised the integrity of certain character-defining features such as the masonry retaining walls and culvert features. As discussed below, assuming no additional preventative maintenance, the No Action Alternative would result in the continued long-term deterioration of Klinge Road and Klinge Valley and continued impact to views of the valley from nearby historic properties including the Connecticut Avenue Bridge, the Kennedy-Warren Apartment Building, and the Woodley Park Towers Apartment Building.

#### **3.2.1 *Klinge Road***

Under the No Action Alternative, no action would be taken to convert Klinge Road into a recreational trail. The road would continue to be barricaded and closed to the public due to its severely deteriorated condition and safety concerns. The road surface would continue to deteriorate due to uncontrolled storm water runoff and erosion of the underlying ground. Alternative 1 would result in the continued deterioration of stream banks and existing roadway along this historically significant transportation route. Therefore, Alternative 1 would have a direct effect on Klinge Road.

#### **3.2.2 *Natural Setting of Klinge Valley***

Currently, some banks of the Klinge Valley are unstable due to ongoing stream bank erosion. The continued lack of adequate stormwater management infrastructure under the No Action Alternative would result in a further widening of the stream channel. The unchecked erosion would continue to compromise areas of the adjacent hillside, potentially resulting in an indirect effect on the natural setting of Klinge Valley.

#### **3.2.3 *Retaining Walls and Culvert Features***

Many of the retaining walls and culvert features in Klinge Valley are in a severely deteriorated condition and others are structurally unstable. Several of the retaining walls have collapsed into the stream. Under the No Build Alternative, the retaining walls and culvert features would continue to deteriorate due to stormwater overflows and stream bank erosion. Alternative 1 would result in continued damage to many of the masonry features that augment the natural setting and contribute to the historic character of Klinge Road and Valley. Therefore, this alternative would have a direct effect on retaining walls and culvert features along Klinge Creek.

#### **3.2.4 *Archaeological Resources***

The District of Columbia archaeological site files indicate that no archaeological investigations have been conducted and no archaeological sites have been identified or evaluated in Klinge

Valley. However, the identification of prehistoric Native American archaeological sites in similar small tributary stream valleys during recent NPS-sponsored archaeological investigations of Rock Creek Park suggest that the Klinge Valley project area has a moderate to high potential for undiscovered archaeological resources. While it is possible that prior ground disturbing activities associated with road construction and stream movement in the project area have disturbed or destroyed any archaeological resources that may have been present, consideration of the effects of the proposed alternatives on archaeological resources is merited. In the event that archaeological resources are present, Alternative 1 is likely to have an effect on archaeological resources due to the widening of the stream channel and stream bank erosion. The gradual, long-term loss of unknown archaeological resources caused by erosion would constitute an indirect effect.

### **3.2.5 *Cleveland Park Historic District***

Klinge Valley is located in a steep wooded ravine which limits visibility from the Historic District. Therefore, Alternative 1 would have no adverse effect on the Cleveland Park Historic District.

### **3.2.6 *Tregaron***

Although portions of Tregaron that extend into Klinge Valley also suffer from drainage issues as a result of upstream stormwater overflows, the stormwater management issues on Tregaron would not be worsened by the No Action Alternative. Additionally, vistas from Tregaron of the project area are shielded by dense vegetation that is located on the estate. Therefore, Alternative 1 would have no effect on the Tregaron Estate.

### **3.2.7 *Embassy of India Ambassador's Residence***

The project area is located in a steep wooded ravine that limits visibility from the property to the north. The project area is also shielded by dense vegetation and mature trees located on the former estate. Therefore, Alternative 1 would have no effect on the Embassy of India Ambassador's Residence.

### **3.2.8 *The Connecticut Avenue Bridge***

The Connecticut Avenue Bridge was designed with particular attention to the view to and from Klinge Road and Klinge Valley. Alternative 1 would have an indirect effect on the bridge due to the continued deterioration of Klinge Road and the erosion of the stream channel. The resulting loss of the scenic qualities of Klinge Road and Klinge Valley would detract from the scenic vistas from the Connecticut Avenue Bridge.

### **3.2.9 Kennedy-Warren Apartment Building**

The Kennedy-Warren Apartment Building offers scenic vistas of Klinge Valley and Rock Creek Park. Under the No Action Alternative, the continued deterioration of Klinge Road and Valley would have an indirect effect on the views of this forested setting from apartment building. Additionally, the foundation of the Kennedy-Warren extends into a section of Klinge Valley that suffers from frequently flooding, which has undermined nearby drainage features in the project area. Continued flooding and erosion in this section could potentially lead to erosion or the undermining of storm water drainage features on the Kennedy-Warren property itself. This potential for gradual long-term damage to the Kennedy-Warren Apartment Building property constitutes an indirect effect.

### **3.2.10 Woodley Park Towers**

The widening stream channel has eroded the valley wall directly adjacent to the Woodley Park Towers Apartment Building. Alternative 1 could have an indirect effect on the Woodley Park Towers since further erosion of this valley wall could eventually impinge on the apartment building property. Additionally, the worsening condition of Klinge Road and Valley would have an indirect effect on the scenic vistas enjoyed from the Woodley Park Towers. The unique shape of the apartment building was specifically designed to maximize views of Klinge Valley. The deterioration of the scenic qualities of the road and valley would detract from the views from the Woodley Park Towers.

### **3.2.11 National Zoological Park**

The project area is located in a steep wooded ravine that limits the visibility of the roadway and stream from the National Zoological Park property. Additionally, it is also shielded by dense vegetation and mature trees that are located on the northern portion of the National Zoological Park grounds. Therefore, Alternative 1 would not have an effect on the National Zoological Park.

## **3.3 Alternatives 2, 3, and 4 – Trail Alternatives**

### **3.3.1 Klinge Road**

All three alternatives share the same proposed trail alignment. Although the route of the trail would differ slightly from the course of the current roadway, the realignment is limited to the 50-foot wide DDOT right-of-way. This restriction ensures that the trail would principally retain the course of the existing roadway, albeit with minor deviations in certain areas to avoid steep grades, ensure safety, and allow for the restoration of the stream channel. Under all three alternatives, the proposed trail would be narrower than the existing 25-foot wide road (either 10 feet

wide under Alternatives 2 and 4 or 12 feet wide under Alternative 3). However, when combined with the clear zones and the adjacent drainage swale, the open corridor through the valley would approximate the current road width. Of the three alternatives, the widest trail, Alternative 3, would most closely approximate the width of the former parkway. The current road surface is asphalt, which provides a muted appearance. The permeable surfaces under consideration for the trail under Alternatives 2 and 4, including pavers or bricks, crushed rock or gravel, and porous concrete or asphalt, would be compatible with the historic character of Klingle Valley in color and materials and would not detract from the natural setting. The impervious trail surface proposed in Alternative 3 would retain the appearance of the existing road surface through the use of asphalt.

Although the multi-use trail would convert a former automobile parkway into a trail for pedestrians and cyclists, the trail would preserve the essential features of the parkway, allow for another form of transportation and commuting; and provide public access to and recreational opportunities within Rock Creek Park. The parkway was designed in the first decades of the twentieth century to provide public enjoyment of Klingle Valley while preserving and enhancing the natural landscape of the tributary stream. The proposed alternatives are keeping with this original intent.

None of the proposed trail alternatives would affect the historic qualities of Klingle Road. All three trail alternatives would result in the rehabilitation of the historically significant transportation route.

### **3.3.2 *Natural Setting of Klingle Valley***

The proposed trail alignment would result in the removal of some mature trees and vegetation. The removal of vegetation would likely be most expansive under the wider trail proposed in Alternative 3. The wooded quality of Klingle Valley is intrinsic to its natural setting and is a defining feature of the tributary park. However, the removal of vegetation and mature trees would be limited relative to the size and number of trees within the heavily-wooded Klingle Valley. Therefore, it would not adversely affect the natural setting of Klingle Valley. Additionally, any potential impacts on the natural setting would be avoided through replanting and landscaping as discussed in Section 4.1.

### **3.3.3 *Retaining Walls and Culvert Features***

The three alternatives may potentially require substantial alteration of some of the retaining walls and culvert features that border on the proposed trail alignment. Therefore, the stream restoration options would include DDOT's, in consultation with DC HPO, assessment of the structural and historical integrity of the retaining walls and culvert features to determine the appropri-

ate approach to maintain the valley's historic integrity, in accordance with the *Secretary of the Interior's Guidelines for the Treatment of Historic Properties* (36 CFR 68). This condition, as described in detail in Section 4.2, would eliminate the potential effects of the alternatives on the retaining walls and culvert features. Additionally, given the current dilapidated condition of the retaining walls and culvert features, the stabilization, rehabilitation, or rebuilding of these masonry features would have a net benefit to the valley.

### **3.3.4 Archaeological Resources**

The District of Columbia archaeological site files indicate that no archeological investigations have been conducted and no archeological sites have been identified or evaluated in Klingle Valley. However, the identification of prehistoric Native American archaeological sites in similar small tributary stream valleys during recent NPS-sponsored archeological investigations of Rock Creek Park suggest that the Klingle Valley Trail project area has a moderate to high potential for undiscovered archaeological resources. However, it is possible that prior ground disturbing activities associated with road construction in the project area have disturbed archeological resources that may be present. As discussed in Section 4.3, the trail alternatives include conditions to identify and evaluate any undiscovered archaeological resources within the project area. If such resources that are present are found to be eligible for listing in the National Register of Historic Places, DDOT would continue consultation with DC HPO on measures to avoid, minimize, or mitigate adverse impacts to these resources.

### **3.3.5 Cleveland Park Historic District**

None of the proposed trail alternatives would have an effect on the characteristics of the Cleveland Park Historic District that qualify it for the National Register. As previously stated, Klingle Valley and the proposed trail are located in a steep ravine which limits visibility from the Historic District.

### **3.3.6 Tregaron**

Since the construction activities would remain within the DDOT right-of-way, the trail alternatives would not have an effect on the Tregaron property. Moreover, the project area is shielded by dense vegetation located on the estate and therefore the proposed alternatives would not have an effect on the views from Tregaron.

### **3.3.7 Embassy of India Ambassador's Residence**

Similar to Tregaron, none of the alternatives would have an effect on the Indian Ambassador's Residence. Construction is limited to the DDOT right-of-way and visibility from the Embassy of India Ambassador's Residence is limited by dense vegetation located on the property owned by the Government of India.

### **3.3.8 Connecticut Avenue Bridge**

The proposed trail alternatives would not have an impact on the Connecticut Avenue Bridge since the resulting removal of trees and vegetation is not substantial enough to detract from the scenic qualities of the wooded valley as enjoyed from the Connecticut Avenue Bridge. The proposed trail alternatives are likely to have a positive effect on the views from the bridge since they would restore the scenic qualities of the roadway.

### **3.3.9 Kennedy Warren Apartment Building**

The proposed alternatives would not have an effect on the Kennedy-Warren since the resulting removal of trees and vegetation is not substantial enough to detract from the scenic qualities of the wooded valley as enjoyed from the apartment building. Otherwise, the alternatives would enhance vistas from the building by restoring the trail.

### **3.3.10 Woodley Park Towers**

Like the Kennedy-Warren, the proposed alternatives would not have an effect on the Woodley Park Towers since the resulting removal of trees and vegetation is not substantial enough to detract from the scenic qualities of the wooded valley as enjoyed from the apartment building. In fact, the proposed alternatives would enhance vistas from the building by restoring the trail.

### **3.3.11 National Zoological Park**

None of the alternatives would have an effect on the National Zoological Park. The trail construction is limited to the DDOT right-of-way. The project area is located in a steep wooded ravine that limits the visibility from the National Zoological Park. It is also shielded by dense vegetation and mature trees that are located on the National Zoological Park Property.

## **3.4 Klinge Creek Restoration Options**

### **3.4.1 Klinge Road**

The Klinge Creek Restoration Options would not have an effect on the historic qualities of Klinge Road since they would not affect the proposed alignment, width, or surface material of the trail.

### **3.4.2 Natural Setting of Klinge Valley**

As with the trail alternatives, the proposed stream restoration would result in the removal of some mature trees and vegetation. The removal of vegetation would likely be most expansive under Klinge Creek Restoration Option B, which would require the grading of steep slopes along the entire length of the Klinge Creek. Klinge Creek Restoration Option B would result in 2.57 acres of impacts to vegetation and removal of up to 54 large trees. As previously men-

tioned, the wooded quality of Klinge Valley is intrinsic to its natural setting and is a defining feature of the tributary park. However, the removal of vegetation and mature trees would be limited relative to the size and number of trees within the heavily-wooded Klinge Valley. Therefore, the stream restoration options would not adversely affect the natural setting of Klinge Valley. Additionally, any potential impacts would be avoided through replanting and landscaping as discussed in Section 4.1.

Besides the removal of trees and vegetation, neither stream restoration option has the potential to affect the natural setting of Klinge Valley. Both stream options would employ a step-pool system to maintain a natural channel appearance. The reconstructed stream channel would prevent further erosion and stabilize the landscape of Klinge Valley. Klinge Creek Restoration Option B would rehabilitate a greater extent of the stream channel than Klinge Creek Restoration Option A. Therefore, Klinge Creek Restoration Option B would be more favorable in regards to the stabilization of the topography of Klinge Valley.

### **3.4.3 Retaining Walls and Culvert Features**

As described below, the two stream restoration options would have different potential impacts on the retaining walls and culvert features in Klinge Valley. Because of these potential effects, the stream restoration options include measures to stabilize, rehabilitate, or rebuild the retaining walls and culvert features in Klinge Valley. These conditions, as discussed in Section 4.2, would eliminate any potential direct or indirect effects of the stream restoration options on the retaining walls and culvert features:

- **Klinge Creek Restoration Option A:** There are no stone retaining walls or culvert features in the three priority areas targeted under Klinge Creek Restoration Option A. Since no stream channel restoration activity would occur outside of these priority areas, the historic retaining walls not within the priority areas would remain in their present dilapidated condition. The targeted restoration under this option would potentially mitigate some of the flooding and erosion that occurs elsewhere along the stream; thereby preventing further damage to stone retaining walls. However, given their unstable condition, the retaining walls and culvert features would continue to deteriorate.
- **Klinge Creek Restoration Option B:** Under Klinge Creek Restoration Option B, stream channel stabilization would occur along the entire length of Klinge Creek. This option would potentially require the removal and reconstruction of the historic retaining walls and culvert features in areas where grading and stream channel restoration and realignment are required.

As with the trail alternatives, the stream restoration options would include an assessment of the structural integrity of the retaining walls and culvert features to determine the appropriate approach to maintain the valley's historic integrity, in accordance with the *Secretary of the Interior's Guidelines for the Treatment of Historic Properties* (36 CFR 68). This condition, as described in detail in Section 4.2, would avoid the potential effects of the stream restoration options on the retaining walls and culvert features. Additionally, the stabilization, rehabilitation, or rebuilding of the stone retaining walls, given the current dilapidated condition of the retaining walls and culvert features, would have a net benefit to the valley.

#### **3.4.4 Archaeological Resources**

Both Klinge Creek Restoration Options would require varying degrees of grading of stream banks, and therefore have the potential to impact unidentified archaeological resources. The limits of disturbance for both creek restoration options include areas that appear to have been less impacted by previous disturbances although natural causes such as stream migration and erosion may have destroyed any resources present. Given the reduced scale of previous impacts, the creek restoration areas would have a moderate to high potential for the presence of archaeological sites, with the potential increasing with size of the limit of disturbance options. As with the trail alternatives, the stream restoration options include conditions to identify any undiscovered archaeological resources within the project area, as described in Section 4.3. In the event of discovery, DDOT would consult with DC HPO on measures to avoid the potential adverse impacts to these resources. Based on this condition, the stream restoration options would have no adverse effect on previously undiscovered archaeological resources

#### **3.4.5 Cleveland Park Historic District**

The Klinge Creek Restoration Options would have no effect on the Cleveland Park Historic District. As previously stated, Klinge Valley is located in a steep wooded ravine which limits visibility from the Historic District.

#### **3.4.6 Tregaron**

Since the grading and stream channel restoration would remain within the DDOT right-of-way and adjacent NPS property, the stream restoration options would not have an effect on the Tregaron property. The stream rehabilitation would contribute to the overall setting of Tregaron and it may mitigate potential drainage issues on the estate. Moreover, the project area is shielded by dense vegetation located on the estate and therefore the proposed stream restoration options would not have an effect on the views from Tregaron.

### **3.4.7 Embassy of India Ambassador's Residence**

Similar to Tregaron, none of the stream restoration options would have an effect on the Indian Ambassador's Residence. Grading and stream channel restoration would be limited to the DDOT right-of-way and adjacent NPS property, and visibility from the Embassy of India Ambassador's Residence is limited by dense vegetation located on the property owned by the Government of India.

### **3.4.8 Connecticut Avenue Bridge**

The proposed stream restoration options would not have an effect on the Connecticut Avenue Bridge since the resulting removal of trees and vegetation is not substantial enough to detract from the scenic qualities of the wooded valley as enjoyed from the span. Similar to the trail alternatives, the stream restoration options are more likely to have a positive effect on the views from the bridge since they would rehabilitate and preserve the natural appearance of the stream channel and revitalize the visual connection between Connecticut Avenue Bridge and Klinge Valley.

### **3.4.9 Kennedy Warren Apartment Building**

The proposed stream restoration options would not have an effect on the Kennedy-Warren since the resulting removal of trees and vegetation is not substantial enough to detract from the scenic qualities of the wooded valley as enjoyed from the apartment building. Otherwise, the alternatives would enhance vistas from the building by maintaining the natural appearance of the stream channel. Additionally, the stream restoration options would mitigate the potential for erosion to impinge on the Kennedy-Warren Apartment Building property.

### **3.4.10 Woodley Park Towers**

Like the Kennedy-Warren, the proposed alternatives would not have an effect on the Woodley Park Towers since the resulting removal of trees and vegetation is not substantial enough to detract from the scenic qualities of the wooded valley as enjoyed from the apartment building. Apart from the potential removal of vegetation, the alternatives would enhance vistas from the building by maintaining the natural appearance of the stream channel. Additionally, the stream restoration options would mitigate the erosion of the stream bank near the apartment building.

### **3.4.11 National Zoological Park**

The stream restoration options would not have an effect on the National Zoological Park. The grading and stream channel restoration is limited to the DDOT right-of-way and adjacent NPS lands. The project area is located in a steep wooded ravine that limits the visibility from the Na-

tional Zoological Park. It is also shielded by dense vegetation and mature trees that are located on the National Zoological Park Property.

### **3.5 Rock Creek Trail Options**

Several options are being considered alongside the trail and stream restoration options to connect the proposed Klinge Valley Trail to the Rock Creek Trail near the intersection of Klinge Road and Porter Street, N.W. These options are shown in Figures 5 through 7. Rock Creek Trail Option A would construct a trailhead at the site of the current barricade near the eastern end of Klinge Road. Rock Creek Trail Option B would extend the multi-use trail to Rock Creek Trail via a dedicated bike lane along Klinge Road. Rock Creek Trail Option C would continue the trail to Rock Creek Trail by means of a separate multi-use trail that would run along the south side of Klinge Road.

Rock Creek Trail Option A would not have an effect on historic or archaeological resources since it would not change the alignment of Klinge Road, alter the natural setting of Klinge Valley, or require additional grading beyond what is proposed in the trail alternatives and stream options. Additionally, the trailhead would not impact views from nearby historic properties. Similarly, Rock Creek Trail Option B would not have an effect on historic or archaeological resources since it would simply dedicate a portion of the existing road as a bike lane. This option would not affect the alignment of Klinge Road, alter the natural setting of Klinge Valley, require additional grading, or affect views from other historic properties.

Rock Creek Trail Option C would not have an effect on Klinge Road, since the extended trail would follow the existing alignment of the road. However, Rock Creek Trail Option C would require additional grading, although this disturbance is limited to 0.22 acres. Even so, the grading has the potential to have a very limited effect on vegetation, retaining walls and culvert features, and previously undiscovered archaeological resources. However, this option would include measures to preserve and replant vegetation, stabilize, rehabilitate, or rebuild retaining walls, and efforts to avoid the potential impacts on archaeological resources, as discussed in the subsequent section. Therefore, Rock Creek Trail Option C would not have an adverse effect on historic resources.

## **4.0 EFFECTS ON HISTORIC RESOURCES**

There are several conditions that would be incorporated into the design and construction of the Klinge Valley Trail and the stream restoration to avoid any potential adverse effects of the undertaking on historic properties pursuant to 36 CFR §800.5(b). These conditions include: the replanting of native vegetation; the stabilization and rehabilitation of retaining walls and culvert features; the reuse of original stone where feasible in constructing new retaining walls; and an

archaeological survey. Additionally, although it is not required to address potential effects on historic properties, the Klinge Valley Trail project would offer opportunities for public outreach through interpretive signs and displays. Signs would be designed to be in character with the existing signs in Rock Creek Park and with other area trail signs and features.

#### **4.1 Vegetation and Landscaping**

While the loss of vegetation would be limited relative to the size of the heavily-wooded Klinge Valley, the replanting of native tree species and vegetation following construction would eliminate any potential impacts on the natural setting of Klinge Valley. Additionally, planting or other landscaping enhancements would enhance scenic vistas of Klinge Valley enjoyed from nearby historic properties including the Connecticut Avenue Bridge, the Kennedy-Warren Apartment Building, and the Woodley Park Towers.

#### **4.2 Rehabilitation of Retaining Walls and Culvert Features**

The stabilization and rehabilitation of the stone retaining walls and culvert features following the *Secretary of the Interior's Guidelines for the Treatment of Historic Properties* (36 CFR 68) would eliminate the potential effects of the Trail Alternatives, Klinge Creek Restoration Options, and Rock Creek Trail Options on these historic elements of Klinge Valley. This would include the underpinning and reinforcement of the retaining walls to ensure their structural stability. The *Guidelines for the Treatment of Historic Properties* recommend repairing masonry features using in-kind replacement of the original stone or limited replacement with a compatible substitute material. For the contributing retaining walls and culvert features that can be retained, DDOT would rebuild, rehabilitate and stabilize these features following the Secretary of the Interior's Guidelines. Rehabilitation would incorporate the original or similar materials, composition, and spatial relationship. A rehabilitation of the retaining walls would also include re-pointing the stone walls with an appropriate mortar that matches the original in composition and appearance. To the extent possible, the mortar color would match the existing hues and the spatial relationships would consider depth of mortar and space between stones.

Demolition of some of the retaining walls and culvert features may be unavoidable if it is determined that their structural stability is insufficient to retain them in place. However, retaining walls and culvert features which are so substantially deteriorated may not retain sufficient historical integrity to be considered contributing elements of Klinge Valley. An evaluation of the historical integrity of these elements will be carried out in consultation with the DC HPO. The impact of the loss of any contributing features would be lessened though the construction of new retaining walls or culvert features (where they are required) using design and materials that complement the existing features. This could potentially include the recycling of the existing stone in constructing new retaining walls and culvert features.

### **4.3 Archaeological Discovery**

Because of potential for archaeological resources to be located in the project area, the Trail Alternatives, Klinge Creek Restoration Options, and Rock Creek Trail Options would include a geoarchaeological study of the Klinge Valley Trail project within the limit-of-disturbance. This study would be conducted prior to any ground-disturbing activities. Such a study would be used to determine whether intact landforms are present within the limit of disturbance, including landforms currently covered by the existing road. If the geoarchaeological survey determines that the Klinge Road limit of disturbance retains subsurface integrity and has the potential for previously unrecorded archaeological resources, traditional archaeological survey methods, including shovel test pit excavations and visual inspection of exposed surfaces and stream cutbanks, would be employed as discovery methods. If archaeological resources are found, DDOT would continue continuation with DC HPO on measures to avoid or mitigate the potential adverse impacts to these resources.

### **4.4 Public Interpretation**

Although not required to mitigate specific impacts, the Klinge Valley Trail Project offers the opportunity for public interpretation that relates the historic significance of Klinge Road and Valley. Therefore, DDOT plans to seek ways to incorporate public interpretive displays that would enable pedestrians, bicyclists, and other recreational trail users, to understand the importance of the trail in providing an early east-west connection across Rock Creek and its historic role as a recreational route into Rock Creek Park.

## **5.0 CONCLUSION**

The proposed trail alternatives and stream restoration options for the Klinge Valley Trail Project would redevelop Klinge Road into a multi-use pedestrian and bicycle trail and restore the adjacent Klinge Creek. Following the Section 106 Process outlined in the Federal Regulations providing for the Protection of Historic Properties (36 CFR 800), this report defined an area of potential effects (APE) for the proposed undertaking, identified historic properties within the APE, and assessed the potential for the proposed alternatives to affect these historic resources.

The application of the Criteria of Adverse Effects revealed that the proposed trail alternatives and stream restoration options would result in less effect than the No Action Alternative. The No Action Alternative would result in the continued deterioration of Klinge Road and Valley, and further degradation of stone retaining walls and culvert features. Additionally, the No Action Alternative would detract from scenic views of the valley from nearby historic properties.

This analysis also revealed that the three trail alternatives, two stream restoration options, and three Rock Creek Trail alternatives would have similar potential effects on historic properties.

The potential effects of the proposed alternatives include: the limited loss of mature trees and vegetation that are part of the natural setting of Klinge Valley, the disturbance of previously unidentified archaeological resources, and removal and reconstruction of the stone retaining walls and culvert features. Accordingly, the alternatives include conditions to avoid these potential effects on historic properties including the replanting of trees and vegetation, the stabilization and rehabilitation of retaining walls and culvert features, and provisions in the event archaeological resources are discovered during construction. Although not required to avoid adverse effects, the project also presents opportunities for public interpretation.

Overall, when combined with these conditions, the proposed alternatives would have no adverse effect on historic and cultural resources within the APE.

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APPENDIX

C

AGENCY COMMENTS AND RESPONSES  
ON THE ENVIRONMENTAL ASSESSMENT







June 25, 2010

Ms. Austina Casey  
Project Manager  
Planning, Policy and Sustainability Administration  
District Department of Transportation  
2000 14th Street, NW, 7th Floor,  
Washington, DC 20009

Dear Ms. Casey,

WMATA-01

WMATA appreciates the opportunity to comment on the Kiingle Valley Trail Environmental Assessment. As you know, WMATA has substantial transit infrastructure in the bridge abutments where Connecticut Avenue crosses Kiingle Road. These assets require periodic maintenance. Additionally, WMATA maintains a grounding grid in the area.

WMATA-02

As has been stated in the past, any alternative selected by DDOT or the Federal Highway Administration must preserve WMATA's access, easements, and equipment.

We are happy to meet with you should you wish to discuss this matter further. Should you have any questions, please contact Mr. Tom Crone at (301) 618-1016 or me at (202) 962-2526.

Sincerely,

Thomas R. Robinson, Jr.; PE  
Director,  
Joint Development and Adjacent Construction

cc: JDAC - T. Crone  
SAAM - R. McElhenney  
SAAM - M. Meister  
ESVC - J. Ashe

File: A Route Planning

Washington  
Metropolitan Area  
Transit Authority

500 Fifth Street, NW  
Washington, DC 20001  
202/962-1234

wmataconnections.com

A District of Columbia,  
Maryland and Virginia  
Transit Partnership

**Response to Washington Metropolitan Area Transit Authority (WMATA)**

**Response to WMATA-01**

Thank you for taking the time to review the EA, and for providing DDOT with your comments. DDOT is committed to preserving WMATA's access and easements needed to maintain their equipment.

**Response to WMATA-02**

Under the Preferred Alternative, DDOT would construct a 10-foot trail, paved with permeable materials, with 2-foot shoulders for a total width of 14 feet. DDOT would continue to maintain the right-of-way to accommodate the periodic access needed by WMATA.



IN REPLY REFER TO:  
NCPC File No. 6999

JUL 01 2010

Ms. Austina Casey  
District Department of Transportation  
2000 14<sup>th</sup> Street, NW  
Washington, DC 20009

Re: NCPC Comments on the Draft Environmental Assessment for the Klingle Valley Trail,  
dated June 2010

Dear Ms. Casey:

Thank you for the opportunity to comment on the Environmental Assessment (EA) for the Klingle Valley Trail, dated June 2010. Overall, NCPC considers the draft EA to be a good analysis of the relevant issues regarding Klingle Valley Trail. Given its close proximity to National Park Service (NPS) property, NCPC is interested in the potential impacts to federal parklands and potential lighting impacts of the project.

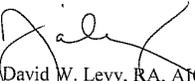
NCPC-01 As Klingle Creek runs through NPS property, we request that the District Department of Transportation (DDOT) continue to coordinate closely with NPS on the appropriate stormwater management response for the creek restoration. In addition, the need for an archeological study

NCPC-02 is identified in the EA in fulfillment of Section 106 of the National Historic Preservation Act. DDOT states that this study is planned but has yet to be completed. Please inform us of the outcome of this study.

NCPC-03 As trail lighting has not been designed, we request that the District Department of Transportation continue working with NPS to determine the appropriate lighting level for this trail so as not to detract from the surrounding park setting while providing an adequate level of safety for trail users.

NCPC-04 We look forward to continuing coordination with the District Department of Transportation on this project and to reviewing the specific project materials when they are ready to be submitted to the Commission for review. If you have any questions, please contact Mr. Carlton Hart at (202) 482-7252 or carlton.hart@ncpc.gov.

Sincerely,

  
David W. Levy, RA, AICP  
Director, Urban Design and Plan Review

**Response to National Capital Planning Commission (NCPC)**

**Response to NCPC-01**

DDOT will continue to coordinate with the National Park Service (NPS), regarding Klingle Creek Restoration and stormwater management, through the design of the Preferred Alternative.

**Response to NCPC-02**

Through consultation by FHWA with the DC HPO under the Section 106 process, FHWA determined that the proposed undertaking would include a geoarcheological study of the Klingle Valley Trail project area prior to ground-disturbing activities. Such a study would determine whether intact landforms are present within the limit of disturbance. If landforms are intact, a Phase I archeological survey would be performed. If archeological resources are found, FHWA would consult with DC HPO on measures to avoid potential adverse impacts to these resources. DDOT will inform NCPC of the outcome of the investigation.

**Response to NCPC-03**

DDOT has identified Option B – Pole or Bollard Lighting as the preferred Lighting Option. Under this option, low-impact pole lighting would be installed along the trail. The lighting would be timed to correspond with commuter use of the facility to limit the hours of illumination and minimize impacts to nocturnal wildlife. DDOT will continue to coordinate with NPS during project design.

**Response to NCPC-04**

Thank you for taking the time to review the EA, and for providing DDOT with your comments. DDOT looks forward to continued coordination with NCPC.



DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY | 5000 OVERLOOK AVENUE, SW | WASHINGTON, DC 20032

July 1, 2010

Austina Casey, Project Manager  
Planning, Policy, and Sustainability Administration  
District Department of Transportation  
2000 14<sup>th</sup> Street, NW 7<sup>th</sup> Floor  
Washington, DC 20009

Re: Environmental Assessment  
Klingle Valley Trail  
June 2010

Dear Ms. Casey:

DC Water has reviewed the EA for this project as transmitted by the DC Department of Transportation (DDOT) dated June 4th, 2010. We were first introduced to the proposed project through the design workshop held on October 22<sup>nd</sup>, 2009. As first expressed at that meeting, we want to emphasize the need to protect sewer infrastructure located within Klingle Road and the adjacent streambed both before, during, and post-construction, as well as the need to provide maintenance vehicle access to the site at all times.

DC Water  
-01

Specifically, the design team should bear in mind that access to the trail must be available for DC Water vehicles and their associated equipment weighing approximately 47K pounds and measuring 32' x 8' x 12'. That is, the surface must be able to be traversed on an occasional basis by a vacuum excavator truck approximately the size and weight of a loaded trash removal truck. The required opening can equally be accessed by any other unwanted vehicle. Thus, to restrain unwanted access, a locking device might be introduced. In this case, DC Water must be able to open the locking device when needed.

Prior to transmittal of the June 2010 EA, DC Water had also previously met with representatives of DDOT and provided extensive information on utilities. As we have stated, there are no water mains in the area of the proposed Klingle Trail. However, there is an 18-inch steel water main on the underside of the Connecticut Avenue Bridge over Klingle Road. With regard to sewer infrastructure, the October 2009 design meeting is also where we first learned of a sanitary sewer in need of rehabilitation, an aerial stream crossing near the base of

DC Water  
-02

[dcwater.com](http://dcwater.com)

### ***Response to DC Water***

#### ***Response to DC Water -01***

Thank you for taking the time to review the EA, and for providing DDOT with your comments. DDOT is committed to protecting DC Water infrastructure, and preserving DC Water's access to their infrastructure. Under the Preferred Alternative, DDOT would construct a 10-foot trail, paved with permeable materials, with 2-foot shoulders for a total width of 14 feet. DDOT would continue to maintain the right-of-way to accommodate the periodic access needed by DC Water. The trail will be designed to accommodate the size and weight of the equipment used by DC Water and DDOT would provide DC Water with the ability to open any potential locking device.

#### ***Response to DC Water -02***

DDOT recognizes and appreciates DC Water's prompt attention to the sanitary sewer, which crosses Klingle Creek within the project area. The EA has been updated to include a description of the aerial sewer crossing rehabilitation, completed by DC Water in April 2010.

DC  
Water-  
02  
(cont.)

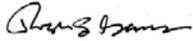
the Connecticut Avenue Bridge. Action was taken to complete repairs to the Klinge Road Sewer Crossing in April 2010. The undercut piers supporting the concrete-encased 18-inch sanitary sewer were removed and replaced with concrete abutments that span a much larger distance in the creek. The concrete-encased sewer was also wrapped in carbon fiber reinforced polymer (CFRP) which provides structural integrity to the sewer. NPS-approved rip-rap has been placed along the stream banks to protect the sewer crossing from potential erosion. Therefore, with respect to Section 3.3.10 on Page 77 of the EA, DC Water requests that this information be made up to date and acknowledge the actions we have taken to rehabilitate the stream crossing.

DC  
Water-  
03

As additional trees are later incorporated in the design, clearance must be provided (minimum 5-foot distance) or utilities must be relocated as may be determined necessary by DC Water for the protection of water and sewer utilities.

DC Water looks forward to the opportunity to collaborate with DDOT and review plans as this project continues to evolve.

Sincerely,



Roger L. Gans, P.E.  
Manager, Planning & Design

cc: Jessica Demoise;  
Craig Keenan;  
Jodye Russell;  
Brian McDermott

[dcwater.com](http://dcwater.com)

### ***Response to DC Water -03***

The 5-foot minimum distance requirement between new landscaping trees and DC Water utilities has been noted, and will be considered as design continues. DDOT thanks DC Water's participation in the project, and looks forward to continued coordination during project design.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
 REGION III  
 1650 Arch Street  
 Philadelphia, Pennsylvania 19103-2029

June 2010

Austina Casey  
 Project Manager  
 Planning, Policy and Sustainability Administration  
 District Department of Transportation  
 2000 14<sup>th</sup> Street, NW  
 7<sup>th</sup> Floor  
 Washington, DC 20009

Re: Environmental Assessment (EA) Klingle Valley Trail, Washington, DC, June 2010

Dear Ms. Casey,

In accordance with the National Environmental Policy Act of 1969 (NEPA) and Section 309 of the Clean Air Act the U.S. Environmental Protection Agency (EPA) has reviewed the Environmental Assessment for Klingle Valley Trail in Washington, DC. The proposed project involves the construction of a multi-use trail within 0.7 mile barricaded section of Klingle Road and restoration of Klingle Creek. The purpose of the proposed action is to construct a multi-use trail using context sensitive design, provide safe non-motorized transportation and recreational opportunities. The need for the project is to address safety concerns and social demands, link existing trail systems and address infrastructure deficiencies.

The EA examined four alternatives, including the no build, as well as three additional options to select. They are: Alternative 1, no build alternative; Alternative 2, constructing a 10 foot wide trail of porous pavement; Alternative 3, constructing a 12 foot wide trail of porous pavement; Alternative 4, constructing a 10 foot wide impervious trail. Options included full or partial stream restoration, no lighting or pole/bollard lighting, as well as an option regarding the level of connection to adjacent Rock Creek Trail. A preferred alternative has not been identified.

EPA recognizes that the applicant has made a good effort to identify and address possible environmental impacts, and coordinate with agencies and stakeholders in order to produce a thorough environmental assessment. The proposed project has limited adverse environmental impacts. DDOT has provided options and alternatives that incorporate more environmentally friendly practices, for example the use of porous pavement and LED lighting. EPA would encourage the use LED lighting, use of bottomless box culverts for culvert replacements, tree avoidance, as well as erosion and sediment control measures. In the proposed application of porous pavement, while the infiltration abilities may not result in high ecological benefit, it may assist in the public education and visibility regarding porous pavement in other uses.

EPA-01

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**Response to U.S. Environmental Protection Agency (EPA)**

**Response to EPA -01**

Thank you for taking the time to review the EA, and for providing DDOT with your comments.

DDOT has identified Option B – Pole or Bollard Lighting as the preferred Lighting Option. DDOT plans to install low-impact pole lighting along the trail. The lighting would be timed to correspond with commuter use of the facility to limit the hours of illumination and minimize impacts to nocturnal wildlife. As design continues DDOT will identify specific low-impact lighting practices, such as solar powered or LED lighting, for installation along the trail.

As part of the Preferred Alternative, failed stormwater outfalls and culverts would be reconstructed and resized to appropriately convey water, including but not limited to the culverts located at the Embassy of India and Tregaron properties. During detailed design, bottomless box culverts, pedestrian bridges, or boardwalks will be considered for these and other locations.

As design details for the trail and stream restoration are refined, opportunities to preserve large trees will be actively pursued.

DDOT will ensure construction and grading plans comply with District Law 2-23 (DC Erosion and Sedimentation Control Act of 1977, as amended), including properly designed and maintained erosion and sediment control best management practices.

After the comment period, DDOT has identified Alternative 2 – 10-Foot Multi Use Trail (Permeable) as the Preferred Alternative. DDOT will work on specific interpretive signage during more detailed design of the project, and an interpretive display aimed at educating the public on the benefits of permeable pavement will be considered.

Thank you for allowing EPA the opportunity to review and comment on the Klinge Trail EA. If you have questions regarding these comments, the staff contact for this project is Ms. Alaina DeGeorgio; she can be reached at 215-814-2741.

Sincerely,



Barbara Rudnick  
NEPA Team Leader

Mr. Steven A. Saari  
Watershed Protection Specialist  
District Department of the Environment  
1200 First Street NE, 5<sup>th</sup> Floor  
Washington, DC 20002

July 6, 2010

Ms. Austina Casey  
Project Development, Environment, & Sustainability Division  
Planning, Policy, & Sustainability Administration  
District Department of Transportation  
2000 14th Street, NW, 7th Floor  
Washington, DC 20009

Ms. Casey,

Thank you for the opportunity to provide comments on the Environmental Assessment (EA) for the creation of a Klingle Valley Trail. Because the Watershed Protection Division in the District Department of the Environment (DDOE) focuses on protecting and restoring the streams and rivers of the District of Columbia, DDOE Watershed Protection Division (WPD) will focus our remarks on these aspects of the proposed actions in Klingle Valley, however DDOE WPD will also comment on some of the other environmental aspects of the potential actions. DDOE WPD has broken up its comments to the EA by the major actions examined in the EA.

The Mission of DDOE is to improve the quality of life in the District of Columbia by protecting and restoring the environment. DDOE works to conserve natural resources, and provide energy policy and services. DDOE WPD is therefore in favor of the EA Alternatives and Options that DDOE WPD believes work to restore the environmental health of Klingle Valley.

DDOE WPD is pleased that the Federal Highway Administration (FHA) and District Department of Transportation (DDOT) proposal for a multi-use trail for the barricaded portion of Klingle Road and restoration of Klingle Creek contains many environmentally sensitive design features. For example, the proposal to include bioretention cells at the upstream end of the trailhead should alleviate some of the stress on Klingle Creek from upstream stormwater runoff by retaining that runoff volume and allowing it to infiltrate and evapotranspire.

Yet DDOE WPD feels that the EA did not address some reasonable options for the creation of the trail and the restoration of the stream valley. Furthermore, in some cases, the analysis too quickly dismissed some reasonable options for addressing the stormwater volumes that could both restore a healthy Klingle Creek and alleviate stress on the existing and proposed infrastructure in the stream valley.

***Response to Steve Saari, District Department of the Environment (DDOE)***

***Response to DDOE -01***

Thank you for taking the time to review the EA, and for providing DDOT with your comments.

DDOE-01

**General Comments**

DDOE-02

Although DDOT has used current stormwater regulations for their assumptions, these regulations will most likely be changing in the near future. DDOE WPD is currently in the process of revising its stormwater regulations and the EPA is in the process of issuing a new municipal separated storm sewer system permit. One or both of these efforts will likely include more stringent stormwater treatment standards. DDOE WPD believes that the standards used in this project should go above and beyond current District stormwater regulations because of the stress on the stream valley and past history of impact on infrastructure in the area.

DDOE-03

DDOE WPD believes that the EA does not completely address the “Fiscal Year 2009 Budget Support Act of 2008” which included language calling for existing storm water and sewage pipes to be repaired, if necessary, “to reduce or eliminate the runoff or discharge of stormwater or sewage water into Klingle Valley.”

DDOE-04

As written, the EA focuses on the stormwater coming from the surrounding hillsides and the path itself. FHA and DDOT should take a watershed approach to this project and propose additional projects that “reduce or eliminate the runoff” from upstream sources that degraded the stream and undermined the infrastructure in the stream valley. This will reduce super critical flows during storm events and increase base flow during dry periods. Relieving stormwater stress on the stream would allow for more natural stream channel restoration techniques to be used to create habitat and reconnect the stream to its floodplain rather than focusing on hardening the stream and protecting infrastructure. DDOE WPD has proposed a number of projects upstream of the trail area in its Watershed Implementation Plan for Rock Creek which DDOE WPD provided to DDOT as a part of this EA.

DDOE-05

Furthermore, DDOE WPD believes there is a technical flaw built into the concept design assumptions for Alternatives 2 and 3. These designs assume no additional stormwater runoff will be generated due to the permeable nature of the pathway materials. However, the steep slopes are not consistent with the technical limitations of 5% maximum slopes allowable for permeable paving materials to function as infiltration devices.

**The Trail**

DDOE-06

If the options for the Klingle Valley remain unchanged, DDOE WPD would support *Alternative 4 – 10-Foot Multi-Use Trail*. DDOE WPD believes that this option is most likely to continue to function as designed for the long-term. DDOE WPD believes that the permeable pavement options considered are not appropriate for the valley because it does not function well with steep slopes or in narrow applications with a lot of edge. DDOE WPD also believes that permeable pavement will be difficult to maintain due to the high percentage of mature tree canopy and difficult access for vacuum sweepers. The difficulty in maintaining the system will lead to its failure as it clogs over time with leaf litter. A narrow, impervious trail combined with bioretention swales should be able to treat and infiltrate the stormwater from the trail and adjacent hillsides. Furthermore the

**Response to DDOE-02**

To the extent DDOE can provide additional information on the changes in regulations, DDOT will consider them. However, as with most planning projects, laws are subject to change from the time of planning to final design so we must base our engineering decisions on current requirements. DDOT has met with DDOE on three separate occasions during the course of this study to discuss the project requirements, and will continue to coordinate with DDOE during design. The project consultants and DDOT are basing the designs on the purpose and need for the project, best available science, and compliance with the latest applicable stormwater regulations.

**Response to DDOE-03**

Please note that the law states “if necessary.” DDOT is in the opinion we are compliant with the intent of the law. An analysis and studies have been conducted as part of the EA, which determined that it is not necessary to repair the existing stormwater and sewage pipes because the stream is capable of conveying the flows. As described in Section 2.2 of the EA, “the existing infrastructure within the project area would be removed including pavement...failed stormwater infrastructure.” Additionally, failed stormwater outfalls and culverts would be reconstructed and resized to appropriately convey water....” DDOT’s approach for stormwater management provided in the EA would minimize impacts to forest and parkland. DDOT has examined, in detail and dismissed for further review, a retention pond at Klingle and Porter St. This information is provided in the EA in Chapter 2.

**Response to DDOE-04**

DDOT is aware of the need to address the issues of the watershed. This is why DDOT has been working with DDOE and other agencies, such as the COE and EPA on this issue for this project. During our Green Highways workshop, which was held in October

***Response to DDOE-04 (cont.)***

2009, DDOT brought together DDOE and these other agencies to discuss in details various concept for watershed management and how this project could help. DDOT held subsequent consultation with DDOE in January 2010. During these meetings, DDOT continued to point out that stormwater improvement opportunities are limited because of the steep topography, urban nature of surrounding properties, parkland, cultural landscapes, proximity to bedrock, and other limitations. It was noted that despite extensive investigation, DDOT has not identified an improvement or series of improvements that would have a measurable effect on flows coming into Klingle Creek that would benefit or change the proposed design enough to justify natural and cultural resources impacts, costs, property impacts, and schedule delays. It is our understanding that DDOE has existing programs in place for smaller scale improvements on private lands and that the Klingle Valley Trail Project would help bring attention to these programs such as long term retrofits via the “River Smart Homes Program,” the “Rain Leader Disconnect Program,” and the “Green Roof Retrofit Program.” DDOT referenced these programs and these projects are those in the Watershed Implementation Plan for Rock Creek, which is also referenced in the EA. With the Klingle Valley Trail project, DDOT/FHWA, will potentially be implementing the larger capital improvement identified by DDOE in the Rock Creek Watershed Implementation Plan for Klingle Valley: the Klingle Creek Stream Restoration.

***Response to DDOE-05***

DDOT will modify Alternatives 2 and 3 (permeable trails) to include a bioswale, which is the same as that included for the non-permeable trail alternative. The bioswale will provide additional storage and water quality benefits; thereby, creating more treatment in the event the permeable materials do not function properly in

***Response to DDOE-05 (cont.)***

steeper areas or becomes impermeable over time. It should be noted; however, that the actual permeability of the trail does not decrease due to slope, any more than soil permeability does. The volume of storage available decreases as stone bed is reached. During very heavy rainfall, all permeable surfaces generate runoff.

***Response to DDOE-06***

See previous response. Also, utility access for DC Water and WMATA has been a primary consideration of this study. This access will also be available for vacuum sweepers. DDOT has no objection to providing a bioswale as additional treatment and plans to use this design in combination with the use of permeable pavement. Therefore, DDOT has revised to cost estimate to include maintenance of the permeable trail and the bioswale as part of Alternatives 2 and 3. Maintenance costs include the removal of leaf litter and other debris from the bioswale and the regular vacuum/sweeping of the trail.

DDOE-06 (cont.) maintenance costs associated with bioretention are lower than that of permeable pavement systems and, over the long-term this should have a cost savings to the District.

DDOE-07 DDOE WPD also would support *Access to Rock Creek Trail Option B – Shared Use Connection*. This option represents a balance between no connection and paving new areas that are currently vegetated. DDOE WPD believes that creating a new pathway is counter to the ideas presented in the EA. Where many of the options presented in the EA are reducing the footprint of infrastructure in the stream valley, Option A would increase it.

Although DDOE WPD believes that Trail Alternative 4 and Access to Rock Creek Trail Option B are the most sensitive design options presented, DDOE WPD has some additional options that FHA and DDOT should consider as this project moves forward.

DDOE-08 1) *Examine the use of permeable friction course for the trail.* Permeable friction course is a layer of porous asphalt approximately 50 mm thick that is placed as an overlay on top of an existing conventional concrete or asphalt road surface to help control splash and hydroplaning, reduce noise, and enhance quality of storm water runoff. Use of this material will not add significant cost to the project and could add safety and stormwater quality and volume control benefits. If this option is included, the bioretention swales should still be designed as if the path were impervious.

DDOE-09 2) *Consider using an elevated boardwalk trail throughout the project area.* An elevated boardwalk trail system will reduce the trail footprint and allow for additional re-grading of the stream valley to reduce flow velocities and reconnect the stream channel with its floodplain, and protect the highly erosive low cohesion soils found throughout drainage basin

DDOE-10 3) *Consider a bridge or elevated boardwalk for the trail where the small tributary flows out of Tregaron.* The stream was originally directed to a culvert under the roadway. The catch basin feeding this culvert became clogged over time and currently stormwater flows down Klingle Road. The current path design seems to incorporate the same ideas as the original designs which will likely clog again. A more environmentally sensitive design would create a stormwater wetland in this area (where one has started to form already) and elevate the trail over this area. This idea should also reduce the maintenance needs of a standard culvert design.

#### ***The Klingle Creek Restoration***

Given the options presented, DDOE WPD supports *Klingle Creek Restoration Option B – Full Stream Channel and Bank Stabilization*. This option should help stabilize the stream banks along Klingle Valley thereby reducing sediment loads to Rock Creek and ultimately the Chesapeake Bay while also providing some limited wildlife habitat benefits.

DDOE-11 That being said, the two stream restoration options proposed in the EA should more accurately be called hardening of the stream valley to protect the trail – not restoration that will restore habitat in the stream valley. If stream restoration work is to be done, it

#### ***Response to DDOE-07***

Thank you for your comment. DDOT agrees that reducing the footprint of infrastructure is one of the goals for the project. Based on Agency and public comments received during the comment period, DDOT has identified the preferred option for access to Rock Creek Trail as a combination of Option B – Shared-Use Connection and Option C – Multi-Use Trail Connection. The preferred option is referred to as Option C-Modified in the Final EA. Under this option, a multi-use trail 6 to 8 feet in width would be constructed within the footprint of the existing roadway. The trail would be separated from the existing vehicular travel lane via curb. The existing 20-foot wide vehicle travel lane will be redesigned to 12 to 14-foot wide. No new impervious surface would be added.

#### ***Response to DDOE-08***

Thank you for this comment. This is a design detail for later consideration. Please note, the most frequent cause of permeable pavement failure is the lack of storage underneath the surface. A permeable surface overlain onto impermeable concrete surface is subject to trap water in the surface layer, which would result in potholes and pavement failure during the freeze thaw cycle.

#### ***Response to DDOE-09***

DDOT has considered a boardwalk throughout the Klingle Creek valley, however it is inconsistent with the project purpose and need to create a multi-use trail. Boardwalks are not as desirable and accessible for certain types of trail users, including skaters and bicyclists.

#### ***Response to DDOE-10***

This option will be further considered during more detailed design, and has not been dismissed in the EA.

***Response to DDOE-11***

The Klinge Creek restoration concept proposes the use of step pool structures to stabilize the stream channel in most areas. Although step pools are made of rocks, it is a natural channel form that is found in nature in stream channels of similar slope to Klinge Creek, and provides habitat value and other ecosystem services such as oxygenation and nutrient processing through hyporheic exchange.

DDOE-12 should be done before the trail is installed. Otherwise, stream restoration work machinery will negatively impact the trail.

DDOE-13 DDOE WPD believes that a more holistic watershed approach such as the one used in Montgomery County to restore Turkey Branch and the Matthew Henson Trail is the correct tact for Klingle Valley. The Turkey Branch restoration project took a watershed approach to address stormwater volumes flowing into Turkey Branch while simultaneously repair a multi-use trail (the Matthew Henson Trail) and performing stream restoration work using natural channel design techniques.

DDOE-14 The FHA and DDOT should consider widening the scope of this effort to include upstream retrofits to reduce stormwater volume to Klingle Creek. Doing so will allow for more natural stream channel design techniques to be used because lower flow volumes will negate the need for extreme bank hardening to protect infrastructure.

Specific ideas that FHA and DDOT should consider include:

DDOE-15 1) *Re-grading the stream banks so that the stream is reattached to its flood plain.* This will simultaneously reduce the erosive forces of stormwater flows by allowing the stream to spread and raise the ground water level so that vegetation bordering the stream has access to water even during low flow periods.

DDOE-16 2) *Creating a shallow wetland area where the stream that flows into Klingle Creek from Tregaron.* Creating a wetland in this area will create habitat, reduce stormwater volumes flowing to Klingle Creek, and filter pollutants.

DDOE-17 3) *Utilizing natural stream channel design techniques.* Natural stream channel design minimizes the use of structures to harden banks and relies on native rock material, root wads and other woody material, and live vegetation to stabilize stream banks and recreate habitat.

DDOE-18 4) *Create an elevated path throughout the project area.* As already mentioned this will reduce the trail footprint and allow for additional re-grading of the stream valley to reduce flow velocities and reconnect the stream channel with its floodplain.

#### **Stormwater Volumes**

DDOE-19 As mentioned earlier in these comments, DDOE WPD believes that the scope of this EA is too narrow. Without addressing upstream stormwater volume the newly created trail will continue to be in danger of undercutting and rather than performing true stream restoration work, the project will be relegated to bank hardening through retaining walls and riprap.

FHA and DDOT did consider some techniques for controlling upstream stormwater volumes, such as the bioretention at the trailhead to reduce stormwater into Klingle Valley. However DDOE WPD feels that there was not enough consideration of techniques such as this elsewhere in the watershed.

Some projects that the EA should consider or reconsider are:

#### **Response to DDOE-12**

DDOT agrees with the suggested construction sequence.

#### **Response to DDOE-13**

DDOT consultant Coastal Resources, Inc., did the Klingle Creek geomorphological assessment and preliminary design, and also developed the stream restoration concept for the Turkey Branch restoration, as well as served as a key member of that design team. They are knowledgeable of the project and have offered that some aspects of the Turkey Branch project limit a similar approach from being used at Klingle Creek. Specifically:

**Available space for stormwater quantity management.** The Turkey Branch project included the retrofit and expansion of a pre-existing stormwater management pond over 3 acres in size, and the creation of two new stormwater management wet ponds of approximately 1.3 acres and 3 acres. The amount of space required to effectively reduce stormwater quantities in the Klingle Creek watershed was addressed in the EA, and is documented as not available because of the topography and development in the watershed.

**Stream slope.** The stream slope for the restoration reach of Turkey Branch between Georgia Avenue and Viers Mill Road is less than 1%. The stream slope of Klingle Creek within the proposed restoration area ranges from 3 to 8%. This significant slope difference means that Turkey Branch is naturally a different channel type than Klingle Creek, and many restoration techniques used at Turkey Branch would not be appropriate for Klingle Creek.

Please note that DDOT is not opposed to the implementation of stormwater management techniques in the Klingle Creek watershed. However, due to high slope of Klingle Valley, even if space could be found to implement stormwater quantity management, the

***Response to DDOE-13 (cont.)***

restoration approach for Klingle Creek would not change significantly from what has been proposed in the EA.

***Response to DDOE-14***

As explained and included in the attached supporting documentation, the proposed concept of using step pool structures for the Klingle Creek restoration is a natural channel design technique for stream valleys with slopes between 3 and 10%. Although DDOT is not opposed to upstream stormwater retrofits, slope is the primary driver of shear stress in Klingle Creek, and limits the types of restoration structures that would be appropriate to use for stream restoration at this location. For example, the existing 2-year discharge through Klingle Creek at Cross Section 1 (CRI, 2009) has a depth of 17 inches and a shear stress of 2.82 lb/sf. Changing the slope to 1% for that cross section (to mimic Turkey Branch's conditions) reduces the shear stress to 0.74 lb/sf. To achieve that same shear stress reduction at Cross Section 1 by removing water from the channel would require that the water depth be no greater than 3.5 inches.

***Response to DDOE-15***

Providing for improved floodplain access where possible has been considered and is incorporated into the restoration concept.

***Response to DDOE-16***

As stated in Section 2.3.3 of the EA, "This option would require an easement or partnership agreement with the landowner of this historic property, listed on the National Register of Historic Places (NRHP). The bioretention facility would be located in a significant cultural landscape. Based on consultation with the DC Historic Preservation Office (DC HPO), this facility would have an adverse effect on the cultural landscape. Similarly to the facility located on the NPS property, historic properties are also protected by the

***Response to DDOE-16 (cont.)***

provisions of Section 4(f) of the U.S. DOT Act. Therefore, this option was removed from detailed study." We understand based on the August 2<sup>nd</sup> meeting, that DDOE had a different location within DDOT ROW that they would like to consider for the cistern off. This cistern maybe feasible but would not have a measureable effect on the overall water coming into the valley that would influence the stream restoration design. This project is beyond the scope of DDOT responsibility on this project.

***Response to DDOE-17***

The stream restoration concept includes the use of step pools, which is a natural channel design technique, and will incorporate woody material and live vegetation as much as possible. Some constraints on the use of woody material as in-stream structures will be the availability of woody material, as well as the amount of space available for digging large trenches required to tie woody material into the stream banks for stabilization purposes.

***Response to DDOE-18***

Although an elevated path may allow for some additional bank grading, other significant constraints to bank grading include large trees, utility infrastructure, and historic structures. Additionally, the trail may be located in less frequently inundated areas of the Klingle Creek floodplain (according to pavement requirements) in order to provide more floodplain access.

***Response to DDOE-19***

DDOT has examined in detail ideas to reduce stormwater volume coming into Klingle Creek. We examined the Rock Creek Implementation Plan prepared by the DDOE and looked at three locations for facilities for water quantity. The EA provides explanation for dismissal of each concept but in general, the

***Response to DDOE-19 (cont.)***

available site to construct a facility large enough to be effective is constrained by the steep topography and bedrock. Please refer to detailed sizing calculations for volume control, and previous EIS dismissal of the same concepts due to subsequent impacts.

Please note that DDOT is not opposed to the implementation of stormwater management techniques in the Klingle Creek watershed. However, due to steep slope of Klingle Creek, even if space could be found to implement stormwater quantity management, the restoration approach for Klingle Creek would not change significantly from those proposed. The restoration techniques are driven by the natural steepness of the stream.

DDOE-20

1) Utilize the subsurface of the trail itself for volume storage and infiltration. The trail itself is proposed to be approximately 1 acre in size. Utilizing large cobble beneath the trail and directing some stormwater volume here could create a large dry well in the project area.

DDOE-21

2) Reexamine redesigning the intersection of Klingle Road and Porter Road. This over-sized intersection serves less than a dozen houses yet is designed as a highway interchange. Converting this intersection to a design consistent with the usage demands would remove significant impervious area and create an optimum location for a stormwater wetland. Stormwater that currently discharges into Klingle Run could be redirected to this area thereby reducing stormwater volume in the valley.

DDOE-22

3) Examine the use of tree box infiltration and bump-outs in the right of way upstream of the project area. These techniques will help reduce storm water runoff from upstream roadways and sidewalks. Their use also has the additional benefits of calming traffic, increasing tree canopy and creating habitat for wildlife.

DDOE-23

4) Consider regenerative stormwater conveyances on Cathedral School and Washington International School grounds. These linear stormwater treatment techniques which would treat stormwater from District roadways and private lands, would reduce stormwater flows and increase groundwater recharge.

DDOE-24

5) Reconsider a cistern system for Tregaron. Tregaron originally approached DDOE WPD with the idea of a stormwater storage system so that they could reuse the water to fill the cement lined ponds on their property. The cistern system could take water from DDOT roads and be installed in DDOT right-of-way to avoid excavation on the historic grounds of Tregaron.

**Lighting**

DDOE-25

DDOE WPD prefers Lighting Option A– No Lighting – Lighting the trail is unnecessary, as is evident by the fact that no other trail in Rock Creek Park is lit at night. Furthermore, lighting the trail will negatively impact nocturnal wildlife in the corridor. Finally, lighting this area could require the use of City-purchased electricity (rather than solar panels on the light posts). This additional use of electricity would go against the city’s goal of reducing its carbon footprint and greenhouse gas emissions.

If it is found that lighting must be installed, the lights should be on timers so that the trail is lit just during the “rush hours” of bike commuting – not all night. Also, as stated in the EA, consideration should be given to the use dark-sky compliant light posts with integrated solar panels.

DDOE WPD is thankful to FHA and DDOT for the chance to comment on the EA for the creation of a Klingle Valley Trail. DDOE WPD recognizes that this is a complex project and one that will require a great deal of engineering and inter-agency cooperation. DDOE WPD believes that the creation of this trail and the restoration of Klingle Creek is a unique opportunity to truly repair the Klingle Creek watershed. DDOE WPD hopes that you will consider taking a more holistic approach as Montgomery County did when completing a similar project along the Turkey Branch tributary of Rock Creek. DDOE

**Response to DDOE-20**

Permeable trail design includes storage beneath the surface. The actual volume achievable within Klingle Valley is limited by bedrock as described in Section 2.3.3 of the EA.

**Response to DDOE-21**

DDOT examined this interchange in detail as a potential location for a stormwater wetland. A facility in this location would require a flow splitter to send the first flush to the treatment area and bypass the larger storm events. This option would require the expansion and reconfiguration of the existing median, and would require removal of some pavement in this area, disrupting traffic flow during construction. Because of the high cost associated with the reconfiguration of the interchange and associated disruption to roadway users, and because water quality would be addressed for the project using the methods proposed and the benefits of such a facility would be negligible, DDOT determined this option was not reasonable. Therefore, this option was dismissed from further study.

**Response to DDOE-22**

DDOT is open to these concepts and DDOT’s Urban Forestry section has a program in place where they are looking for locations to implement such projects District-wide, which may be feasible in the long term. In the context of the watershed and this project, the benefits of such techniques are negligible and do not affect water quantify volumes or our stream restoration concept. The project team will make recommendation to the DDOT Urban Forestry section to investigate this area as a potential location for this type of practice.

***Response to DDOE-23***

The stream from the international school has baseflow, which will keep the RSC filter full. As discussed in the EA on page 36, this may not be a suitable location for an RSC. Additionally, the stream from the international school has been identified as having “high quality” baseflow by the National Park Service.

Disturbing a stable stream will generate more sediment and erosion. The Cathedral School has a limited impact on the valley and would not change the overall stream design. This item could be considered in the future but the use of Federal Funds to retrofit private lands that has not bearing the project design would be considered beyond the scope of this project.

***Response to DDOE-24***

See section 2.3.2 of EA for detailed discussion. The items listed above are water quality measures, not quantity measures, please refer to detailed sizing calculations for volume control, and previous EIS dismissal of the same concepts due to their impacts.

***Response to DDOE-25***

Thank you for your comment. Based on Agency and public comments received during the comment period, DDOT has identified Option B – Pole or Bollard Lighting as the preferred Lighting Option. Under this option, low-impact pole lighting would be installed along the trail. The lighting would be timed to correspond with commuter use of the facility, limiting the hours of illumination to minimize impacts to nocturnal wildlife.

WPD looks forward to working with DDOT as the project moves forward to ensure its success.

Sincerely,

Steven A. Saari

**From:** michael\_buckler@nps.gov  
**Sent:** Friday, July 09, 2010 2:06 PM  
**To:** KlingeTrail  
**Subject:** Re: From the Klinge Trail Website

**Categories:** Yellow Category

**Name:** Michael Buckler

**Email:** [michael\\_buckler@nps.gov](mailto:michael_buckler@nps.gov)

**Address:** 3545 Williamsburg Lane, NW Washington, DC 20008

NPS1-01

**Comment:** As a cooperating agency, the National Park Service (NPS) supports the construction of a multipurpose trail in Klinge Valley. However, the proposed project, as described in the Environmental Assessment (EA), prioritizes recreation over the environment. As the NPS has discussed at length with the District Department of Transportation (DDOT) and Federal Highway Administration (FHWA), the stream that runs down Klinge Valley was once healthy and vibrant. Over time, increased storm water flows from impervious surfaces (e.g., roads) of the surrounding watershed have scoured the streambed and its surrounding banks, compromising the stream's environment. As set forth in the EA, the project seeks to reinforce the Klinge Valley stream as a stormwater conveyance. It dismisses from detailed study options to manage or reduce stormwater before it adversely impacts the stream. It leaves abatement of stormwater

runoff for a future time. In light of the above, the NPS raises the following issues: (1) Although it is conceivable that no stormwater management alternative is reasonable, more research and analysis of the issue is needed. (2) Going forward, an increase in unchecked stormwater from the surrounding watershed could not only degrade the stream further, but structurally undermine the trail causing it to suffer the same fate as the former road. (3) If and when the stream is reinforced pursuant to this project, the removal of mature trees must be minimized. Notwithstanding the above, the NPS acknowledges the hard work and expertise of DDOT and FHWA, as well as their consultants, on this project.

NPS1-02

**Periodic updates:**

NPS1-03

### ***Response to Mike Buckler, National Park Service (NPS)***

#### ***Response to NPS1 -01***

Thank you for taking the time to review the EA, and for providing DDOT with your comments.

To help develop the alternatives and options analyzed in the EA, the project study team established a set of project objectives that considered agency/public comments, the 2008 Act, and project area constraints. These objectives guided the project team throughout the planning and preliminary design to identify a reasonable range of alternatives that best satisfy the project's purpose and need. The objectives included, but were not limited to: develop a sustainable trail solution; effectively manage stormwater; avoid/minimize the use of parkland by staying within the DDOT right-of-way; maintain environmental setting and protect existing resources; utilize environmentally sensitive materials and practices; and incorporate site restoration into design.

#### ***Response to NPS1 -02***

Because stormwater is an important issue in an urban watershed, DDOT evaluated several stormwater management options considering a Klinge Creek Watershed approach. In addition to those options initially identified by the project team, DDOT evaluated all stormwater management options suggested by the public and agencies during project scoping and development of alternatives. Options dismissed from further consideration in the EA were determined not to be reasonable or feasible for the reasons described in Section 2.3.3. The stormwater solutions identified in the Preferred Alternative and options are in compliance with or exceed current regulations, are within the scope of the project, compatible with the project design objectives described above, and compatible with the Rock Creek Watershed Implementation Plan.

***Response to NPS1 -03***

As discussed at the DDOT/FHWA/NPS coordination meeting on April 20, 2010, the tree removal estimate presented in the EA is a worst-case scenario based on the preliminary limits of disturbance. Please see Sections 2.2.2, 4.1.5 (Klinge Creek Restoration Options) and Section 4.10 of the EA where this language has been incorporated into the document in response to previous comments.

NPS2-01

The EA mentions (p. s-5 and p. 25) that for stream options A and B, the streambed would be raised in order to cover and protect the existing WASA sewer encasement pier footings. WASA has recently removed these pier footings and replaced them with two footings located on the existing streambank. The footings and streambanks are protected with rip rap. This may change the need to raise the streambed.

NPS2-02

The EA includes the potential loss of a significant number of large trees (=to or >24" DBH) as described for either stream restoration option. These figures don't include the many other substantial but smaller trees that would also be removed with either stream restoration option. This action represents significant short and long term impacts to the vegetation and natural resources in Klinge Valley and should be mentioned at all appropriate spots throughout the EA. The EA should also mention throughout, that tree loss would have negative impacts to forest wildlife and to the natural setting, historic character, visual quality and aesthetics of the stream valley. The wooded character of Klinge Valley is intrinsic to its natural setting and is a defining feature of the tributary park. Any references to tree loss as being "limited" or as a "limited loss" or "aesthetic improvement" or to "enhance views", or benefit the "cultural landscape" should be eliminated from the EA. The planned revegetation should not be billed as an improvement with regard to the significant loss of existing trees within this wooded stream valley and all the values they provide. The EA should emphasize and strengthen the fact that additional stream restoration/stabilization options and strategies will be employed during stream restoration options A and B that will dramatically reduce tree loss throughout the project site. The stream can be stabilized without excessive grading and significant tree loss.

NPS2-03

p. 138 and 139 –Vegetation-Significant loss of large trees results in openings in the forest canopy and makes the area more susceptible to an increase in invasive plants. The amount of forested land in DC is relatively small and the loss of a substantial number of large trees is significant. Rationalizing significant tree loss by comparing the area to Rock Creek is not appropriate or relevant.

P, 121 –The significant tree loss associated with the Action Alternatives would compromise the aesthetics that are consistent with the natural surroundings of the adjacent Rock Creek Park. This would have a negative impact on the visual quality of the area and compromise the harmonious forest setting that the trees currently provide.

NPS2-04

For Klinge Creek Restoration Option A (p. s-5 and p. 25) Include the statement that additional stabilization techniques and modifications to Option A would be considered that would significantly reduce tree loss, especially for specimen trees, (=to or >24" DBH).

### ***Response to Bill Yeaman, National Park Service (NPS)***

#### ***Response to NPS2-01***

After the comment period, DDOT has identified as the preferred option Klinge Creek Restoration Option B – Full Stream and Bank Stabilization. The rehabilitation of the aerial sewer line crossing Klinge Creek, completed by DC Water in April 2010, would change the proposed design at this location. DDOT will continue to work with NPS regarding stream rehabilitation design.

#### ***Response to NPS2-02***

As discussed at the DDOT/FHWA/NPS coordination meeting on April 20, 2010, the EA includes the methodology used to determine impacts to trees. As discussed, the tree removal estimate is a worst-case scenario based on the preliminary limits of disturbance. Efforts to avoid impacts to healthy trees will be incorporated into more detailed design. Please see Sections 2.2.2, 4.1.5 (Klinge Creek Restoration Options) and Section 4.10 of the EA where this language has been incorporated into the document in response to previous comments.

DDOT consulted the NPS DO-12 Handbook and researched other recent NPS projects regarding intensity levels of the project impacts.

According to the guidance, moderate impacts to vegetation are described as: *"The alternative would affect some individual native plants and would also affect a sizeable segment of the species population over a relatively large area. Mitigation to offset the adverse effects would be extensive, but would likely be successful. Some species of special concern would be affected."* This discussion is also consistent with FHWA Technical Advisory guidance.

#### ***Response to NPS2-03***

Please see response to comment NPS2-02.

#### ***Response to NPS2-04***

Per previous discussion, this language has been incorporated throughout the impacts to vegetation discussion in Section 4.1.5 of the EA, and not as part of the proposed action discussion.

NPS2-05	For Klingle Creek Restoration Option B (p. s-6 and p. 25) Include the statement that additional stabilization techniques and modifications to Option B would be considered that would significantly reduce tree loss, especially for specimen trees, (=to or >24"DBH).
NPS2-06	p. 1 first sentence- replace the first sentence under Purpose and Need with the first sentence that was in the draft EA- i.e. The Federal Highway Administration (FHWA) and the District Department of Transportation (DDOT) as lead agencies, in cooperation with the National Park Service (NPS), propose to construct a multi-use trail within the 0.7 mile barricaded portion of Klingle Road between Porter Street, NW, and Cortland Place, NW.
NPS2-07	p.4- 2 <sup>nd</sup> paragraph – mention should be made of the need to manage stormwater flows at the headwaters.
NPS2-08	The National Park service should be included in the EA as one of the partners along with DDOT and FHWA, (p.10, p. 93 and p. 140), that will be involved in the actual decision of selecting a preferred alternative. The National Park Service is in agreement with the proposed trail concept but has significant concerns over aspects of the plan, i.e. potential for significant tree loss, the lack of mitigation for uncontrolled storm flows at the headwaters.
NPS2-09	Lighting Option B (p. 34) should include the stipulation that all lighting will be required to be directed down to the trail with light shields or reflectors, etc. No light will be directed either above or horizontally from the light source or into the surrounding woodlands.
NPS2-10	p. 20 – 4 <sup>th</sup> paragraph - Mention should be made of the need to remove tons of sediment in front of the culvert which carries the Tregaron stream under Klingle Rd. so that the clogged culvert can function properly. Access to the Tregaron property will be needed to incorporate design elements that will improve and stabilize the intake and stream upslope of the headwall.
NPS2-11	The Peak Conveyance Option (p. 38) of installing a storm sewer under Klingle Rd. should be reconsidered. This was a strategy included in the Draft EIS for the restoration of Klingle Rd. The drilling concerns and change in peaking times mentioned in the current EA were not mentioned previously. Also, the plan was to use a flow splitter to maintain base flow from the 42" storm sewer in Klingle Creek and have all storm flows bypass the stream, not just the "infrequent floods." The flow splitter would also permit base flow from the Tregaron stream to enter the Klingle headwaters.
NPS2-12	Can the specimen trees listed in the Specimen Tree Inventory (Table 4 - p.60 and 61) that are on NPS land be identified with an asterisk? Can the total 37 trees that have the potential for removal with Option A be identified and can the 54 trees that have the potential for removal with Option B also be identified in Table 4? Can all of the specimen trees be identified on a map, using their corresponding number shown in Table 4?
NPS2-13	p. 67 – 2 <sup>nd</sup> paragraph- add "Broad" in front of "Branch"
NPS2-14	p. 98 – last paragraph – "re-creation" instead of "recreation"

**Response to NPS2-05**

Please see response to comment NPS2-04.

**Response to NPS2-06**

During the meetings attended by the Superintendent of Rock Creek Park, DDOT, and FHWA in November 2008 and June 2009, and April 2010 the parties agreed that FHWA would serve as the lead federal agency and NPS would serve as a cooperating agency for the project.

**Response to NPS2-07**

Comment noted. This section of the EA specifically discusses project needs under the category, "Infrastructure Deficiencies" in accordance with the FHWA Technical Advisory.

**Response to NPS2-08**

During the meetings attended by the Superintendent of Rock Creek Park, DDOT, and FHWA in November 2008 and June 2009, and April 2010 the parties agreed that FHWA would serve as the lead federal agency and NPS would serve as a cooperating agency for the project. As agreed, FHWA/DDOT have considered comments from the public and agencies and identified a Preferred Alternative in this Final EA/Finding of No Significant Impact (FONSI). NPS will prepare a separate decision document/FONSI.

**Response to NPS2-09**

DDOT has identified Option B – Pole or Bollard Lighting as the preferred Lighting Option. DDOT plans to install low-impact pole lighting along the trail, which would be timed to limit the hours of illumination and minimize impacts to nocturnal wildlife. Specific lighting features will be identified during more detailed design.

**Response to NPS2-10**

As stated in the proposed action (Section 2.2 of the EA), the culvert located at the Tregaron property will be reconstructed as part of the Preferred Alternative. Specific details of the reconstruction will be identified during more detailed design.

***Response to NPS2-11***

As stated in the EA, this option was dismissed because of the engineering constraints, high costs, and limited benefits of such an approach.

***Response to NPS2-12***

Table 4 has been updated in this Final EA to identify specimen trees on NPS property with an asterisk. The locations of specimen trees are shown on the project mapping in Figures 12-13, however the corresponding numbers would not be legible at the scale in which they are presented in the EA. DDOT would be happy to provide NPS with a larger scale map identifying the specimen trees on NPS property.

***Response to NPS2-13***

Edit made as suggested.

***Response to NPS2-14***

No action taken.

NPS2-15 p. 121 – for Alternatives 2, 3, and 4 and for Klingle Creek Restoration Options, the potential loss of a significant number of specimen trees will have a negative impact on visual quality and will lessen the wooded quality and natural setting of the Klingle Valley.

NPS2-16 p. 141- Under Vegetation – 6<sup>th</sup> sentence – eliminate the reference to “irrigation systems”

NPS2-17 p. 146 – 1<sup>st</sup> paragraph - NPS has concerns with the impacts of the potential for significant tree loss associated with the Action Alternatives.

NPS2-18 p. 147 – 3<sup>rd</sup> paragraph – The loss of a significant number of specimen trees would be a negative impact on park resources.

NPS2-19 The EA should include stabilization of the entire stream from the headwaters to the mouth including the lower stretch of the stream from the eastern barricade to Rock Creek. The retaining wall in this lower section needs work and the streambank just above the mouth bordering the Zoo has been undergoing major erosion and bank loss for many years. This area is within the project area shown on Figure 2 on p. 7. Likewise, all of the existing infrastructure, i.e. asphalt, concrete, sewer pipe, etc. that is on the banks and in the creek east of the barricade should be removed as part of the project. Likewise, the infrastructure on the banks and in the stream that is outside the LOD for creek restoration options A and B also needs to be removed as part of the project.

NPS2-20 The EA does not address the source of the degradation of Klingle Valley. It is critical that stormwater management strategies that will address uncontrolled storm flows from the headwaters of Klingle Creek are included in this plan. Without addressing and mitigating uncontrolled storm flows into Klingle Valley, this project provides only marginal water quality improvements and does not effectively manage or mitigate storm flows and nonpoint source pollution.

### ***Response to NPS2-15***

Please see response to comment NPS2-02.

### ***Response to NPS2-16***

Tree and landscaping irrigation may be included in future landscaping plans. No action taken.

### ***Response to NPS2-17***

Comment noted.

### ***Response to NPS2-18***

Please see response to comment NPS2-02. While the worst-case scenario removal of large trees would constitute a moderate impact to vegetation, there are no major adverse impacts to resources or values whose conservation are (1) whose conservation are (1) necessary to fulfill specific purposes identified in the establishing legislation or proclamation of the GWMP; (2) key to the natural or cultural integrity of the park; or (3) identified as a goal in the park’s *General Management Plan* or other relevant NPS planning document. Therefore there would be no impairment of the park’s resources or values (Section 4.13).

### ***Response to NPS2-19***

Per the discussion at the NPS/FHWA/DDOT coordination meeting on April 20, 2010, the area referenced in the comment is downstream of the trail project area. However, DDOT consultant, Coastal Resources, conducted basic surveying of the longitudinal profile to tie Klingle Creek into the Rock Creek grade. Per the detailed Stream Assessment Report (Appendix A of the June 2010 EA), rehabilitation was not recommended downstream of the project area because that reach of stream has significant bedrock control and likely provides refugia for small fish. Furthermore, as FHWA stated on April 20<sup>th</sup>, the source of project funding (FHWA) must

***Response to NPS2-19 (cont.)***

also be considered. The subject reach is outside the project area, it is outside of the scope of the project.

***Response to NPS2-20***

Because stormwater is an important issue in an urban watershed, DDOT evaluated several stormwater management options considering a Klingle Creek Watershed approach.

In addition to those options initially identified by the project team, DDOT evaluated all stormwater management options suggested by the public and agencies during project scoping and development of alternatives. Options dismissed from further consideration in the EA were determined not to be reasonable or feasible for the reasons described in Section 2.3.3. The stormwater solutions identified in the Preferred Alternative and options are in compliance with or exceed current regulations, are within the scope of the project, compatible with the project design objectives described above, and compatible with the Rock Creek Watershed Implementation Plan.

The restoration of Klingle Creek and Klingle Valley, as part of DDOT's Klingle Valley Trail project would be an important step toward achieving the District's goals in Klingle Valley, and is consistent with the District's goals of improving water quality through removal of impervious surfaces, debris removal, and installation of water quality measures within the District's right-of-way.

ADDITIONAL CORRESPONDENCE FROM THE  
DISTRICT OF COLUMBIA DEPARTMENT OF THE ENVIRONMENT



GOVERNMENT OF THE DISTRICT OF COLUMBIA  
District Department of the Environment



**Watershed Protection Division**

November 22, 2010

Ms. Austina Casey  
Project Manager  
District Department of Transportation  
2000 14th Street, NW  
Washington, DC 20009

RE: Klingle Valley Trail Environmental Assessment

Dear Ms. Casey:

As per your request in an email dated October 26<sup>th</sup>, 2010, the DC Department of Environment Watershed Protection Division, Planning and Restoration Branch is writing to clarify its comments to the Klingle Valley Trail Environmental Assessment (EA). We appreciate your response to our comments, both in meeting with DDOE on August 2, 2010 and in the written response dated October 20<sup>th</sup>, 2010.

The Planning and Restoration Branch is a non-regulatory arm of the Department of the Environment, charged with protecting the District's watersheds from pollution through education and outreach, stream and habitat restoration, innovative stormwater management and watershed planning. As such, our comments to the EA were from the perspective of what should be installed to address the stormwater issues in Klingle Valley. We recognize that DDOT has to consider and balance additional concerns beyond stormwater pollution.

As already mentioned the Planning and Restoration Branch has read your responses to our comments and is satisfied with them. We do continue to have a disagreement over the interpretation of the Fiscal Year 2009 Budget Support Act of 2008 language. To understand the intent behind the language of this Act, we suggest that you consult with Councilmember Cheh who drafted the text in question.

As DDOT moves forward with the full designs for the Klingle Valley Trail, DDOE's Technical Services Branch will be reviewing, providing comments for, and signing off on DDOT's proposed designs. We are confident that any concerns expressed by the Planning and Restoration Branch will be addressed by DDOT before or during DDOE's design review.



As DDOT moves forward with this project, we hope that you will continue to consult with the Planning and Restoration and Technical Services Branches to maximize the restoration potential of this project. We recognize that DDOT's background is in transportation and not stream restoration work. We would be happy to review preliminary designs before they are submitted for approval. Should DDOT choose to incorporate stream restoration or Low Impact Development work that exceeds the regulatory requirements or language regarding Klinge Valley Trail in the FY09 Budget Support Act, we are able to provide technical advice and may assist with finding additional funding for this work. If you should have any questions, or would like to discuss this matter further, please feel free to contact me at (202) 535-2241.

Sincerely,



Peter Hill  
Branch Chief, Planning and Restoration Branch  
District Department of the Environment



APPENDIX  
D

PUBLIC COMMENTS AND RESPONSES  
ON THE ENVIRONMENTAL ASSESSMENT







**ENVIRONMENTAL ASSESSMENT AND SECTION 106 EVALUATION  
PUBLIC HEARING  
JUNE 23, 2010  
COMMENT FORM**

Thank you for participating in tonight's meeting. The District Department of Transportation and the project team value your feedback in planning Klinglet Valley Trail, and would like to capture as much of your input as possible. Please write your comments and questions below, and leave your form in the comment box. You can also submit comments via website at [comments@klinglettrail.com](mailto:comments@klinglettrail.com).

001-01 Are you sure it makes sense to think of it as a trail going to somewhere, rather than just a park.

001-02 Can the "no action alternative" include the stabilization of problem areas? I assume this would be much less expensive, and quicker. Is the area really sufficiently dangerous to merit the "no trespassing" signs?

**Response to Comment 001-01**

Thank you for your comments, which will be included in the project Administrative Record.

One of the needs identified for the project is additional connectivity between designated pedestrian and bicycle routes, which are used for commuting, recreation and leisure, and fitness. The nearest designated east-west bicycle routes crossing Connecticut Avenue into the Rock Creek Park trail system are located at Tilden Street to the north and 24th Street to the south, leaving an approximate 1 mile gap. Trailheads are included in all Action Alternatives and details of wayfinding signage and/or pavement markings to the larger system will be included as design continues.

**Response to Comment 001-02**

Analysis of a No Action Alternative is required in accordance with the National Environmental Policy Act (NEPA). A No Action Alternative indicates that the affected environment would remain unchanged and would include neither the construction of the multi-purpose trail nor the stabilization of problem areas. While the No Action Alternative does not meet the purpose and need of the project, it provides a basis for comparing the management direction and environmental consequences of the proposed Action Alternatives. Based on the purpose of and needs for the proposed action, analysis in the Draft and Final EAs, and agency and public comment, DDOT has identified Alternative 2 – 10-Foot Multi-Use Trail (Permeable) as the Preferred Alternative. In order to support a sustainable trail, DDOT has identified Klinglet Creek Restoration Option B – Full Stream Channel and Bank Stabilization as the preferred Klinglet Creek Restoration Option.

The area has been restricted to public use by fencing and "No Trespassing" signs because the heaved pavement and collapsed infrastructure doesn't meet current acceptable standards for public use and safety.

# KLINGLE VALLEY TRAIL ENVIRONMENTAL ASSESSMENT

ENVIRONMENTAL ASSESSMENT AND SECTION 106 EVALUATION  
PUBLIC HEARING  
JUNE 23, 2010  
COMMENT FORM

Thank you for participating in tonight's meeting. The District Department of Transportation and the project team value your feedback in planning Klingle Valley Trail, and would like to capture as much of your input as possible. Please write your comments and questions below, and leave your form in the comment box. You can also submit comments via website at [comments@klingletrail.com](mailto:comments@klingletrail.com).

- 002-01 <sup>6</sup> ① *Best Option that restores the stream -- most important!*  
\* The impact of the stream system coming off of the Tregann Conservancy must be addressed. Storm water issues must be addressed
- 002-02 ② *A path must be wide enough to accommodate pedestrians & bicycles ... But not be allowed to impact a restored stream*
- 002-03 ③ *No action alternative is unacceptable. There is terrible degradation of Nat'l Park Service land & water*
- 002-04 ④ *Alternative 2 - preferable overall; permeable path*
- 002-05 ⑤ *minimal or no lighting*
- 002-06 ⑥ *Under ALT. 2  
Klingle Option B for full stream channel & bank stabilization  
Option A: no lighting  
Options: should use connectors  
~~Option A trail~~*

### Response to Comment 002-01

Following the comment period, and in order to support a sustainable trail, DDOT has identified Option B (Full Stream Channel and Bank Stabilization), as the preferred Klingle Creek Restoration Option. In addition to permeable pavement, the Preferred Alternative includes a number of stormwater management solutions for Klingle Valley: failed stormwater outfalls and culverts will be reconstructed and resized to appropriately convey water; a bio-island will be placed at the Cortland Place trailhead; and a bioswale with check dams along the length of the trail will treat runoff from side slopes as well as potential runoff from the trail.

### Response to Comment 002-02

DDOT has identified Alternative 2 – 10-Foot Multi-Use Trail (Permeable), as the Preferred Alternative. A 10-foot trail meets current American Association of State Highway and Transportation Officials guidelines for multi-use trails and allows for a smaller footprint and fewer impacts than a 12-foot trail. The Preferred Alternative and options will result in a net benefit to Klingle Creek.

### Response to Comment 002-03

Analysis of a No Action Alternative is required in accordance with the National Environmental Policy Act (NEPA). While the No Action Alternative does not meet the purpose and need of the project, it provides a basis for comparing the management direction and environmental consequences of the proposed action alternatives.

### Response to Comment 002-04

See Response to Comment 002-02.

### Response to Comment 002-05

DDOT has identified Option B – Pole or Bollard Lighting as the preferred Lighting Option. DDOT plans to install low-impact pole lighting along the trail. The lighting would be timed to correspond with commuter use of the facility to limit the hours of illumination

and minimize impacts to nocturnal wildlife.

***Response to Comment 002-06***

See Response to Comments 002-01 through 002-05. DDOT has identified Access to Rock Creek Trail Option C-Modified, which is a combination of Option B and C, as the preferred Access to Rock Creek Trail Option. Under this option, a multi-use trail 6 to 8 feet in width would be constructed within the footprint of the existing roadway. The trail would be separated from the existing vehicular travel lane via curb. The existing 20-foot wide vehicle travel lane will be redesigned to 12 to 14-foot wide. No new impervious surface would be added.



ENVIRONMENTAL ASSESSMENT AND SECTION 106 EVALUATION  
 PUBLIC HEARING  
 JUNE 23, 2010  
 COMMENT FORM

Thank you for participating in tonight's meeting. The District Department of Transportation and the project team value your feedback in planning Kling Valley Trail, and would like to capture as much of your input as possible. Please write your comments and questions below, and leave your form in the comment box. You can also submit comments via website at [comments@klingtrail.com](mailto:comments@klingtrail.com).

003-01 I favor  
 Option 3 (or 2)  
 a permeable surface is important  
 for sustainability to allow water  
 to soak into the ground.

003-02 Option B, Full stream restoration if it's  
 done in a natural manner & avoids  
 non-permeable materials.

003-03 Access to Rock Creek Trail makes total  
 sense!

003-04 Minimal or no-lighting would  
 preserve wildlife habitat better  
 like the Capital Crescent Trail.

Let's get this Done.  
 Isabel Sternberg

**Response to Comment 003-01**

After consideration of the purpose of and needs for the proposed action, analysis in the EA, and public and agency comments, DDOT has identified Alternative 2 – 10-Foot Multi-Use Trail (Permeable) as the Preferred Alternative.

**Response to Comment 003-02**

In order to support a sustainable trail, DDOT has identified Option B – Full Stream Channel and Bank Stabilization as the preferred Kling Valley Trail Restoration Option.

**Response to Comment 003-03**

DDOT has identified Access to Rock Creek Trail Option C-Modified as the preferred Access to Rock Creek Trail Option. Under this option, a multi-use trail 6 to 8 feet in width would be constructed within the footprint of the existing roadway. The trail would be separated from the existing vehicular travel lane via curb. The existing 20-foot wide vehicle travel lane will be redesigned to 12 to 14-foot wide. No new impervious surface would be added.

**Response to Comment 003-04**

DDOT has identified Option B – Pole or Bollard Lighting as the preferred Lighting Option. DDOT plans to install low-impact pole lighting along the trail. The lighting would be timed to correspond with commuter use of the facility to limit the hours of illumination and minimize impacts to nocturnal wildlife.



**ENVIRONMENTAL ASSESSMENT AND SECTION 106 EVALUATION  
PUBLIC HEARING  
JUNE 23, 2010  
COMMENT FORM**

Thank you for participating in tonight's meeting. The District Department of Transportation and the project team value your feedback in planning Kling Valley Trail, and would like to capture as much of your input as possible. Please write your comments and questions below, and leave your form in the comment box. You can also submit comments via website at [comments@klingtrail.com](mailto:comments@klingtrail.com).

004-01

I am in favor of a 12' wide multi use trail using permeable material. (Alternative 3) I also support full stream channel and bank stabilization, (option B), a multi-use trail connection (option C), and Pole lighting (option B).

004-02

I am so glad that this right of way is to become a trail, it will certainly improve the quality of my neighborhood (Woodley Park)

***Response to Comment 004-01***

After consideration of the purpose of and needs for the proposed action, analysis in the EA, and public and agency comments, DDOT has identified Alternative 2 – 10-Foot Multi-Use Trail (Permeable) as the Preferred Alternative.

In order to support a sustainable trail, DDOT has identified Option B (Full Stream Channel and Bank Stabilization) as the Preferred Kling Creek Restoration Option.

DDOT has identified Access to Rock Creek Trail Option C-Modified as the preferred Access to Rock Creek Trail Option. Under this option, a multi-use trail 6 to 8 feet in width would be constructed within the footprint of the existing roadway. The trail would be separated from the existing vehicular travel lane via curb. The existing 20-foot wide vehicle travel lane will be redesigned to 12 to 14-foot wide. No new impervious surface would be added.

DDOT has identified Option B – Pole or Bollard Lighting as the preferred Lighting Option. DDOT plans to install low-impact pole lighting along the trail. The lighting would be timed to correspond with commuter use of the facility to limit the hours of illumination and minimize impacts to nocturnal wildlife.

***Response to Comment 004-02***

Thank you for your comment, which will be included in the Administrative Record for the project.



**ENVIRONMENTAL ASSESSMENT AND SECTION 106 EVALUATION  
PUBLIC HEARING  
JUNE 23, 2010  
COMMENT FORM**

Thank you for participating in tonight's meeting. The District Department of Transportation and the project team value your feedback in planning Kling Valley Trail, and would like to capture as much of your input as possible. Please write your comments and questions below, and leave your form in the comment box. You can also submit comments via website at [comments@klingtrail.com](mailto:comments@klingtrail.com).

005-01 I am in full support of construction of a multiuse trail in Kling Valley. I would like to see the following options implemented: Alternative 2, 10-Foot Multi-Use Trail (Permeable); Kling Creek Restoration Option B, Full Stabilization; Access to Rock Creek Trail Option B - Shared-Use Connection; and Lighting Option A. I believe that this combination of options provides the best balance among environmental concerns, achievement of use/access goals, and cost of installation and maintenance.

005-02 Also, I would like to see some pedestrian access to Connecticut Avenue. Pedestrian access here should increase use of the trail.

005-03 Finally, I would like to see emergency <sup>vehicle</sup> ~~vehicle~~ access designated as one-way, downhill, to minimize maintenance costs by avoiding up-hill traction problems in wet, frozen or slippery conditions.

Thanks,  
Benjamin Ford

**Response to Comment 005-01**

Thank you for your comments, which will be included in the project Administrative Record.

After consideration of the purpose of and needs for the proposed action, analysis in the EA, and public and agency comments, DDOT has identified Alternative 2 – 10-Foot Multi-Use Trail (Permeable) as the Preferred Alternative. In order to support a sustainable trail, DDOT has identified Option B – Full Stream Channel and Bank Stabilization as the preferred Kling Creek Restoration Option.

DDOT has identified Access to Rock Creek Trail Option C-Modified as the preferred Access to Rock Creek Trail Option. Under this option, a multi-use trail 6 to 8 feet in width would be constructed within the footprint of the existing roadway. The trail would be separated from the existing vehicular travel lane via curb. The existing 20-foot wide vehicle travel lane will be redesigned to 12 to 14-foot wide. No new impervious surface would be added. DDOT has identified Option B – Pole or Bollard Lighting as the preferred Lighting Option. DDOT plans to install low-impact pole lighting along the trail. The lighting would be timed to correspond with commuter use of the facility to limit the hours of illumination and minimize impacts to nocturnal wildlife.

**Response to Comment 005-02**

As a result of public input during project scoping, DDOT considered a connection from the multi-use trail to Connecticut Avenue. However, the steep slopes within Kling Valley would require excessive grading, well outside of the existing DDOT right-of-way, in order to implement this option. Therefore, this option is outside of the scope of the project, and was dismissed from detailed study.

**Response to Comment 005-03**

Thank you for your comment. Emergency and maintenance vehicles will be accommodated under the Preferred Alternative, and DDOT will consider public and agency comments regarding access logistics, including the direction of access, during more detailed design.

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2

1 P R O C E E D I N G S

006-01

2 MR. STANMORE: Stuart Stanmore, Woodley Park  
3 Towers, WPT. My impression is that Woodley Park Towers  
4 residents generally oppose resumption of traffic noise  
5 on Klingle Road.

007-01

6 MR. SOLOMON: Steven Solomon. I have been  
7 involved in this issue since 1995. I wish to applaud  
8 DDOT's work in the environmental assessment, which I  
9 think for the most part captures the spirit of the  
10 Council's input and that of the community, and I look  
11 forward to one of the three options being adopted and  
12 implemented.

008-01

13 MR. HABER: My name is Jason Haber. My  
14 address is [REDACTED] The  
15 Klingle Valley trail issue, I would want to state my  
16 interest in a narrow trail, a narrow permeable trail,  
17 no lading. And I want to make a clear interest that  
18 the park, the area does not become a de facto dog-run  
19 park and that both leash laws and scoop laws are  
20 enforced not only in that park but in parks in general  
21 within the D.C. area. Thank you.

009-01

22 MS. ARMBRUSTER: My name is Patricia

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***Response to Comment 006-01***

Thank you for your comment. It has been noted and will be included in the project Administrative Record.

***Response to Comment 007-01***

Thank you for your comments, which will be included in the project Administrative Record.

***Response to Comment 008-01***

After consideration of the purpose of and needs for the proposed action, analysis in the EA, and public and agency comments, DDOT has identified Alternative 2 – 10-Foot Multi-Use Trail (Permeable) as the Preferred Alternative. DDOT will continue maintenance of right-of-way as well as ensuring that requirements of the District laws are adhere to.

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009-01  
(cont.)

3

1 Armbruster. I live at [REDACTED]  
2 Washington D.C., native Washingtonian, previously lived  
3 on Macomb Street adjacent to Klingle Road.

4 I find no benefit to the proposed plans. I  
5 have always supported the reopening of Klingle Road.  
6 It's very disturbing that this road has never been  
7 officially closed, yet millions of dollars of taxpayers  
8 have gone down the drain on these studies.

9 D.C. residents have been given a bait and  
10 switch. First, the Council voted to reopen the road  
11 after 12 years, in 2003, of delaying our repairs. With  
12 the change of Council and demographics, Ms. Cheh did  
13 the dirty and in 2008 revisited the issue. And here we  
14 are, two years later, no road, no answer.

15 I remember this road as a great -- adjacent  
16 to Klingle Road. I have driven the road, biked the  
17 road and walked the road many times. Klingle Road was  
18 never any more dangerous than others in Rock Creek  
19 Park, some that are really dangerous for motor  
20 vehicles. Facts showed that thousands of motorists  
21 used Klingle Road. Most assuredly, this will never be  
22 again if we erect this trail.

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**Response to Comment 009-01**

Thank you for your comments. They have been noted and will be included in the project Administrative Record.

An alternative to reopen the barricaded portion of Klingle Road to motor vehicles would not fulfill the purpose and need for the proposed action, which is identified in Section 1.0 of the EA. Furthermore, a road alternative is not consistent with the District's Klingle Road Sustainable Development Act of 2008, and was eliminated from detailed study in the EA. Please see Section 2.3.5 for more details.

The proposed action is to construct a multi-use trail facility, manage stormwater, and restore Klingle Creek within the 0.7 mile barricaded portion of Klingle Road between Porter Street, NW, and Cortland Place, NW. The proposed trail alignment for all Action Alternatives lies within the existing DDOT right-of-way, which DDOT would continue to maintain and manage.

The Preferred Alternative, a 10-Foot Multi-Use Trail (Permeable) would be accessible as a transportation and recreational corridor to a variety of non-motorized users.

In addition to permeable pavement, the Preferred Alternative includes a number of stormwater management solutions for Klingle Valley: failed stormwater outfalls and culverts will be reconstructed and resized to appropriately convey water; a bio-island will be placed at the Cortland Place trailhead; and a bioswale with check dams along the length of the trail will treat runoff from side slopes as well as potential runoff from the trail.

The restriction of permeable materials on steep slopes is not a question of durability of the surface, but rather the ability beneath the surface to store the water. As part of the stormwater treatment and storage, DDOT plans to install a swale with check dams, which would meet project requirements for stormwater management. The EA Design Report provides references for where the information on

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4

1 I find it unfair to close the road to motor  
2 vehicles where most residents could make use of it and  
3 enjoy the bucolic scenic vistas than the few hikers and  
4 bikers that may make use of it or a hike/bike trail.

5 I personally no longer can bike or walk the  
6 road. I foresee that I might at most walk the road  
7 once a month, 12 times a year, and I am doubtful about  
8 that. The aging process is here for me. It angers me  
9 that the powers that be see fit to limit Klingle Road  
10 to those who can traverse the steep incline with no  
11 concern for the majority of residents who will no  
12 longer have access to our road.

13 All this money that is currently in play and  
14 has been spent today will make for the most expensive  
15 deer crossing ever, as I foresee that the population  
16 living closest to the road are our deer population. So  
17 bikers, beware.

18 In 16 years, I have seen and witnessed the  
19 deterioration of this road and the valley. And I  
20 really question the benefit of this plan of permeable  
21 surface, and will not remedy and may actually create  
22 more destruction in future years from storm water

009-01  
(cont.)

permeable materials was obtained, such as the National Asphalt  
Pavement Association.

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009-01  
(cont.)

5

1 runoff. This is stinkin' thinkin' on the past part of  
2 our council. And, yes, a crime has been committed in  
3 not responsibly repairing and restoring the road as a  
4 road. A great disservice to past, present and future  
5 generations has transpired. Thank you.

6 (Whereupon, at 8:00 p.m., the comments  
7 were concluded.)  
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22

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12

1 Please note that the public hearing is not a  
2 debate. DDOT will not tolerate personal attacks by  
3 anyone on any participants in the proceeding, and  
4 anyone who violates that, we may ask you to leave.

5 We want to thank you for your participation  
6 in tonight's public hearing. It's through your active  
7 participation that both DDOT and Federal Highway fully  
8 understand the sentiments and views of the public on  
9 this project.

10 With that, I'm going to call our first  
11 speaker, Jason Broehm.

12 MR. BROEHM: Thank you for the opportunity.

13 MR. WISER: One thing I failed to mention, if  
14 you could just state your name at the beginning of your  
15 oral comment, and if you want to give your address,  
16 that would also be helpful but not necessary.

17 MR. BROEHME Okay. Jason Broehm, I live at

18 [REDACTED] Thank you to you at DDOT who have  
19 given us the opportunity here to comment on this  
20 environmental assessment. I know a number of us,  
21 whether we like the direction we're going or don't like  
22 it, have been passionately engaged in the debate on the

010-01

***Comments #10 through #32 were provided via oral testimony on June 23, 2010 at the Public Hearing for the Klinge Valley Trail Environmental Assessment. The Public Hearing transcript is available in its entirety in the project Administrative Record.***

***Response to Comment 010-01***

Thank you for your comments. They have been noted and will be included in the project Administrative Record. After consideration of the purpose of and needs for the proposed action, analysis in the EA, and public and agency comments, DDOT has identified Alternative 2 – 10-Foot Multi-Use Trail (Permeable) as the Preferred Alternative.

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13

010-01  
(cont.)

1 future of Klingle Valley for a number of years now. I'm  
2 very happy to see that we're proceeding towards some  
3 sort of a trail option, the way that the public can in  
4 an official way use this area, which is so beautiful,  
5 for recreation and that we can have a true park without  
6 cars going through there as had occurred a couple  
7 decades ago.

8 I personally would like to see the narrowest  
9 trail possible, so the 10-foot option is what I  
10 personally prefer. Also, I know a number of us -- for  
11 years, one of the arguments against the road and I  
12 think against a paved trail as well is that we want to  
13 be sensitive to the creek environment there, the steep  
14 topography. And we really think that having a  
15 permeable surface makes the most sense from an  
16 environmental standpoint.

010-02

17 Of course, we'd like to make sure that the  
18 trail isn't going to wash out. And it sounds like  
19 under any alternative from the discussion that I had  
20 with DDOT earlier before this meeting is that they  
21 would all be designed to withstand a normal storm. In  
22 a 100-year storm event, sort of all bets are off, it

***Response to Comment 010-02***

The Preferred Alternative will be constructed using a permeable surface, which includes subgrade storage. A number of additional stormwater management solutions for Klingle Valley are also included: failed stormwater outfalls and culverts will be reconstructed and resized to appropriately convey water; a bio-island will be placed at the Cortland Place trailhead; and a bioswale with check dams along the length of the trail will treat runoff from side slopes as well as potential runoff from the trail.

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14

1 sounds like.

2           The other thing I think from an environmental  
3 perspective, I'd prefer no lighting. Although I think  
4 from the standpoint of bicycle commuters who may use  
5 the space either early in the season or late in the  
6 season, I could definitely support some limited  
7 lighting during certain hours of the day as long as  
8 it's not going throughout the night.

9           So with that, I'll conclude my remarks, and  
10 just thank you again, to DDOT, for holding this  
11 meeting.

12           MR. WISER: Gail Barron Black.

13           MS. BARRON BLACK: Good evening. I am the  
14 ANC commissioner for ANC 4A-08, which happens to be  
15 where Klinge Road is. And on June 17th, the ANC voted  
16 unanimously to have the City do its job and restore our  
17 public use of this road.

18           If you don't know what an ANC is, it's the  
19 body that is supposed to be the advisor to the City on  
20 these particular matters. We are in Census Tract 26,  
21 and I'm here to tell you, yes, there is indeed a  
22 socioeconomic impact. There's a transportation impact,

010-03

***Response to Comment 010-03***

DDOT has identified Option B – Pole or Bollard Lighting as the preferred Lighting Option. DDOT plans to install low-impact pole lighting along the trail. The lighting would be timed to correspond with commuter use of the facility to limit the hours of illumination and minimize impacts to nocturnal wildlife.

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15

1 and I'm going to provide you with the written  
2 resolution of our ANC, which makes this point -- this  
3 is a transportation right-of-way. It's never been  
4 officially closed, and all of the premises here are  
5 based on the thought that this is a trail. In fact,  
6 the City needs to keep the road as a road, whether it's  
7 for the Tregaron property, where there's been a promise  
8 to provide a road, or for us, where thousands of people  
9 used it every day. We need it.

10 It's, in fact, currently listed on the  
11 Federal Aid system, and it makes absolutely no sense  
12 for the City to take money that could be used on other  
13 projects and put it into a dog park.

14 Non-motorized use, how are you going to have  
15 emergency vehicles and service vehicles? How is that  
16 non-motorized? You have to have a road. You have to  
17 have a road that's durable enough to accommodate  
18 service vehicles. You have to allow us to use this  
19 bypass, which is for Connecticut Avenue, and not deny  
20 us the rights that we're entitled to right now by law  
21 under the City's comprehensive plan. And I can tell  
22 you that Klingles Valley Park is not listed as a bike --

011-01

**Response to Comment 011-01**

Thank you for your comments. They have been noted and will be included in the project Administrative Record.

Erroneously, the following information was listed in the EA, which was released in June 2010:

Klinge Road is currently listed on the Federal-aid system functional classification of streets/roadways in the District of Columbia as a local street (DDOT, 2009c). If converted from motorized to non-motorized use under the proposed action, this segment of roadway would have to be officially removed as a local street from the DC functional classification map using the appropriate processes under 23 CFR 470.109(a) and 470.115(a) (Federal Aid Highways re: converting a designated fed-aid highway to non-vehicular trail) and The Street & Alley Closing & Acquisition Procedures Act of 1982. D.C. Code Section 9-201.01 et. Seq. Section 9-202-01 (re: street closings and requirement of public hearing for such act).

Klinge Road is currently listed on the Federal-aid highway system functional classification of streets and roadways in the District of Columbia as a collector street and is eligible for Surface Transportation Program (STP) funds. Because the District is proposing to construct a multi-use trail on Klingle Road (i.e., the Klingle Valley Trail), Klingle Road will no longer be eligible for funding under the STP funding program. At the conclusion of the NEPA process regarding this EA for the Klingle Valley Trail, DDOT will propose to FHWA that the segment of Klingle Road between Porter Street, N.W. and Cortland Place, N.W. be removed from the Federal-aid highway system. However, the proposed multi-use trail is eligible for federal-aid funding under the Recreational Trails Program in accordance with SAFETEA-LU Sections 1101(a)(8) and 1109, 23 USC 104(h) & 206, and 23 CFR Part 652.

Nevertheless, removal of Klingle Road from the Federal-aid highway system, does not affect the District's ownership and jurisdiction of the Klingle Road right-of-way. Under the proposed action, DDOT will not and does not plan to officially close the barricaded segment of Klingle Road between Porter Street, N.W.

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16

1 in the bike plan, and that the National Park Service  
2 says you have to protect and keep all of the current  
3 trails there in the park.

4 Open for public travel, by the way, means --  
5 and this is quoting from a federal regulation -- open  
6 for cars. You can't have it both ways, folks. It's  
7 either a recreation trail, which is only for certain  
8 members of the public, or it's open to all of us, which  
9 is what we are now entitled to under our law unless and  
10 until there is a change under the Street and Alley  
11 Closing Act.

12 Sorry to break it to you, but when you look  
13 in the report, it identifies --

14 MR. WISER: Your two minutes is up.

15 MS. BARRON BLACK: Okay. I just want to  
16 point out that Table 3, your comparison of  
17 alternatives, by its own admission, none of these  
18 alternatives will work because they will not  
19 accommodate the large utility vehicle access that we  
20 say we want. Thank you very much.

21 MR. WISER: Okay. Thank you.

22 If you have additional comments and you can't

011-01  
(cont.)

and Cortland Place, N.W. pursuant to the procedure outlined in The Street & Alley Closing & Acquisition Procedures Act of 1982 (D.C. Code sections 9-201.01 et seq. (see Appendix E). DC Code section 9-202.01 states that the Mayor may close all or part of any street or alley which is determined by the DC Council to be unnecessary for street or alley purposes. The 2008 Act, passed by DC Council, did not deem Klingle Road unnecessary when it authorized the construction of a pedestrian and bicycle trail on Klingle Road between Porter Street, N.W. and Cortland Place, N.W.; therefore, Klingle Road continues to be necessary for street (i.e., public right-of-way) purposes, as defined in DC Code section 9-201.01. Additionally, DDOT will continue to operate, maintain and manage the public right-of-way for both non-motorized transportation and authorized motorized use (i.e. access for emergency, utility, and maintenance vehicles).

A number of commentators on the June 2010 EA noted the 2006 approval by the DC Historic Preservation Review Board (DC HPO) of an application for subdivision of one acre of the historic Tregaron Property in exchange for the Tregaron Limited Partnership's donation of 13 acres for permanent open space preservation on the historic property (Decision and Order (Subdivision of Tregaron Estate – Eight Residential Lots and Initial Rehabilitation Plan of Conservancy – March, 2006). According to the commentators, the proposed trail would prohibit vehicular access from five homes to Klingle Road, essentially nullifying the DC HPO's approval. The DC HPO's order allowed for the subdivision; however, it clearly acknowledges that five of the eight subdivided properties proposed frontage would be on "that portion of Klingle Road which is currently closed to traffic" (DC HPO, 2006).

As required under Section 106 of the National Historic Preservation Act, FHWA and DDOT consulted with the DC HPO and prepared an Assessment of Effects on Historic Resources report. Throughout FHWA and DDOT's consultations with DC HPO, DC HPO did not

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17

1 get to all of them tonight, there is a stenographer  
2 outside and you can go ahead -- if you want to walk out  
3 there and present the rest of your comments, you're  
4 welcome to do that.

5 MS. BARRON BLACK: Yes, and I do ask that the  
6 resolution of ANC 4A-08 be made a part of the record  
7 and that it be given great weight. Thank you.

8 MR. WISER: I apologize. I missed Patricia  
9 Hahn.

10 MS. HAHN: Thanks for giving me an  
11 opportunity to speak and sorry about the scratchy  
12 voice. My name is Patricia Hahn. I live at [REDACTED]  
13 [REDACTED] I'd like to make just one point, and that  
14 is this process is premature. And in that sense, it's  
15 a scary use of D.C. and public funds. I'm a local and  
16 a federal taxpayer. That's one of the bases on which  
17 I'm having a problem here.

18 As Gail pointed out, the street was never  
19 closed. D.C. Code has a process; the City Council has  
20 to go through to close a road, and that didn't happen.  
21 So why are we here having spent a lot of money on a  
22 very nice looking study? I think that's an issue.

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012-01

raise the approval for the subdivision in the Decision and Order as an issue whereby the proposed trail would affect the Tregaron Limited Partnership's activities. Notably, DC HPO has stated:

"The 'HPRB order' . . . is more accurately a concept approval and acceptance of the three-party property agreement between Washington International School, the Tregaron Conservancy, and the Tregaron Limited Partnership regarding the ownership and future treatment of the Tregaron landmark. This agreement does not have any impact or relevance to the Klingle Road project . . . In fact, there is no right to built [sic] the houses; they were always a highly speculative proposition."

Furthermore in an email response to a citizen's inquiry regarding this issue, the DC HPO stated:

"The five houses on the closed portion of Klingle were speculative and specifically approved for those sites. They were proposed by the developer with full knowledge that Klingle was closed at the time and without any guarantee that it would be reopened. There was no contingency for relocating those five house lots to other portions of the site, and the remainder of the land has already been transferred to and is owned by the Conservancy. I don't think the failure of the developer to be able to build the five houses would affect the settlement agreement between the Tregaron Limited Partnership, the Washington International School and the Conservancy."

The complete Assessment of Effects on Historic Resources report and the DC HPO concurrence letter is presented in Appendix B of this EA. The two emails in their entirety are available in the project Administrative Record.

**Response to Comment 012-01**

Thank you for your comments. They have been noted and will be included in the project Administrative Record.

DDOT and FHWA are required to comply with the National Environmental Policy Act (NEPA) when federal funds are used for a project; therefore, an EA was prepared.

Erroneously, the following information was listed in the EA, which was released in June 2010:

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012-01  
(cont.)

18

1           What's an even scarier issue is assuming D.C.  
2 Council takes up the question of whether to close the  
3 road or not, we don't know when that will happen if it  
4 happens. It's likely to be in the future by a bit. It  
5 may require its own environmental analysis of some  
6 sort, whether it's an EA, EIS, who knows, just on the  
7 road closing. If that's successful, that is, the  
8 road's closed, then you go back to doing an analysis of  
9 what does it take to do the bike trail.

10           This nice report is great; it has cost  
11 estimates. But by the time this process is through,  
12 those cost estimates are going to be stale. We'll be  
13 going through the whole process all over again,  
14 spending another pile of money. So unless, as Gail  
15 said, there hasn't been a closing yet and unless and  
16 until there is one, we shouldn't be spending another  
17 dime of D.C. or federal money on this. Thank you very  
18 much.

19           MR. WISER: Thank you.

20           Bill Carroll).

21           MR. CARROLL: I'm Bill Carroll. I live at

22           ██████████ 3514 Yuma Street N.W. This draft environmental

streets/roadways in the District of Columbia as a local street (DDOT, 2009c). If converted from motorized to non-motorized use under the proposed action, this segment of roadway would have to be officially removed as a local street from the DC functional classification map using the appropriate processes under 23 CFR 470.109(a) and 470.115(a) (Federal Aid Highways re: converting a designated fed-aid highway to non-vehicular trail) and The Street & Alley Closing & Acquisition Procedures Act of 1982. D.C. Code Section 9-201.01 et. Seq. Section 9-202-01 (re: street closings and requirement of public hearing for such act).

Klinge Road is currently listed on the Federal-aid highway system functional classification of streets and roadways in the District of Columbia as a collector street and is eligible for Surface Transportation Program (STP) funds. Because the District is proposing to construct a multi-use trail on Klinge Road (i.e., the Klinge Valley Trail), Klinge Road will no longer be eligible for funding under the STP funding program. At the conclusion of the NEPA process regarding this EA for the Klinge Valley Trail, DDOT will propose to FHWA that the segment of Klinge Road between Porter Street, N.W. and Cortland Place, N.W. be removed from the Federal-aid highway system. However, the proposed multi-use trail is eligible for federal-aid funding under the Recreational Trails Program in accordance with SAFETEA-LU Sections 1101(a)(8) and 1109, 23 USC 104(h) & 206, and 23 CFR Part 652.

Nevertheless, removal of Klinge Road from the Federal-aid highway system, does not affect the District's ownership and jurisdiction of the Klinge Road right-of-way. Under the proposed action, DDOT will not and does not plan to officially close the barricaded segment of Klinge Road between Porter Street, N.W. and Cortland Place, N.W. pursuant to the procedure outlined in The Street & Alley Closing & Acquisition Procedures Act of 1982 (D.C. Code sections 9-201.01 et seq. (see Appendix E). DC Code section 9-202.01 states that the Mayor may close all or part of any street or alley which is determined by the DC Council to be unnecessary for street or alley purposes. The 2008 Act, passed by DC Council, did

not deem Klingle Road unnecessary when it authorized the construction of a pedestrian and bicycle trail on Klingle Road between Porter Street, N.W. and Cortland Place, N.W.; therefore, Klingle Road continues to be necessary for street (i.e., public right-of-way) purposes, as defined in DC Code section 9-201.01. Additionally, DDOT will continue to operate, maintain and manage the public right-of-way for both non-motorized transportation and authorized motorized use (i.e. access for emergency, utility, and maintenance vehicles). The cost estimate will be revisited and further refined in more detailed design when FHWA completes the NEPA process for the project.

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1 assessment accurately finds that continuing  
2 deterioration has made Klingle Road unsafe. However,  
3 this assessment itself is a dangerous document because  
4 it pretends to legitimize the inherent contradiction of  
5 managing storm water by use of permeable surface on a  
6 road that is steeply sloped and whose neighboring  
7 slopes reach 30 percent and above.

8           Examine extensive literature that's available  
9 on the use of permeable surfaces, and you find only  
10 flat surface parking lots and walkways as recommended  
11 applications. Where permitted on slopes, more than the  
12 reservoir below the surface as shown in this  
13 environmental assessment is required, including  
14 extensive piping systems.

15           The condition to be met is storm water  
16 runoff. It's not a casual stroll of rainwater on a  
17 cloudy day. The environmental assessment's only  
18 acknowledgment of sloping as an issue tells us that  
19 Klingle's natural slopes will be re-graded down to 8  
20 percent. So much for the respect of the naturalness of  
21 Klingle Valley.

22           Redwood City, California, for example, limits

013-01

**Response to Comment 013-01**

Thank you for your comment, which will be included in the Administrative Record for the project. After consideration of the purpose of and needs for the proposed action, analysis in the EA, and public and agency comments, DDOT has identified Alternative 2 – 10-Foot Multi-Use Trail (Permeable) as the Preferred Alternative. Design exceptions would be required where the road would not meet current standards because of the constraints within Klingle Valley.

In addition to permeable pavement, the Preferred Alternative includes a number of stormwater management solutions for Klingle Valley: failed stormwater outfalls and culverts will be reconstructed and resized to appropriately convey water; a bio-island will be placed at the Cortland Place trailhead; and a bioswale with check dams along the length of the trail will treat runoff from side slopes as well as potential runoff from the trail.

The restriction of permeable materials on steep slopes lies with the ability to store water below the surface. As part of the stormwater treatment and storage, DDOT plans to install a swale with check dams, which would meet project requirements for stormwater management. The EA Design Report provides references for where the information on permeable materials was obtained, such as the National Asphalt Pavement Association.

The total cost of the Preferred Alternative and options including construction of sustainable stormwater management infrastructure, restoration of Klingle Creek, access to Rock Creek Trail, and installation of lighting is \$6,763,823. The annual trail maintenance costs would be approximately \$5,840.

Based on the number of public comments received on the topic, the project team prepared a cost estimate for a road build scenario using DDOT standard cost estimating methods. Current costs to design, construct, and reopen the road to motor vehicle traffic would be

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20

1 the use of permeable surfaces on trails to those where  
2 the percent of grade is 5 percent. This EA does not  
3 and cannot give any examples of a permeable surface on  
4 a terrain as sloped as Klingle Road anywhere in the  
5 United States.

6 What this EA does is outline a severely  
7 underestimated 5.5- to \$7 million taxpayer experiment  
8 that is designed to fail in its fundamental purpose of  
9 managing Klingle Valley storm water.

10 MR. WISER: Ten seconds.

11 MR. CAROL: A few years ago, we could have  
12 had the road repaired and reopened along with a very  
13 effective piping system for managing storm water for a  
14 cost of \$7 million.

15 MR. WISER: Time is up.

16 MR. CAROL: I do commend FHWA and DDOT for  
17 requiring this project to comply with D.C.'s time  
18 honored Street and Alley Closing Act.

19 MR. WISER: Okay. The next speaker is Severn  
20 Scottrue (ph).

21 MR. SCORD: Close.

22 MR. WISER: Hopefully, I pronounced that

013-01  
(cont.)

\$10,619,000. Although not included as part of the proposed action in the 2005 DEIS, restoration of Klingle Creek would also be required under this scenario in order to promote a sustainable road, and would cost an additional \$1,075,000. Road maintenance would also cost approximately \$5,840 per year. At an estimated cost of \$11,694,000, the total cost of reconstructing the road is considerably more than the cost of the multi-use trail. Furthermore, the revised cost estimate to rebuild the road assumes that a number of design exceptions would be acceptable. Design exceptions would be required where the road would not meet current standards because of the constraints within Klingle Valley.

Erroneously, the following information was listed in the EA, which was released in June 2010:

Klingle Road is currently listed on the Federal-aid system functional classification of streets/roadways in the District of Columbia as a local street (DDOT, 2009c). If converted from motorized to non-motorized use under the proposed action, this segment of roadway would have to be officially removed as a local street from the DC functional classification map using the appropriate processes under 23 CFR 470.109(a) and 470.115(a) (Federal Aid Highways re: converting a designated fed-aid highway to non-vehicular trail) and The Street & Alley Closing & Acquisition Procedures Act of 1982. D.C. Code Section 9-201.01 et. Seq. Section 9-202-01 (re: street closings and requirement of public hearing for such act).

Klingle Road is currently listed on the Federal-aid highway system functional classification of streets and roadways in the District of Columbia as a collector street and is eligible for Surface Transportation Program (STP) funds. Because the District is proposing to construct a multi-use trail on Klingle Road (i.e., the Klingle Valley Trail), Klingle Road will no longer be eligible for funding under the STP funding program. At the conclusion of the NEPA process regarding this EA for the Klingle Valley Trail, DDOT will propose to FHWA that the segment of Klingle Road between Porter Street, N.W. and Cortland Place, N.W. be removed from the Federal-aid highway system. However, the proposed multi-use trail is eligible for federal-aid funding under the Recreational Trails Program in accordance with SAFETEA-LU

Sections 1101(a)(8) and 1109, 23 USC 104(h) & 206, and 23 CFR Part 652.

Nevertheless, removal of Klinger Road from the Federal-aid highway system, does not affect the District's ownership and jurisdiction of the Klinger Road right-of-way. Under the proposed action, DDOT will not and does not plan to officially close the barricaded segment of Klinger Road between Porter Street, N.W. and Cortland Place, N.W. pursuant to the procedure outlined in The Street & Alley Closing & Acquisition Procedures Act of 1982 (D.C. Code sections 9-201.01 et seq. (see Appendix E). DC Code section 9-202.01 states that the Mayor may close all or part of any street or alley which is determined by the DC Council to be unnecessary for street or alley purposes. The 2008 Act, passed by DC Council, did not deem Klinger Road unnecessary when it authorized the construction of a pedestrian and bicycle trail on Klinger Road between Porter Street, N.W. and Cortland Place, N.W.; therefore, Klinger Road continues to be necessary for street (i.e., public right-of-way) purposes, as defined in DC Code section 9-201.01. Additionally, DDOT will continue to operate, maintain and manage the public right-of-way for both non-motorized transportation and authorized motorized use (i.e. access for emergency, utility, and maintenance vehicles).

Authorized access for emergency, utility, and maintenance motorized vehicles will occur only on an occasional basis.

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1 right.

2 MR. SCORD: It's Scord (ph).

3 Can you do me a favor and let me know 15  
4 seconds?

5 MR. WISER: Yes.

6 MR. SCORD: Thank you. All right. I'll try  
7 and be brief.

8 All right. My name is Severn Scord. I'm at  
9 [REDACTED] Friends of the Earth welcomes the  
10 opportunity to comment upon the environmental  
11 assessment for Klingle Valley. FOE is a non-profit  
12 membership-based environmental organization dedicated  
13 to achieving a healthy planet and a just world. As the  
14 U.S. voice of Friends of the Earth International, we  
15 have worked for decades to protect and restore our  
16 capital city urban environment.

17 FOE has a longstanding interest with Klingle  
18 Valley. We have worked with District residents, the  
19 District government and D.C.-based environmental  
20 organization for over 15 years to see that the Valley's  
21 collapsed storm water management system is repaired in  
22 compliance with the National Clean Water Act and to

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1 ensure that the Valley is restored to beneficial use as  
2 a bike and pedestrian trail, the most consistent with  
3 its setting in Rock Creek National Park.

4           In 2003, we issued a Green Scissors report on  
5 the District of Columbia, part of a national campaign  
6 we and others spearheaded to end wasteful government  
7 subsidies for destroying precious natural resources.  
8 DDOT's proposal to build a costly road in Klingle  
9 Valley led the list of wasteful District projects we  
10 recommended scrapping. We actively participated in the  
11 public hearings and meetings on the fate of Klingle  
12 Valley.

13           On behalf of our members who use and enjoy  
14 the Valley and Rock Creek Park, we submitted 64 pages  
15 of comments on the 2005 draft and environmental impact  
16 statement for Klingle Road. Our comments stress the  
17 importance of Klingle Valley, a densely wooded, rich  
18 area in biodiversity with boulders, stream creek, 100-  
19 year-old trees and excellent habitat for a wide variety  
20 of birds and wildlife.

21           FOE testified in support of the 2008 D.C.  
22 Council legislation barring a road through the valley

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23

1 and directing DDOT to conduct environmental

2 remediation, construct a pedestrian --

3 MR. WISER: Fifteen seconds.

4 MR. SCORD: Okay. Thank you.

5 FOE is preparing detailed written comments on

6 this EA. However, we want to express tonight our

7 concern that the EA has not addressed comments we

8 submitted during its opening. For example, we urged

9 DDOT to address potential impacts on the local

10 community from construction-related activities such as

11 truck traffic and identified mitigation measures. The

12 EA does not do so and does not --

13 MR. WISER: Time is up.

14 MR. SCORD: -- even include the 64-page

15 supporting attachment to our comments. Thank you.

16 MR. WISER: Lisa Colson.

17 MS. COLSON: Hi. I'm Lisa Colson, and I used

18 it live in Mount Pleasant for about seven years. Even

19 though I no longer live in the District, I still am

20 very supportive of maintaining the quality in the

21 environment and the health for District residents in

22 the metro area, and I've maintained my connection with

014-01

**Response to Comment 014-01**

Thank you for your comments, which will be included in the project Administrative Record.

Impacts to the local community from construction related activities and potential mitigation measures are addressed in the EA in the Environmental Consequences section under the "Economics and Development," "Aesthetics and Visual Quality," "Roadway Network and Traffic," "Air Quality," and "Noise and Vibration," and "Mitigation Measures" sections. More detailed mitigation measures will be determined as design continues, and such measures would be included in the design specifications of the construction documents.

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1 this issue.

2 I'm very much so in support of Klingle Valley  
3 having a hiker/biker trail. I would support  
4 Alternatives 2 or 3, providing that the permeable  
5 surface is a good engineering option for the storm  
6 water runoff. I also support Option B under the  
7 Klingle Creek Restoration. I hope that the  
8 construction of the trail does not harm the creek and  
9 that the creek is maintained as a natural waterway  
10 flowing into Rock Creek.

11 Finally, I just want to say that I would  
12 prefer no lighting in the Klingle Valley area, in part  
13 because there is minimal lighting in most of the  
14 hiker/biker trails of Rock Creek Parkway and the  
15 lighting would be disruptive to nocturnal animals. I'm  
16 in support of the trail to maintain a nice, pristine  
17 environmental pathway through this urban area,  
18 especially as it's connected to Rock Creek Parkway. So  
19 that's the biggest reason why I support Option A,  
20 having no lighting.

21 Generally, those are my comments and feedback  
22 on the environmental assessment. Thank you.

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**Response to Comment 015-01**

Thank you for your comments, which will be included in the project Administrative Record.

After consideration of the purpose of and needs for the proposed action, analysis in the EA, and public and agency comments, DDOT has identified Alternative 2 – 10-Foot Multi-Use Trail (Permeable) as the Preferred Alternative.

In order to support a sustainable trail, DDOT has identified Option B – Full Stream Channel and Bank Stabilization as the preferred Klingle Creek Restoration Option.

**Response to Comment 015-02**

DDOT has identified Option B – Pole or Bollard Lighting as the preferred Lighting Option. DDOT plans to install low-impact pole lighting along the trail. The lighting would be timed to correspond with commuter use of the facility to limit the hours of illumination and minimize impacts to nocturnal wildlife.

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1 MR. WISER: Lisa Swanson.

2 MS. SWANSON: Hi, I'm Lisa Swanson. I live  
3 on [REDACTED] I've been active in this  
4 issue for a very long time, and I've seen a lot of  
5 these faces in the same situation. I biked here  
6 tonight, and it's, like, hot out and uphill, so I want  
7 extra credit for that.

8 [Laughter.]

9 Like a lot of people that I know have been active in  
10 this issue, we've moved in the course of time that this  
11 project has been on the table. I think that's a sign  
12 that this is not seen as a small tiny neighborhood  
13 issue. It is a citywide issue. The place is important  
14 to us no matter where we live in the city because it is  
15 a connector. It is a link to green space that exists  
16 now and would extend that green space.

17 To me, the most important part of this  
18 project, and something I saw I think well represented  
19 in the environmental impact statement, is that it's  
20 about the creek. It's about fixing the streambed,  
21 fixing drainage issues that are not going to fix  
22 themselves. They're not going to go away by

016-01

***Response to Comment 016-01***

Thank you for your comments, which will be included in the project Administrative Record.

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016-01  
(cont.)

1 themselves. That's money the District needs to spend  
2 one way or the other. That's the bulk of the financial  
3 impact on this project, and it should be done. I'm  
4 glad to see that that's well planned for. The doing  
5 nothing, therefore, that was up here is not really  
6 possible. I don't think anyone thinks it is.

016-02

7 I think it needs to be a permeable path.  
8 That seems to be the way to go. I'm sure it will be a  
9 struggle. I'm sure the technology might be a little  
10 iffy, maybe. I understand that's sort of a growing, a  
11 new area for some engineers. I trust it can be done,  
12 and I think that's the way we need to go.

016-03

13 Lighting is probably an optional thing. I  
14 expect this will draw a lot of foot traffic once the  
15 path is there. People on bicycles have figured out how  
16 to get lights, and we could probably do that.

016-04

17 MR. WISER: Fifteen seconds.  
18 MS. SWANSON: Some of the other issues,  
19 finding the trail on one end or the other, there are  
20 great plans out there. The District has gotten great  
21 at producing maps and signage that direct people to  
22 where they want to go. I have no question that that

**Response to Comment 016-02**

After consideration of the purpose of and needs for the proposed action, analysis in the EA, and public and agency comments, DDOT has identified Alternative 2 – 10-Foot Multi-Use Trail (Permeable) as the Preferred Alternative.

In order to support a sustainable trail, DDOT has identified Option B – Full Stream Channel and Bank Stabilization as the preferred Klinge Creek Restoration Option.

Although the permeable pavement would be sufficient stormwater management and it would handle the volume of water in the area. However, DDOT would install additional capacity in this system by sloping the trail slightly away from Klinge Creek, and a bioswale with check dams will be constructed to capture excess runoff and for water quality.

**Response to Comment 016-03**

DDOT has identified Option B – Pole or Bollard Lighting as the preferred Lighting Option. DDOT plans to install low-impact lighting along the trail. The lighting would be timed to correspond with commuter use of the facility to limit the hours of illumination and minimize impacts to nocturnal wildlife.

**Response to Comment 016-04**

DDOT has identified a combination of Options B and C as the preferred Access to Rock Creek Trail Option (i.e., Option C-Modified). Under this option, a multi-use trail 6 to 8 feet in width would be constructed within the footprint of the existing roadway. This option would incorporate the construction a trailhead to clearly identify the entrance to Klinge Valley Trail.

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1 will be part of the plan as well. I hope it starts  
2 happening as soon as possible. Thank you.

3 MR. WISER: Laurie Collins.

4 MS. COLLINS: Hello, my name is Laurie  
5 Collins, and I'm speaking on behalf of the Coalition to  
6 Repair and Reopen Klingle Road. Our address is  
7 citywide.

017-01

8 First, the coalition supports the EA  
9 requirement that the City must follow the Street and  
10 Alley Closing and Acquisitions Procedures Act. Number

017-02

11 two, as stated in December and again now, the project  
12 area defined in the EA is inconsistent with the  
13 legislation. Any options to connect Klingle Valley  
14 trail to the Rock Creek trail system are outside the  
15 scope of the legislation and should not be included in  
16 the final EA.

017-03

17 The EA incorrectly states that there will be  
18 no impact on future developments. How can the  
19 preparers of this assessment miss the mayor's agent's  
20 2006 Historic Preservation Order approving the Tregaron  
21 Partnership's plan to build five high-end tax  
22 generating lots and private residences along Klingle

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**Response to Comment 017-01**

Erroneously, the following information was listed in the EA, which was released in June 2010:

Klingle Road is currently listed on the Federal-aid system functional classification of streets/roadways in the District of Columbia as a local street (DDOT, 2009c). If converted from motorized to non-motorized use under the proposed action, this segment of roadway would have to be officially removed as a local street from the DC functional classification map using the appropriate processes under 23 CFR 470.109(a) and 470.115(a) (Federal Aid Highways re: converting a designated fed-aid highway to non-vehicular trail) and The Street & Alley Closing & Acquisition Procedures Act of 1982. D.C. Code Section 9-201.01 et. Seq. Section 9-202-01 (re: street closings and requirement of public hearing for such act).

Klingle Road is currently listed on the Federal-aid highway system functional classification of streets and roadways in the District of Columbia as a collector street and is eligible for Surface Transportation Program (STP) funds. Because the District is proposing to construct a multi-use trail on Klingle Road (i.e., the Klingle Valley Trail), Klingle Road will no longer be eligible for funding under the STP funding program. At the conclusion of the NEPA process regarding this EA for the Klingle Valley Trail, DDOT will propose to FHWA that the segment of Klingle Road between Porter Street, N.W. and Cortland Place, N.W. be removed from the Federal-aid highway system. However, the proposed multi-use trail is eligible for federal-aid funding under the Recreational Trails Program in accordance with SAFETEA-LU Sections 1101(a)(8) and 1109, 23 USC 104(h) & 206, and 23 CFR Part 652.

Nevertheless, removal of Klingle Road from the Federal-aid highway system, does not affect the District's ownership and jurisdiction of the Klingle Road right-of-way. Under the proposed action, DDOT will not and does not plan to officially close the barricaded segment of Klingle Road between Porter Street, N.W. and Cortland Place, N.W. pursuant to the procedure outlined in The Street & Alley Closing & Acquisition Procedures Act of 1982 (D.C.

Code sections 9-201.01 et seq. (see Appendix E). DC Code section 9-202.01 states that the Mayor may close all or part of any street or alley which is determined by the DC Council to be unnecessary for street or alley purposes. The 2008 Act, passed by DC Council, did not deem Klingle Road unnecessary when it authorized the construction of a pedestrian and bicycle trail on Klingle Road between Porter Street, N.W. and Cortland Place, N.W.; therefore, Klingle Road continues to be necessary for street (i.e., public right-of-way) purposes, as defined in DC Code section 9-201.01. Additionally, DDOT will continue to operate, maintain and manage the public right-of-way for both non-motorized transportation and authorized motorized use (i.e. access for emergency, utility, and maintenance vehicles).

***Response to Comment 017-02***

Although the 2008 Act specifically mentions “the portion of Klingle Road, NW, between Porter Street, NW on the east, to Cortland Place, NW on the west”, the FHWA NEPA regulations under 23 CFR 771.111, require that action evaluated in the NEPA process shall connect logical termini and have independent utility. Logical termini for project development are defined as (1) rational end points for a transportation improvement, and (2) rational end points for a review of the environmental impacts. Have independent utility or independent significance, i.e., be usable and be a reasonable expenditure even if no additional transportation improvements in the area are made. Therefore, the project area was expanded as presented in the EA. The option to connect Klingle Valley Trail to the Rock Creek Trail system meets the need for system linkage as described in the EA.

***Response to Comment 017-03***

DDOT did consider the potential impacts of the Klingle Valley Trail project with regards to approval of the subdivision of Tregaron per the DC Historic Preservation Office 2006 Decision and Order (DC HPO #04-145). A discussion of potential impacts is provided in the Cultural Resources Section 4.2.1 and Land Use Section (4.3.1) of the EA. A number of commentators on the June 2010 EA noted the 2006 approval by the DC Historic Preservation Review Board (DC HPO) of an application for subdivision of one acre of the historic Tregaron Property in exchange for the Tregaron Limited Partnership's donation of 13 acres for permanent open space preservation on the historic property (Decision and Order (Subdivision of Tregaron Estate – Eight Residential Lots and Initial Rehabilitation Plan of Conservancy – March, 2006). According to the commentators, the proposed trail would prohibit vehicular access from five homes to Klingle Road, essentially nullifying the DC HPO's approval. The DC HPO's order allowed for the subdivision; however, it clearly acknowledges that five of the eight subdivided properties proposed frontage would be on "that portion of Klingle Road which is currently closed to traffic" (DC HPO, 2006).

As required under Section 106 of the National Historic Preservation Act, FHWA and DDOT consulted with the DC HPO and prepared an Assessment of Effects on Historic Resources report. Throughout FHWA and DDOT's consultations with DC HPO, DC HPO did not raise the approval for the subdivision in the Decision and Order as an issue whereby the proposed trail would affect the Tregaron Limited Partnership's activities. Notably, DC HPO has stated:

"The 'HPRB order' . . . is more accurately a concept approval and acceptance of the three-party property agreement between Washington International School, the Tregaron Conservancy, and the Tregaron Limited Partnership regarding the ownership and future treatment of the Tregaron landmark. This agreement does not have any impact or relevance to the

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017-03  
(cont.)

1 Road? The trail project is either putting this  
2 development on hold or it's killing it. This is a  
3 significant socioeconomic impact that the EA should  
4 have disclosed.

017-04

5 As to the four alternatives, since multi-ton  
6 utility maintenance trucks, emergency vehicles and  
7 other large trucks are required to have access to the  
8 area, the coalition supports none of the alternatives  
9 and requests that a road restore option be added. I  
10 would also note that Klingle Road was treated as a  
11 major road and plowed during Snowmageddon.

017-05

12 Finally, repairing Klingle Road is still  
13 cheaper than a three-block neighborhood hike/bike path  
14 to nowhere and has no monthly maintenance costs. Just  
15 a few years ago, and according to the Federal Highway  
16 and DDOT, the cost to rebuild two lanes of Klingle Road  
17 for public motor vehicle traffic --

18 MR. WISER: Fifteen seconds.

19 MS. COLLINS: -- with a reliable storm water  
20 management system was \$7.1 million, far less than  
21 Alternative 3 and 4 and will benefit all the District  
22 residents in D.C. Thank you.

Klingle Road project . . . In fact, there is no right to built [sic] the houses;  
they were always a highly speculative proposition.”

Furthermore in an email response to a citizen's inquiry regarding  
this issue, the DC HPO stated:

“The five houses on the closed portion of Klingle were speculative and  
specifically approved for those sites. They were proposed by the developer  
with full knowledge that Klingle was closed at the time and without any  
guarantee that it would be reopened. There was no contingency for  
relocating those five house lots to other portions of the site, and the  
remainder of the land has already been transferred to and is owned by the  
Conservancy. I don't think the failure of the developer to be able to build  
the five houses would affect the settlement agreement between the Tregaron  
Limited Partnership, the Washington International School and the  
Conservancy.”

The complete Assessment of Effects on Historic Resources report  
and the DC HPO concurrence letter is presented in Appendix B of  
this EA. The two emails in their entirety are available in the project  
Administrative Record.

***Response to Comment 017-04***

An alternative to reopen the barricaded portion of Klingle Road to  
motor vehicles would not fulfill the purpose and need for the  
proposed action, which is identified in Section 1.0 of the EA.  
Furthermore, a road alternative is not consistent with the District's  
Klingle Road Sustainable Development Act of 2008, and was  
eliminated from detailed study in the EA. Please see Section 2.3.5  
for more details.

The proposed action is to construct a multi-use trail facility, manage  
stormwater, and restore Klingle Creek within the 0.7 mile  
barricaded portion of Klingle Road between Porter Street, NW, and  
Cortland Place, NW. The proposed trail alignment for all Action  
Alternatives lies within the existing DDOT right-of-way, which  
DDOT would continue to maintain and manage. The Preferred  
Alternative, a 10-foot permeable trail with 2-foot shoulders (14 feet  
total width) will accommodate periodic access needed by

emergency, maintenance, and utility vehicles.

***Response to Comment 017-05***

The total cost of the Preferred Alternative and options including construction of sustainable stormwater management infrastructure, restoration of Klinge Creek, access to Rock Creek Trail, and installation of lighting is \$6,763,823. The annual trail maintenance costs would be approximately \$5,840.

Based on the number of public comments received on the topic, the project team prepared a cost estimate for a road build scenario using DDOT standard cost estimating methods. Current costs to design, construct, and reopen the road to motor vehicle traffic would be \$10,619,000. Although not included as part of the proposed action in the 2005 DEIS, restoration of Klinge Creek would also be required under this scenario in order to promote a sustainable road, and would cost an additional \$1,075,000. Road maintenance would also cost approximately \$5,840 per year. At an estimated cost of \$11,694,000, the total cost of reconstructing the road is considerably more than the cost of the multi-use trail. Furthermore, the revised cost estimate to rebuild the road assumes that a number of design exceptions would be acceptable. Design exceptions would be required where the road would not meet current standards because of the constraints within Klinge Valley.

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1 MR. WISER: Steven Solomon.

2 MR. SOLOMON: Hi, I'm Steve Solomon. I live  
3 on [REDACTED] and I represent the Klingle  
4 Valley Park Association. I've been involved in the  
5 issue since 1995 when it first arose and have a lot of  
6 memories of the history of this. And I got to tell  
7 you, I support both the Lisas' comments and do support  
8 Alternative 2 there as well.

9 I'd like to remind everybody about 1995 or  
10 '06, there's an earlier political history here. I took  
11 a walk down the road with Gary Burch who was then head  
12 of the predecessor of DDOT. And he was the one who  
13 actually envisioned exactly this plan that you guys are  
14 now some 15 years later proposing, that is, a permeable  
15 surface that would be open to hiker/bikers linking up  
16 the bike route system of the city.

17 I want to compliment you on the very thorough  
18 work that has been done on the traffic studies, on  
19 looking at the legal issues and many of the social  
20 amenities because there have been previous studies, but  
21 this, I think by far, is the most comprehensive.

22 The political support, I would like to point

018-01

***Response to Comment 018-01***

Thank you for your comments, which will be included in the project Administrative Record.

After consideration of the purpose of and needs for the proposed action, analysis in the EA, and public and agency comments, DDOT has identified Alternative 2 – 10-Foot Multi-Use Trail (Permeable) as the Preferred Alternative.

In order to support a sustainable trail, DDOT has identified Option B – Full Stream Channel and Bank Stabilization as the preferred Klingle Creek Restoration Option.

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1 out as well, has included also both Mayors Barry and  
2 Williams as well. And the last vote in the Council was  
3 an 11 to 2 vote in favor of this option. So the issue  
4 is decided politically, and any sort of efforts to  
5 raise old or even some new issues that are really  
6 completely irrelevant, frankly, from a political  
7 standpoint, and even from a legal standpoint, and are  
8 falsely represented in a number of cases, also, I would  
9 like to point out. The Tregaron Development, in  
10 particular, is an utterly false claim being made here,  
11 and I've been on that group as well.

12 I'd like to point out that we do have  
13 political people up for election who have supported us  
14 on this. Kwame Brown stood very shoulder to shoulder  
15 with Mary Cheh --

16 MR. WISER: Fifteen seconds.

17 MR. SOLOMON: -- thank you -- Phil Mendelson  
18 and I believe Evans is up as well, and Vince Gray has  
19 also been supportive. So when you think about it, come  
20 to the election and think of Klingle. Keep that in  
21 mind. Thank you very much.

22 MR. WISER: John Campbell.

018-01  
(cont.)

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1 MR. CAMPBELL: I'm John Campbell. My address  
2 is 2601 Klingle Road. Ours is one of six homes on  
3 Klingle Ridge. And Steve, everything you said I was  
4 about to say, including -- but I thought it was a 10 to  
5 3 vote, I was going to say, but that issue is behind  
6 us. That was May of 2008. That issue has been dead,  
7 unfortunately. So if you got the idea that it wasn't,  
8 well, we're really here to discuss something else  
9 tonight. And that is, it's a wonderful thing that DDOT  
10 has done, its consulting firm has done. And the  
11 approach, we think that the approach that they've taken  
12 to this EA is wonderful in giving us the choices that  
13 they have.  
14 We are very grateful tonight to the Sierra  
15 Club, Friends of the Earth, WABA, and other  
16 organizations, as well as all the volunteers that for  
17 15 years have fought this issue and brought us to where  
18 we are today.  
19 One thing I would mention, I would agree with  
20 the other speakers, the Lisas, on the lighting, on the  
21 permeable surface. And one thing that hasn't been  
22 brought up, I don't believe, is Jim Dougherty -- many

019-01

**Response to Comment 019-01**

Thank you for your comments, which will be included in the project Administrative Record.

After consideration of the purpose of and needs for the proposed action, analysis in the EA, and public and agency comments, DDOT has identified Alternative 2 – 10-Foot Multi-Use Trail (Permeable) as the Preferred Alternative.

In order to support a sustainable trail, DDOT has identified Option B – Full Stream Channel and Bank Stabilization as the preferred Klingle Creek Restoration Option.

DDOT has identified Option B – Pole or Bollard Lighting as the preferred Lighting Option. DDOT plans to install low-impact pole lighting along the trail. The lighting would be timed to correspond with commuter use of the facility to limit the hours of illumination and minimize impacts to nocturnal wildlife.

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019-02  
1 of you know Jim Dougherty who's the champion in the  
2 Klingle Valley fight and an environmental attorney and  
3 a major force in the Sierra Club -- is in India and not  
4 able to be with us tonight. But in an e-mail message  
5 to a number of us, he pointed out one thing I haven't  
6 seen anywhere else, and that is, that there will be  
7 definitely motorized utility vehicles and that the  
8 traffic should be designated one way eastbound, that's  
9 downhill, for emergency and utility vehicles.

10 MR. WISER: Fifteen seconds.

11 MR. CAMPBELL: Thank you. This will reduce  
12 the likelihood that these heavy, powerful vehicles will  
13 damage the steeply sloped narrow permeable surface,  
14 particularly in wetter snowy weather or after a heavy  
15 leaf fall. Thank you very much.

16 MR. WISER: Louis Baskerville.

020-01  
17 MR. BASKERVILLE: Good afternoon. My name is  
18 Louis Baskerville. I'm with the Crestwood Neighborhood  
19 Association, which is directly east of the park. And  
20 we are of the opinion that Klingle Road is a road, not  
21 a park, not a walkway, not a bike trail. So we're from  
22 the standpoint that if Klingle Road had been dealt with

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**Response to Comment 019-02**

Your comment has been noted. Emergency and maintenance vehicles will be accommodated under the Preferred Alternative, and DDOT will consider public and agency comments regarding access logistics, including the direction of access during more detailed design.

**Response to Comment 020-01**

Thank you for your comments, which will be included in the project Administrative Record.

An alternative to reopen the barricaded portion of Klingle Road to motor vehicles would not fulfill the purpose and need for the proposed action, which is identified in Section 1.0 of the EA. Furthermore, a road alternative is not consistent with the District's Klingle Road Sustainable Development Act of 2008, and was eliminated from detailed study in the EA. Please see Section 2.3.5 for more details.

A discussion on the existing traffic conditions is presented on pages 86 to 88 of the Final EA. Beach Drive at Klingle Road/ Porter Street Intersection currently operates at Level of Service F. The EA describes some level of capital improvement that would be needed to improve traffic flow. Opening the barricaded portion of Klingle Road would not improve traffic at this intersection and some level of capital improvement would be needed, which is beyond the scope of this project.

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020-01  
(cont.)

33

1 like Blagden Avenue, which had the same problem back in  
2 the early '80s and '90s, if they had dealt with the  
3 road at the time that it was deteriorating, at that  
4 time it would have been a continuous road just like  
5 Blagden Avenue.

6           Also, on Blagden Avenue side, what we did, we  
7 negotiated with the City and the park to include a bike  
8 trail. And it took us 10 years to get it done, almost  
9 15 by the time it was finished, but that situation  
10 worked out perfect for the neighborhood. Now we have a  
11 trail that parents can walk their kids and ride their  
12 bike down the trail into Beach Drive and go on into the  
13 park. The same situation should take place on Klingle  
14 Road.

15           I'm a biker, and we used to use Klingle Road  
16 all the time to go out to Arlington on down to Reston,  
17 on out to Leesburg. As of now, I know some people get  
18 a little pissed off because of the fight that there's a  
19 lot of bikers out there on Beach Drive. We usually  
20 have to do that in order to get to where we're going.  
21 At this particular point in time, the traffic flow from  
22 the east to the west becomes a bottleneck on Beach

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020-01  
(cont.)

34

1 Drive.

2 If Klingle Road was open, it would loosen up  
3 the traffic because if you're trying to go up Porter  
4 Street or any other street, you're going to run into  
5 all these lights and you're sitting there. What I do  
6 as a representative of Crestwood Neighborhood  
7 Association, I advise all people hit Beach Drive, go  
8 through the zoo, come up on Connecticut Avenue. That  
9 way, you can avoid the traffic. And if the zoo --

10 MR. WISER: Fifteen seconds.

11 MR. BASTERVILLE: -- if the zoo would watch  
12 that, they would see that the traffic increases.

13 Also, I would like to also make a comment  
14 that if the City wanted to do something good, what they  
15 should do is apply for the stimulus funds to rebuild  
16 this street and do something green by adding a bike  
17 trail and a walk trail on the side of the street like  
18 they've done on Blagden Avenue. That would accommodate  
19 everyone. Thank you for this opportunity.

20 MR. WISER: Gwen Jones.

21 MS. JONES: Good evening. My name is Gwen  
22 Jones, and I'm the chair of the D.C. chapter of the

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1 Sierra Club, Washington D.C. with over 2500 members  
2 across the District of Columbia. And I live at [REDACTED]  
3 [REDACTED] and I've been there since 1990.

4 I do want to thank John Campbell for  
5 mentioning Jim Dougherty, who actually is my husband  
6 but also has been a longtime activist here, and so some  
7 of my comments will echo some of the things that Jim  
8 has been saying for many years.

9 So first of all, I'd like to say thank you to  
10 the Highway Administration and DDOT for finally moving  
11 this project forward. We're very excited, and it's  
12 really a wonderful opportunity to be at this moment.

13 If we were looking for a place to put a road,  
14 20, 30 years ago, we would not have picked Klingle  
15 Valley. It doesn't have the width to do all of the  
16 things that people want. It can't be everything, and I  
17 think the alternatives of the hiker/biker trail,  
18 particularly Alternative 2 with the 10-foot multi-use  
19 trail with permeable surface, is really the way to go.  
20 It respects the creek and helps prevent the creek from  
21 degrading further and keeps the water quality good  
22 going into Rock Creek Park or into Rock Creek.

021-01

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**Response to Comment 021-01**

Thank you for your comments, which will be included in the project Administrative Record.

After consideration of the purpose of and needs for the proposed action, analysis in the EA, and public and agency comments, DDOT has identified Alternative 2 – 10-Foot Multi-Use Trail (Permeable) as the Preferred Alternative.

In order to support a sustainable trail, DDOT has identified Option B – Full Stream Channel and Bank Stabilization as the preferred Klingle Creek Restoration Option.

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021-02 1 The issue of the lighting, I do want to  
2 address that a little bit because people talk about,  
3 well, it's not a park. Well, the area surrounding the  
4 road is parkland. It is designated that way, and one  
5 of the things for park is to respect the water and the  
6 wildlife. And so for that reason, I would actually --  
7 I would promote alternative -- Option A, which I  
8 believe is no lighting. And the reason for that is  
9 that for the nocturnal animals.

10 I would also maintain that while people say,  
11 well, we need lighting for safety, we actually don't.  
12 It's consistent with the rest of the bike trails within  
13 the park and with the rest of the trails, not just bike  
14 trails but the rest of the trails in general, in  
15 maintaining a natural setting.

16 MR. WISER: Brad Green.

17 MR. GREEN: Hi. My name is Brad Green. I  
18 live in the Takoma section of Washington, D.C., and I'm  
19 here to speak in support of the completion of the trail  
20 as quickly as is possible, expeditiously. I think it  
21 would be an important addition to our city's trail  
22 network connecting Rock Creek Park to neighborhoods to

**Response to Comment 021-02**

DDOT has identified Option B – Pole or Bollard Lighting as the preferred Lighting Option. DDOT plans to install low-impact pole lighting along the trail. The lighting would be timed to correspond with commuter use of the facility to limit the hours of illumination and minimize impacts to nocturnal wildlife.

Further information on potential lighting impacts can be found in Section 4.1.4 Wildlife and Section 4.3.8 Health and Safety.

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1 the west of it. And if, in fact, there is a need for  
2 additional capacity to move people east and west across  
3 Connecticut Avenue, I would say we ought to rather than  
4 building additional street capacity, maybe we look into  
5 transit, expanding our transit options going east and  
6 west.

022-01

7 Also, as for the specifics of the  
8 alternatives, I would support the 10-foot permeable  
9 trail. Ten feet is probably wide enough in that rather  
10 narrow stream valley. I would also support the -- I do  
11 also support the entire Option B when it comes to the  
12 creek restoration. We ought to be about trying to, if  
13 the funds permit, restore the entire stream, not just  
14 certain sections of it.

022-02

15 As for access to Rock Creek Trail, I would go  
16 for the Option B there, which is a shared-use  
17 connection, and not try to bring the trail any closer  
18 to Rock Creek than it already is.

022-03

19 Finally, with regards to lighting, if there's  
20 any commuter demand or potential demand for that trail,  
21 I would support lighting in order to facilitate  
22 commuter use of it. I think that would be preferable

**Response to Comment 022-01**

Thank you for your comments, which will be included in the project Administrative Record.

After consideration of the purpose of and needs for the proposed action, analysis in the EA, and public and agency comments, DDOT has identified Alternative 2 – 10-Foot Multi-Use Trail (Permeable) as the Preferred Alternative. In order to support a sustainable trail, DDOT has identified Option B – Full Stream Channel and Bank Stabilization as the preferred Klinge Creek Restoration Option.

**Response to Comment 022-02**

DDOT has identified Access to Rock Creek Trail Option C- Modified as the preferred Access to Rock Creek Trail Option. Under this option, a multi-use trail 6 to 8 feet in width would be constructed within the footprint of the existing roadway. The trail would be separated from the existing vehicular travel lane via curb. The existing 20-foot wide vehicle travel lane will be redesigned to 12 to 14-foot wide. No new impervious surface would be added.

**Response to Comment 022-03**

DDOT has identified Option B – Pole or Bollard Lighting as the preferred Lighting Option. DDOT plans to install low-impact pole lighting along the trail. The lighting would be timed to correspond with commuter use of the facility to limit the hours of illumination and minimize impacts to nocturnal wildlife.

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022-03  
(cont.)

1 to -- anything we could do to encourage people to use  
2 the bicycles to commute, I think would be a good thing.

3 Finally, although it wasn't addressed in the  
4 environment impact statement, someone else addressed  
5 this issue. If possible, I think it'd be great to have  
6 stairs going up to Connecticut Avenue from the trail.

022-04

7 It'd increase another point -- it would add another  
8 point of access to and from the trail. And finally,  
9 also not addressed in the environmental impact  
10 statement, if it's possible to reduce the street  
11 footprint in the --

12 MR. WISER: Time is up.

13 MR. GREEN: -- Klinge-Porter intersection, I  
14 would be in favor of that as well. Thank you very  
15 much.

16 MR. WISER: Elizabeth.

023-01

17 MS. MCLANAHAN: Thank you. My name is  
18 Elizabeth McLanahan, and I live in Woodley Park at [REDACTED]  
19 [REDACTED] I'm a biker, which is probably  
20 obvious, and a car driver, and fully support a multi-  
21 use recreational trail in the form of Alternative 2.  
22 For environmental reasons, a permeable trail is

**Response to Comment 022-04**

As a result of public comments, DDOT considered a connection from the trail to Connecticut Avenue. With such a connection, the multi-use trail would likely serve more commuter trips and provide nearby residents with added access to the amenities at Connecticut Avenue. However, the existing steep slopes and need for excessive grading, well outside of the existing DDOT right-of-way, would be required. This option was therefore outside of the scope of the project, and dismissed from detailed study for this project.

**Response to Comment 023-01**

Thank you for your comments, which will be included in the project Administrative Record.

After consideration of the purpose of and needs for the proposed action, analysis in the EA, and public and agency comments, DDOT has identified Alternative 2 – 10-Foot Multi-Use Trail (Permeable) as the Preferred Alternative. The specific materials will be decided during design, and user safety will be an important consideration.

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023-01  
(cont.)

1 preferable. However, if the permeable materials being  
2 considered are subject to rutting and pose dangers to  
3 bikers, I'd consider a non-permeable surface.

023-02

4 For environmental and safety reasons, I  
5 support no lighting. This may sound counterintuitive  
6 with respect to safety, but lighting leads to a false  
7 sense of security, attracting people after hours to an  
8 isolated area. Those of us that are nighttime bike  
9 commuters have lights on our bikes. The rest of Rock  
10 Creek is without light already, so we're well  
11 accustomed to this. Furthermore, for environmental  
12 reasons, I support no lighting as well. Nighttime  
13 light leads migratory birds astray and can impact  
14 nocturnal hunters such as fox, which I regularly see in  
15 this area.

16 Finally, since I haven't been scolded on time  
17 yet, having enjoyed several blissful days of cross-  
18 country skiing during Snowmageddon, I can attest that  
19 Klinge was not plowed, at least in the first six days.  
20 It was fantastic. Thanks.

21 MR. WISER: David Craner.

22 MR. CRANER: My name is David Craner. I live

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**Response to Comment 023-02**

DDOT has identified Option B – Pole or Bollard Lighting as the preferred Lighting Option. DDOT plans to install low-impact pole lighting along the trail. The lighting would be timed to correspond with commuter use of the facility to limit the hours of illumination and minimize impacts to nocturnal wildlife.

Further information on the impacts of lighting on safety can be found in Section 4.3.8 Health and Safety of the EA.

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1 here in Washington, D.C. I support the transformation  
2 of this transportation right-of-way from one that harms  
3 the park to one that enhances it. Only half of all  
4 D.C. residents even own a car, so by making it a road,  
5 it will not be open for all but only a few. But a  
6 trail would be open for everyone to use.

024-01

7 I'm confident that the D.C. City Council, or  
8 District Council, will continue its support of the  
9 trail by closing the road formally, and I believe that  
10 by changing it into a trail, we do the best that we can  
11 for the environment by encouraging people to bike and  
12 walk for transportation as opposed to drive. I support  
13 Alternative 3, the 12-foot-wide trail if it can be  
14 built without causing any extensive storm water damage  
15 and the permeable surface can be maintained.

024-02

16 I support the full channel stream  
17 stabilization. I think everyone does. I think that's  
18 our first priority, in fact. I'm for the multi-use  
19 trail connection between this trail and Rock Creek  
20 Park, as it will create a seamless connection for  
21 people who are using the trail for transportation or  
22 recreation.

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**Response to Comment 024-01**

Erroneously, the following information was listed in the EA, which was released in June 2010:

Klinge Road is currently listed on the Federal-aid system functional classification of streets/roadways in the District of Columbia as a local street (DDOT, 2009c). If converted from motorized to non-motorized use under the proposed action, this segment of roadway would have to be officially removed as a local street from the DC functional classification map using the appropriate processes under 23 CFR 470.109(a) and 470.115(a) (Federal Aid Highways re: converting a designated fed-aid highway to non-vehicular trail) and The Street & Alley Closing & Acquisition Procedures Act of 1982. D.C. Code Section 9-201.01 et. Seq. Section 9-202-01 (re: street closings and requirement of public hearing for such act).

Klinge Road is currently listed on the Federal-aid highway system functional classification of streets and roadways in the District of Columbia as a collector street and is eligible for Surface Transportation Program (STP) funds. Because the District is proposing to construct a multi-use trail on Klinge Road (i.e., the Klinge Valley Trail), Klinge Road will no longer be eligible for funding under the STP funding program. At the conclusion of the NEPA process regarding this EA for the Klinge Valley Trail, DDOT will propose to FHWA that the segment of Klinge Road between Porter Street, N.W. and Cortland Place, N.W. be removed from the Federal-aid highway system. However, the proposed multi-use trail is eligible for federal-aid funding under the Recreational Trails Program in accordance with SAFETEA-LU Sections 1101(a)(8) and 1109, 23 USC 104(h) & 206, and 23 CFR Part 652.

Nevertheless, removal of Klinge Road from the Federal-aid highway system, does not affect the District's ownership and jurisdiction of the Klinge Road right-of-way. Under the proposed action, DDOT will not and does not plan to officially close the barricaded segment of Klinge Road between Porter Street, N.W. and Cortland Place, N.W. pursuant to the procedure outlined in The Street & Alley Closing & Acquisition Procedures Act of 1982 (D.C.

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1 Finally, I do support lighting in the park.  
2 The sun sets very early in the winter here, and if  
3 people are going to use after work in the winter to  
4 walk their dog or any other type of walking, it'd be  
5 really helpful if there was lighting. But I understand  
6 the opposition to that, and that's my point.

7 MR. WISER: Faye Armstrong.

8 MS. ARMSTRONG: Thank you. My name is Faye  
9 Armstrong. I'm president of Historic Mount Pleasant. I  
10 live at 1725 Lamont Street across the park here.

11 We have provided very brief written comments  
12 that didn't make it into the large volumes of --  
13 they're very brief. I just want to read them in and  
14 give you another copy.

15 Obviously, Historic Mount Pleasant is a  
16 preservation organization. We have reviewed the most  
17 recent proposals for redevelopment of the DDOT right-  
18 of-way along Klinge Road from Beach Drive to Cortland  
19 Place Northwest and are disappointed that full  
20 restoration of the road is not among them.

21 The land for Klinge Road was conveyed to the  
22 District of Columbia forever for the purpose of a

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024-03

Code sections 9-201.01 et seq. (see Appendix E). DC Code section 9-202.01 states that the Mayor may close all or part of any street or alley which is determined by the DC Council to be unnecessary for street or alley purposes. The 2008 Act, passed by DC Council, did not deem Klinge Road unnecessary when it authorized the construction of a pedestrian and bicycle trail on Klinge Road between Porter Street, N.W. and Cortland Place, N.W.; therefore, Klinge Road continues to be necessary for street (i.e., public right-of-way) purposes, as defined in DC Code section 9-201.01.

Additionally, DDOT will continue to operate, maintain and manage the public right-of-way for both non-motorized transportation and authorized motorized use (i.e. access for emergency, utility, and maintenance vehicles).

After consideration of the purpose of and needs for the proposed action, analysis in the EA, and public and agency comments, DDOT has identified Alternative 2 – 10-Foot Multi-Use Trail (Permeable) as the Preferred Alternative.

**Response to Comment 024-02**

In order to support a sustainable trail, DDOT has identified Option B – Full Stream Channel and Bank Stabilization as the preferred Klinge Creek Restoration Option.

**Response to Comment 024-03**

DDOT has identified Option B – Pole or Bollard Lighting as the preferred Lighting Option. DDOT plans to install low-impact pole lighting along the trail. The lighting would be timed to correspond with commuter use of the facility to limit the hours of illumination and minimize impacts to nocturnal wildlife.

**Response to Comment 025-01**

Thank you for your comments, which will be included in the project Administrative Record.

Because it does not meet the purpose and needs of the proposed action identified in Section 1.0 of the EA, and because it in no

Code sections 9-201.01 et seq. (see Appendix E). DC Code section 9-202.01 states that the Mayor may close all or part of any street or alley which is determined by the DC Council to be unnecessary for street or alley purposes. The 2008 Act, passed by DC Council, did not deem Klingle Road unnecessary when it authorized the construction of a pedestrian and bicycle trail on Klingle Road between Porter Street, N.W. and Cortland Place, N.W.; therefore, Klingle Road continues to be necessary for street (i.e., public right-of-way) purposes, as defined in DC Code section 9-201.01.

Additionally, DDOT will continue to operate, maintain and manage the public right-of-way for both non-motorized transportation and authorized motorized use (i.e. access for emergency, utility, and maintenance vehicles).

After consideration of the purpose of and needs for the proposed action, analysis in the EA, and public and agency comments, DDOT has identified Alternative 2 – 10-Foot Multi-Use Trail (Permeable) as the Preferred Alternative.

***Response to Comment 024-02***

In order to support a sustainable trail, DDOT has identified Option B – Full Stream Channel and Bank Stabilization as the preferred Klingle Creek Restoration Option.

***Response to Comment 024-03***

DDOT has identified Option B – Pole or Bollard Lighting as the preferred Lighting Option. DDOT plans to install low-impact pole lighting along the trail. The lighting would be timed to correspond with commuter use of the facility to limit the hours of illumination and minimize impacts to nocturnal wildlife.

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1 public highway, as recorded in D.C. Surveyor's Office  
2 on June 3, 1885. It had been previously been known as  
3 Klingle Ford Road and had been used regularly by  
4 loggers and farmers since well before creation of Rock  
5 Creek Park in 1880. As the neighborhood of Mount  
6 Pleasant developed rapidly around the turn of the last  
7 century, the neighborhoods to the west of the park  
8 followed suit. Klingle Road became an important cross-  
9 town thoroughfare. This continued until 1991 when the  
10 road was rendered impassable by neglect.

11 Given this history, it is difficult to  
12 understand how the option of restoring this public road  
13 could indeed be foreclosed. As one of the design  
14 objectives for the current project is to provide access  
15 for utilities and emergency response, a functional  
16 roadway will have to be included alongside the proposed  
17 trail, which we support. What we cannot understand is  
18 how a functional roadway on land deeded to the District  
19 of Columbia in perpetuity for a public highway could be  
20 used closed to public use. Accordingly, we support  
21 restoring and reopening Klingle Road as a public  
22 roadway consistent with its historical purpose and

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**Response to Comment 025-01**

Thank you for your comments, which will be included in the project Administrative Record.

Because it does not meet the purpose and needs of the proposed action identified in Section 1.0 of the EA, and because it is no consistent with the District's Klingle Road Sustainable Development Act of 2008, an alternative to reopen the road to vehicular traffic is outside of the scope of this EA, and was dismissed from detailed study.

FHWA and DDOT consulted with the DC Historic Preservation Office (DC HPO) through the planning of this project. On June 18, 2010, DC HPO concurred with a finding of No Adverse Effect on historic properties, stating "the proposed action should have an overall beneficial effect on historic and cultural resources in comparison to the no action alternative. The Trail Alternatives, combined with the Stream Restoration Options and Rock Creek Trail Options would curtail the continued deterioration of Klingle Valley, its character defining features and restore views of the heavily wooded valley from nearby historic properties" (the complete Assessment of Effects is found in Appendix B of this EA). DDOT and FHWA will continue to consult with DC HPO throughout the project.

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1 cross-town design.

2 I also have from the Mount Pleasant  
3 Neighborhood Alliance, another neighborhood  
4 organization, a resolution they adopted in --

5 MR. WISER: Fifteen seconds.

6 MS. ARMSTRONG: -- in the last couple of  
7 days, which also supports the same point of view, "Be  
8 it resolved that the Neighborhood Alliance opposes the  
9 proposed construction of a bike path/dog park within  
10 the barricaded portion of Klinge Road between Porter  
11 and Cortland Place, and further opposes the expenditure  
12 of funds for the conversion of the road from its public  
13 purpose, which is public transportation right-of-way."

14 I will give both these documents to DDOT.  
15 Thank you very much.

16 MR. WISER: Colleen and Damien Hackett.

17 MS. HACKETT: Hi, my name is Colleen Hackett,  
18 and I've lived in Mount Pleasant for about 14 years.  
19 What I'm going to read is a bit different perspective  
20 than any of the other ones you might have heard tonight  
21 because these are the words of my 7-year-old son who  
22 goes to Beauvoir, and this year we've recently started

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***Response to Comment 026-01***

Thank you for your comments. They will be included in the project Administrative Record.

The project team considered a number of factors while formulating the alternatives and options for the Klinge Valley Trail EA. A primary consideration was the types of trail users, primarily bicyclists, pedestrians, runners, skaters, and the purposes of their trips. Common trip purposes considered included commuting, leisure, exercise and fitness, and to enjoy the parklands.

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(cont.)

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1 riding to work, riding his bike to school and riding to  
2 work. So these are my son's words.

3 "It is mostly too hard to describe how I feel  
4 about Klingle Road, but I will try. Klingle Valley is  
5 how I like to get to my school. I like riding by my  
6 bike to school because it is peaceful and quiet in the  
7 morning in the valley on the way there. I get to feel  
8 good riding my bike with my mommy instead of sitting in  
9 a car with a lot of traffic and cars and people  
10 honking. After school is my favorite time because it's  
11 fun to ride fast down the hill in Klingle Valley."

12 Okay. Now, I can tell you I know it's  
13 prohibited, but we've been down there. And when we  
14 were down there, we've seen people walking their Shih  
15 Tzus, their poodles. No one seems afraid at dusk. No  
16 one seems to have a hard time sharing the road with a  
17 bike or two. Bikers don't have a problem with dog  
18 walkers.

19 I don't think we need to spend millions of  
20 dollars here. As much as I hate sitting on Porter  
21 Street, especially with the construction, I don't know  
22 that opening Klingle Road is going to relieve that very

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026-01  
(cont.)

1 much, particularly if you look at where it dumps you  
2 out, right behind Wisc and in a bunch of residential  
3 streets. And I don't know if anyone's --

4 MR. WISER: Fifteen seconds.

5 MS. HACKETT: -- ever tried to get to  
6 Wisconsin from Woodley, but that's got to be the  
7 longest red light in the world, at Woodley and  
8 Wisconsin. And I don't think that's a quick way to get  
9 anywhere.

10 Okay. So I hope you keep this in mind.  
11 We're all in a hurry in this city. Maybe we should  
12 take a minute to think about quality of life. Thank  
13 you.

14 MR. WISER: Brock Evans.

15 MR. EVANS: Hi, my name is Brock Evans, and I  
16 live at [REDACTED] just a couple subway  
17 stops up here. I'm a car driver and a subway user,  
18 both, and never been involved in this issue before, but  
19 I've been reading about it and hearing about it. And  
20 that's why I'm here now, and I want to thank you for  
21 holding this hearing.

027-01

22 After the last testimony, I really can't add

***Response to Comment 027-01***

Thank you for your comments. They will be included in the project Administrative Record.

One of the needs identified for the project is consistent with the Park and Recreation Open Space District element in the District Comprehensive Plan, which emphasizes the need and importance of open space, including the creation of trails, to better connect the city's open spaces with city residents.

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027-01  
(cont.)

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1 much. It was very, very moving, and it's really  
2 exactly how I feel, why am I here right now after 40  
3 years of living here and reading about all this. And I  
4 spend a lot of time hiking in Rock Creek Park on both  
5 the paved and the non-paved trails, and I much prefer  
6 the non-paved one, by the way.

7           But I was thinking about on the way up here -  
8 - I took the subway down Woodley, 95 degrees outside,  
9 choking and gasping in the heat. We all know what  
10 that's all about, cars honking, cars doing things like  
11 that. And I think we live in a beautiful, graceful  
12 capital city. I've always felt that, but one thing we  
13 have not as much of, as I hope we will, is green space,  
14 open space.

15           Here's a lovely, narrow little stream valley.  
16 Let it heal. Let the stream recover. Let the  
17 creatures go there. Let's have some peace so that my  
18 grandson, 7-year-old, others can enjoy these things the  
19 same way. That's really why I'm here. We have lots of  
20 roadways and, yes, harder to get somewhere, and I drive  
21 a lot of the time, too. But I would gladly give all  
22 that up to have more of these precious green spaces,

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027-01

1 and there aren't very many of them. So thank you for  
2 what you're doing.

3 MR. WISER: Steven Taylor.

4 MR. TAYLOR: My name is Steven Taylor. I  
5 live at 740 Hobart for six months just before  
6 Snowmageddon, moved from Tampa, Florida. I have to  
7 tell you guys, you have an incredibly beautiful city.  
8 You really do, and as a runner, I was so surprised once  
9 the snow melted to find Rock Creek Park and to be able  
10 to run, and it's an incredibly beautiful thing. And I  
11 think that it should be kept that way.

12 You know, in Tampa, Florida, you know, Rough  
13 Riders came through there to go to Cuba, all kinds of  
14 history. There's no history in Tampa. All the  
15 buildings have gone. So it's one of those sad things.  
16 And I think that this road -- I didn't even know I was  
17 coming here, by the way, so I'm not very well prepared.  
18 But this road is very beautiful. And I think that it  
19 should be kept the way it is as much as possible, as  
20 far as I would love to actually see it just left alone,  
21 but I know that's not an option.

028-01

22 So definitely go with Option Number 2 and no

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028-01

1 lighting. I agree with the fact that if you need  
2 lighting, maybe you shouldn't be back there.

3 [Laughter.]

028-02

4 MR. TAYLOR: And as far as the ANC is  
5 concerned, I forget which ANC it is for, yes, this is  
6 not ANC's property. This is D.C.'s property, and by  
7 default, America's property. So I think that this  
8 really should be looked at from that standpoint. I  
9 know it's a road, but what is really the impact going  
10 to be. Because if you look at other cities of this  
11 magnitude, there's very little green space compared to  
12 what you have going on here, and it's very beautiful.  
13 And it should be kept that way. I mean, if you want to  
14 move to a city that's --

15 MR. WISER: Fifteen seconds.

16 MR. TAYLOR: -- concrete, go for it, but I  
17 think you guys have a very beautiful city. And  
18 everything you can do to preserve, I think you should.  
19 Thank you.

20 MR. WISER: Joel Barkman or Barkan.

21 MR. BARKAN: My name is Joel Barkan. I live  
22 at 3004 Cortland Place N.W. I'm probably the one

**Response to Comment 028-01**

DDOT has identified Alternative 2 as the Preferred Alternative. Under Alternative 2, a 10-foot multi-use trail would be constructed using permeable pavement or materials.

DDOT has identified Option B as the Preferred Lighting Option. DDOT plans to install low-impact lighting along the trail.

One of the needs identified for the project is consistent with the Park and Recreation Open Space District element in the District Comprehensive Plan, which emphasizes the need and importance of open space, including the creation of trails, to better connect the city's open spaces with city residents.

**Response to Comment 028-02**

Thank you for your comments. They will be included in the project Administrative Record.

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029-01  
1 person who's the closest to the Klingle ravine. I'm a  
2 taxpayer, as was noted in a number of other places, and  
3 I believe is fiscal responsibility. And it's for that  
4 reason that I respect and congratulate the plan for the  
5 hiker/biker trail. My preference would be for Option 2  
6 or 3 if the permeable surface is proved practical. If  
7 not, I could accept Option 4. I also support Option B  
8 for the creek. I prefer no lighting.

9 Finally, I'm also a believer in American  
10 democracy and representative democracy. And the  
11 Council spoke, as noted before, through the amendment  
12 in 2008, and that should be respected, and we should  
13 get on with the job. I'd also add that most residents  
14 over in Ward 3 support the DDOT plan, so we should go  
15 in that direction.

029-02  
16 Just finally, the argument on both cost and  
17 emergency vehicles is totally specious. If you have a  
18 fire department, the nearest fire station in our part  
19 of town is up in Klingle Park. How, if you opened the  
20 road, could a fire engine make the straightest line  
21 from there up to the area of Wisconsin, Woodley, in  
22 that area? It can't. It has to come out of Porter.

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**Response to Comment 029-01**

Thank you for your comments. They will be included in the project Administrative Record.

After consideration of the purpose of and needs for the proposed action, analysis in the EA, and public and agency comments, DDOT has identified Alternative 2 – 10-Foot Multi-Use Trail (Permeable) as the Preferred Alternative.

In order to support a sustainable trail, DDOT has identified Option B – Full Stream Channel and Bank Stabilization as the preferred Klingle Creek Restoration Option.

DDOT has identified Option B – Pole or Bollard Lighting as the preferred Lighting Option. DDOT plans to install low-impact pole lighting along the trail. The lighting would be timed to correspond with commuter use of the facility to limit the hours of illumination and minimize impacts to nocturnal wildlife.

**Response to Comment 029-02**

Based on the number of public comments received on the topic, the project team prepared a cost estimate for a road build scenario using DDOT standard cost estimating methods. Current costs to design, construct, and reopen the road to motor vehicle traffic would be \$10,619,000. Although not included as part of the proposed action in the 2005 DEIS, restoration of Klingle Creek would also be required under this scenario in order to promote a sustainable road, and would cost an additional \$1,075,000. Road maintenance would cost approximately \$5,840 per year. At an estimated \$11,694,000, the total cost of reconstructing the road is considerably more than the cost of the multi-use trail. Furthermore, the revised cost estimate to rebuild the road assumes that a number of design exceptions would be acceptable. Design exceptions would be required where the road would not meet current standards because of the constraints within Klingle Valley.

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029-02  
(cont.)

1 So the notion that this is going to provide  
2 for emergency vehicles is false and cost should be  
3 obvious. Building a multi-lane road perhaps with a  
4 bike path is going to cost millions more than the  
5 trail. And it's interesting that the estimates of \$7  
6 million, several years ago --.

7 MR. WISER: Fifteen seconds.

8 MR. BARKNAN: -- the cost estimates should be  
9 based on costs in 2010. Thank you.

10 MR. WISER: Olivia Hilton.

11 MS. HILTON: Good evening. My name is Olivia  
12 Hilton, and from 1995 until 2003, my family of four  
13 lived in an apartment on Devonshire Place overlooking  
14 the valley. We now live in Cathedral Heights. And  
15 many people have referred to the passage of time on  
16 this issue.

17 The first time that my family and I went down  
18 into the valley, our eldest child was in pre-  
19 kindergarten and the youngest one was in a Snuggli. Now,  
20 both of those children are taller than I am, and they

030-01

21 can't wait for one of the options there, 2, 3 and if  
22 the engineers deem it absolutely necessary, 4 but

**Response to Comment 030-01**

After consideration of the purpose of and needs for the proposed action, analysis in the EA, and public and agency comments, DDOT has identified Alternative 2 – 10-Foot Multi-Use Trail (Permeable) as the Preferred Alternative.

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1 preferably 2 or 3 so that they can finally, before they  
2 become adults and go to college and only come home on  
3 vacations, enjoy the valley in the way it should be  
4 enjoyed and should have been enjoyed a long time ago.

5 I'd like to address a couple of things. I  
6 think interpretive signage should be a very important  
7 part of this. It's very educational. You could have  
8 signs describing what controlling runoff in that kind  
9 of environment entails. You could have signs about the  
10 160-year history of the valley and how it was used  
11 originally as a logging trail, how society has changed  
12 and eventually it became a road and then it became a  
13 trail.

14 I'd also like to see -- and perhaps this is  
15 an indication of how much I have aged while this issue  
16 has been going on. I'd like to see a few benches, some  
17 nice wood benches here or there if you could squeeze  
18 them in, one or two spots.

19 MR. WISER: Fifteen seconds.

20 MS. HILTON: And finally, litter and trash  
21 bins at either end and recycling because also in the  
22 time that we've been discussing this, our country has

030-02

***Response to Comment 030-02***

Potential amenities such as trail furniture, water fountains, and specific interpretive signage are not discussed in detail in the EA. However, as design continues, DDOT will consider public and agency comments, and will continue to coordinate with the National Park Service and the District Historic Preservation Office when incorporating amenities into more detailed design plans.

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1 started to wake up on recycling. Thank you.

2 MR. WISER: Cynthia -- is she here?

3 MS. GIORDANO: Thank you. My name is Cynthia  
4 Giordano. I'm with Saul Ewing law firm, and I  
5 represent the Tregaron Limited Partnership. Contrary  
6 to some of the comments here today, the land on either  
7 side of Klingle Road is not a park. In fact, part of  
8 it is owned by the Tregaron Limited Partnership. The  
9 mayor's agent for historic preservation in a very long  
10 drawn-out but carefully negotiated agreement supported  
11 a plan to develop five houses along Klingle Road on the  
12 Tregaron estate. And in exchange for that approval,  
13 the property owner donated 13 acres to the Tregaron  
14 Conservancy to be held in perpetuity as open space. The  
15 plan to close Klingle Road and create a trail makes it  
16 a landlocked site and makes it impossible to access  
17 those lots as was contemplated by the historic  
18 preservation authorities.

031-01

19 So we will oppose this. We believe that the  
20 City has to follow correct legal procedures in closing  
21 this road. The Council has no authority to just call a  
22 public highway a trail without going through a process.

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***Response to Comment 031-01***

An alternative to reopen the barricaded portion of Klingle Road to motor vehicles would not fulfill the purpose and need for the proposed action, which is identified in Section 1.0 of the EA. Furthermore, a road alternative is not consistent with the District's Klingle Road Sustainable Development Act of 2008, and was eliminated from detailed study in the EA. Please see Section 2.3.5 for more details.

DDOT has considered the potential impacts of the Klingle Valley Trail project with regards to approval of the subdivision of Tregaron per the DC Historic Preservation Office. A number of commentators on the June 2010 EA noted the 2006 approval by the DC Historic Preservation Review Board (DC HPO) of an application for subdivision of one acre of the historic Tregaron Property in exchange for the Tregaron Limited Partnership's donation of 13 acres for permanent open space preservation on the historic property (Decision and Order (Subdivision of Tregaron Estate – Eight Residential Lots and Initial Rehabilitation Plan of Conservancy – March, 2006)). According to the commentators, the proposed trail would prohibit vehicular access from five homes to Klingle Road, essentially nullifying the DC HPO's approval. The DC HPO's order allowed for the subdivision; however, it clearly acknowledges that five of the eight subdivided properties proposed frontage would be on “that portion of Klingle Road which is currently closed to traffic” (DC HPO, 2006).

As required under Section 106 of the National Historic Preservation Act, FHWA and DDOT consulted with the DC HPO and prepared an Assessment of Effects on Historic Resources report. Throughout FHWA and DDOT's consultations with DC HPO, DC HPO did not raise the approval for the subdivision in the Decision and Order as an issue whereby the proposed trail would affect the Tregaron Limited Partnership's activities. Notably, DC HPO has stated:

“The ‘HPRB order’ . . . is more accurately a concept approval and acceptance of the three-party property agreement between Washington International School, the Tregaron Conservancy, and the Tregaron Limited Partnership regarding the ownership and future treatment of the Tregaron landmark. This agreement does not have any impact or relevance to the Klingle Road project . . . In fact, there is no right to built [sic] the houses; they were always a highly speculative proposition.”

Furthermore in an email response to a citizen's inquiry regarding this issue, the DC HPO stated:

“The five houses on the closed portion of Klingle were speculative and specifically approved for those sites. They were proposed by the developer with full knowledge that Klingle was closed at the time and without any guarantee that it would be reopened. There was no contingency for relocating those five house lots to other portions of the site, and the remainder of the land has already been transferred to and is owned by the Conservancy. I don't think the failure of the developer to be able to build the five houses would affect the settlement agreement between the Tregaron Limited Partnership, the Washington International School and the Conservancy.”

The complete Assessment of Effects on Historic Resources report and the DC HPO concurrence letter is presented in Appendix B of this EA. The two emails in their entirety are available in the project Administrative Record.

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031-01  
(cont.)

1 So we will be legally taking action on this matter.  
2 Thank you.

3 MR. WISER: Elizabeth Merritt (ph).

4 MS. MERRITT: Thank you. My name is  
5 Elizabeth Merritt, and I'm an immediate neighbor of the  
6 Klingle Valley. I've lived in Woodley Park Towers  
7 since 1983, and I look out my window directly at the  
8 Klingle Valley.

032-01

9 I'm also a runner, and my comment tonight is  
10 one that I haven't heard anyone else say, which is this  
11 path is not wide enough. When I run, I run on the  
12 closed part of Beach Drive, north of Tilden Street. And  
13 my experience is that we need every inch of that right-  
14 of-way there in order to accommodate the bikes, the  
15 baby carriages, the rollerbladers, the skateboarders.

16 The diagrams over here show one or two people  
17 using the path in a single file. It's not like that.  
18 The bikes are in groups of two, three, four, six or  
19 more, and most of the runners and other recreational  
20 users are in at least pairs if not larger groups. And  
21 where the terrain is steeper, you need even more space  
22 to be able to pass each other.

***Response to Comment 032-01***

After consideration of the purpose of and needs for the proposed action, analysis in the EA, and public and agency comments, DDOT has identified Alternative 2 – 10-Foot Multi-Use Trail (Permeable) as the Preferred Alternative.

The project team considered a number of factors while formulating the alternatives and options for the Klingle Valley Trail EA. A primary consideration was the types of trail users, primarily bicyclists, pedestrians, runners, and skaters. A 10-foot trail meets current American Association of State Highway and Transportation Officials guidelines for multi-use trails and allows for a smaller footprint and fewer impacts than a 12-foot trail.

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1           As a runner, I, as it is, even on the closed  
2 part of Beach Drive, feel a little bit unsafe with the  
3 bicycles kind of whizzing past me and almost mowing me  
4 down. And the last couple of weeks, I have actually  
5 thought about it as I was running on Beach Drive and  
6 thinking what would it be like if it was only half of  
7 this width. And it would be incredibly unsafe. My  
8 view is that if you're going to spend the money to do  
9 this, to do it right and make a trail that's wide  
10 enough for all the recreational users to co-exist  
11 safety without the runners getting hit by the bikes.

12           So I would appreciate consideration of that  
13 for the safety of the users. Thank you.

14           MR. WISER: Okay. That was our last speaker  
15 for tonight. I think we're going to just have some  
16 closing remarks. I want to remind you that Steve Saari  
17 from DDOE is here and has some literature. Please feel  
18 free to go over there, see him, take that literature  
19 home. He's got a number of good programs that I think  
20 the Klingle Valley area would benefit from.

21           With that, I'm going to turn it back over to  
22 Faisal.

032-01  
(cont.)

Statement by the Coalition to Repair and Reopen Klingle Road  
on the Klingle Valley Trail Environmental Assessment (EA)

Presented by Laurie Collins

June 23, 2010

033-01

1. The Coalition supports the EA requirement that the City must follow the **Streets and Alley Closing and Acquisitions Procedures Act**.

033-02

2. As stated in December, and again now, the **Project Area** defined in the EA is **inconsistent with the legislation**. Any options to connect Klingle Valley Trail to the Rock Creek Trail system are **outside the scope** of the legislation and should not be included in the final EA.

033-03

3. The EA incorrectly states that there would be no impact on future developments. How did the preparers of this assessment miss the **Mayor's Agent's 2006 Historic Preservation Order** approving the Tregaron Partnership's plan to build 5 high-end, tax-generating lots and private residences along Klingle Road? The trail project is either putting this development on hold or is killing it. This is a **significant socioeconomic impact** that the EA should have disclosed.

033-04

4. **As to the 4 alternatives**, since multi-ton utility maintenance trucks, emergency vehicles and other large trucks (like snowplows) are required to have access to the area, **the Coalition supports none of the alternatives and requests that a road restore option be added**. I would note that Klingle Road was treated like a major road and PLOWED during **Snowmageddon**.

033-05

5. Repairing Klingle Road is still cheaper than a 3-block neighborhood hike/bike path to nowhere and has no monthly maintenance costs! Just a few years ago, and according to FHWA and DDOT, the cost to rebuild two lanes of Klingle Road for public motor vehicle traffic with a reliable storm water management system was **\$7.18M—far less than Alternative 3 and 4 and will benefit all the residents of the District of Columbia**.

### **Response to Comment 033-01**

Erroneously, the following information was listed in the EA, which was released in June 2010:

Klingle Road is currently listed on the Federal-aid system functional classification of streets/roadways in the District of Columbia as a local street (DDOT, 2009c). If converted from motorized to non-motorized use under the proposed action, this segment of roadway would have to be officially removed as a local street from the DC functional classification map using the appropriate processes under 23 CFR 470.109(a) and 470.115(a) (Federal Aid Highways re: converting a designated fed-aid highway to non-vehicular trail) and The Street & Alley Closing & Acquisition Procedures Act of 1982. D.C. Code Section 9-201.01 et. Seq. Section 9-202-01 (re: street closings and requirement of public hearing for such act).

Klingle Road is currently listed on the Federal-aid highway system functional classification of streets and roadways in the District of Columbia as a collector street and is eligible for Surface Transportation Program (STP) funds. Because the District is proposing to construct a multi-use trail on Klingle Road (i.e., the Klingle Valley Trail), Klingle Road will no longer be eligible for funding under the STP funding program. At the conclusion of the NEPA process regarding this EA for the Klingle Valley Trail, DDOT will propose to FHWA that the segment of Klingle Road between Porter Street, N.W. and Cortland Place, N.W. be removed from the Federal-aid highway system. However, the proposed multi-use trail is eligible for federal-aid funding under the Recreational Trails Program in accordance with SAFETEA-LU Sections 1101(a)(8) and 1109, 23 USC 104(h) & 206, and 23 CFR Part 652.

Nevertheless, removal of Klingle Road from the Federal-aid highway system, does not affect the District's ownership and jurisdiction of the Klingle Road right-of-way. Under the proposed action, DDOT will not and does not plan to officially close the barricaded segment of Klingle Road between Porter Street, N.W. and Cortland Place, N.W. pursuant to the procedure outlined in The Street & Alley Closing & Acquisition Procedures Act of 1982 (D.C. Code sections 9-201.01 et seq. (see Appendix E). DC Code section

**Klingle Road**, NW is a 1.5 mile stretch of highway that begins, on the east, at the intersection of **Park Road** and **Walbridge Place, NW** and ends, on the west, at **34<sup>th</sup> Street, NW**, adjacent to the grounds of the Washington National Cathedral. The land on which the road is constructed was granted to the District of Columbia by four landowners in 1885 to be used "forever" as a public highway. It has been used as a public highway since that time and was approved on the District highway plan as of May 27, 1898. As the District of Columbia developed, Klingle Road became a vital link between neighborhoods on either side of **Rock Creek**. It is the only east/west road to cross underneath **Connecticut Avenue**. All other crossings are controlled by traffic lights or stop signs.

In 1991, failure of the Government of the District of Columbia to maintain storm drains caused a small segment of Klingle Road below Connecticut Avenue to collapse. In response, the Government closed off a middle section of Klingle Road beginning at Cortland Place, NW, and ending near its intersection with Porter Street, NW on the east, a distance of .7 mile. The Department of public works identified money and began the process of all approvals for repair. However, the District was proceeding toward receivership and granted approvals were not acted upon. In the early 1990's, anti-automobile groups and certain west-of-the-park, politically connected homeowners, campaigned for permanent closure. The closed off section of Klingle Road continued to deteriorate in easterly and westerly directions.

As the District emerged from receivership under the Congressionally-appointed **Financial Control Board**, lobbying by the campaign to keep the road closed resonated with Mayor **Anthony Williams** who declined to repair the damage. However, in 2003, led by Council Chair, **Linda Cropp**, and Councilmember **Carol Schwartz**, the District of Columbia Council enacted legislation ordering the DC Government to repair and reopen Klingle Road for automobile traffic. This vote was taken after 2 days of testimony from over 100 witnesses. Strong evidence of increased traffic on **Porter Street, Tilden Street, Park Road, Cathedral Avenue** and **Calvert Street** was provided along with evidence of related air and noise pollution resulting from the closure of Klingle Road. The legislation also required development and construction of a Klingle Road storm water management plan.

Because Federal funds are involved, the Federal Highway Administration (FHWA) required preparation of an Environmental Impact Statement (EIS) which is normally used on a new road project. After more public hearings, in June, 2005, FHWA and the District Department of Transportation, (DDOT) issued a comprehensive Preliminary EIS identifying rebuilding of Klingle Road to its two-lane configuration as the "preferred environmental alternative". However, while FHWA normally takes an average of 15 months to complete the entire EIS process for NEW construction of major highways, after more than THREE YEARS, FHWA and the DDOT were pointing fingers at each other for failure to finalize the June 2005 comprehensive analysis supporting repair and rebuilding the .7 mile stretch of Klingle Road as the preferred environmental option.

Taking advantage of this unexplained historic EIS finalization delay, the campaign to keep Klingle Road closed between **Cortland** and **Porter Street** found a new champion. In 2008, Councilmember Cheh successfully lobbied the full council to enact legislation under a budget amendment ("Fiscal Year 2009 Budget Support Act of 2008". (Act A17-0419) that repealed the 2003 Cropp/Schwartz Bill, required DDOT to tear up Klingle Road between Cortland and Porter Streets, replace it with a 9 ft. wide hike/bike path with a permeable surface, and prohibit use by motor vehicle traffic. Unlike the hearings on the 2003 bill which documented a need to reopen Klingle Road for motor vehicles, this legislation was enacted without a hearing and no evidence of a need to spend millions of taxpayer dollars for a 3 block city hike/bike

9-202.01 states that the Mayor may close all or part of any street or alley which is determined by the DC Council to be unnecessary for street or alley purposes. The 2008 Act, passed by DC Council, did not deem Klingle Road unnecessary when it authorized the construction of a pedestrian and bicycle trail on Klingle Road between Porter Street, N.W. and Cortland Place, N.W.; therefore, Klingle Road continues to be necessary for street (i.e., public right-of-way) purposes, as defined in DC Code section 9-201.01. Additionally, DDOT will continue to operate, maintain and manage the public right-of-way for both non-motorized transportation and authorized motorized use (i.e. access for emergency, utility, and maintenance vehicles).

#### ***Response to Comment 033-02***

Although the 2008 Act specifically mentions "the portion of Klingle Road, NW, between Porter Street, NW on the east, to Cortland Place, NW on the west", the FHWA NEPA regulations under 23 CFR 771.111, require that action evaluated in the NEPA process shall connect logical termini and have independent utility. Logical termini for project development are defined as (1) rational end points for a transportation improvement, and (2) rational end points for a review of the environmental impacts. Have independent utility or independent significance, i.e., be usable and be a reasonable expenditure even if no additional transportation improvements in the area are made. Therefore, the project area was expanded as presented in the EA. The option to connect Klingle Valley Trail to the Rock Creek Trail system meets the need for system linkage as described in the EA.

#### ***Response to Comment 033-03***

DDOT did consider the potential impacts of the Klingle Valley Trail project with regards to approval of the subdivision of Tregaron per the DC Historic Preservation Office 2006 Decision and Order (DC HPO #04-145). A discussion of potential impacts

path. In reality, this path is little more than a “park,” and building it will jeopardize the District’s right to use the land granted to the District of Columbia to use Klingle Road as a public highway.

In apparent reliance on the 2003 Cropp/Schwartz road repair and reopening legislation (Klingle Road Restoration Act of 2003, (Bill 15-061)<sup>1</sup>), a long standing controversy over building residences on the Tregaron Estate was resolved by an agreement dated March 30, 2006, (HPA #04-145 Office of Planning, Historic Preservation Office DECISION AND ORDER Subdivision of Tregaron Estate) under which 8 high end, tax generating private residences would be built, 5 of these accessed by the rebuilt Klingle Road. In exchange the Tregaron Conservancy, a non-profit organization, would be created to receive 13 acres of land adjacent to Klingle Road for a park, garden and hiking trails.

Weeks before voting to build a hike/bike path the city council finalized another bill introduced by Councilmember Cheh and this bill granted the Tregaron Conservancy tax relief from real estate taxes and transfer taxes for the 13 acre park (Bill 17-342, the “Tregaron Conservancy Tax Exemption and Relief Amendment Act of 2007<sup>1a</sup>”). The park will be open to the public in perpetuity and no real estate taxes will be paid on that land, ever. This newly formed park is adjacent to Klingle Road with its entrance on Klingle Road and has hiking trails. Members of the Tregaron Conservancy and the Tregaron Partnership testified to the city council this park could not be created without tax relief, and that this tax relief would be offset by future real estate taxes on the 8 residences and income taxes from the households. Needless to say, enactment of Councilmember Cheh’s 2008 road closing legislation has made the prospect of building homes adjacent to Klingle Road illusory and makes offset of her Tregaron give-away tax relief legislation from property and income taxes equally illusory.

The DC Council has myopically followed Council Member Cheh’s lead, treating Klingle Road and Tregaron as local Ward 3 issues. Keeping motor vehicle traffic off Klingle Road causes deep pain in Wards 1, 4 and 5 as well as to residents in Ward 3 with needs to cross to the east side of Rock Creek. Tax loss is a major issue for the entire city. The Council should shut down the campaign to keep Klingle Road closed and reinstate the 2003 Cropp/Schwartz legislation. That would be good government.

<sup>1</sup>

B17-0318	A17-0127	L17-0054 2007	"TREGARON CONSERVANCY TAX EXEMPTION AND RELIEF TEMPORARY AMENDMENT ACT OF 2007".	17
B17-0342	A17-0263	L17-0119 Became law 4-18-08 & funded in 2010	"TREGARON CONSERVANCY TAX EXEMPTION AND RELIEF ACT OF 2008".	17

is provided in the Cultural Resources Section 4.2.1 and Land Use Section (4.3.1) of the EA. A number of commentators on the June 2010 EA noted the 2006 approval by the DC Historic Preservation Review Board (DC HPO) of an application for subdivision of one acre of the historic Tregaron Property in exchange for the Tregaron Limited Partnership's donation of 13 acres for permanent open space preservation on the historic property (Decision and Order (Subdivision of Tregaron Estate – Eight Residential Lots and Initial Rehabilitation Plan of Conservancy – March, 2006). According to the commentators, the proposed trail would prohibit vehicular access from five homes to Klingle Road, essentially nullifying the DC HPO's approval. The DC HPO's order allowed for the subdivision; however, it clearly acknowledges that five of the eight subdivided properties proposed frontage would be on “that portion of Klingle Road which is currently closed to traffic” (DC HPO, 2006).

As required under Section 106 of the National Historic Preservation Act, FHWA and DDOT consulted with the DC HPO and prepared an Assessment of Effects on Historic Resources report. Throughout FHWA and DDOT’s consultations with DC HPO, DC HPO did not raise the approval for the subdivision in the Decision and Order as an issue whereby the proposed trail would affect the Tregaron Limited Partnership’s activities. Notably, DC HPO has stated:

“The ‘HPRB order’ . . . is more accurately a concept approval and acceptance of the three-party property agreement between Washington International School, the Tregaron Conservancy, and the Tregaron Limited Partnership regarding the ownership and future treatment of the Tregaron landmark. This agreement does not have any impact or relevance to the Klingle Road project . . . In fact, there is no right to built [sic] the houses; they were always a highly speculative proposition.”

Furthermore in an email response to a citizen's inquiry regarding this issue, the DC HPO stated:

**PRESS RELEASE**

Monday, June 21, 10:00 am Contact: Laurie Collins, 202.986.5710

**KLINGLE BIKE TRAIL – NOT SO FAST**

The June 2010 **Draft Environmental Assessment (EA)** of a proposed hike/bike trail on **Klingle Road**, NW, jointly issued by the **Federal Highway Administration (FHWA)** and District of Columbia **Department of Transportation Director (DDOT)**, **Gabe Klein**, finds that significant damage to Klingle Road from destruction of Klingle Creek embankments and the Klingle Road storm water system continues to cause severe deterioration to the road bed, rendering Klingle Road unsafe. Yet, the EA would perpetuate storm water damage in Klingle Valley by adopting, as a preferred alternative, Ward 3 Councilmember **Cheh's** experimental permeable surface trail on Klingle Road's steeply sloped terrain. Permeable surfaces are said to work on flat surfaces, like a parking lot. Because storm water rushes down a slope, several jurisdictions prohibit use of permeable surfaces on steep grades.

**But, not so fast.** The EA proclaims that the hike/bike trail will not be eligible for federal funding unless and until the District of Columbia closes Klingle Road in accordance with the **DC Street and Alley Closing and Acquisition Act of 1982** and complies with federal policies and rules governing removal of a local street from the functional classification map. If the District does close Klingle Road under these policies, the City will lose its right to use it – owners of the underlying land granted the District the right to use it forever, as a public highway, not a neighborhood hike/bike trail.

In 2006, after the District Council had voted, in 2003, to repair and reopen Klingle Road for motor vehicle traffic and FHWA and DDOT issued a preliminary environmental impact statement (**PEIS**) in 2005 identifying reconstruction of Klingle Road's original two lane configuration as the preferred environmental alternative, the District **Historic Preservation and Review Board** approved an agreement related to conservation and construction of residences on the grounds of the **Tregaron Estate** which is bordered on the South by Klingle Road, NW and, on the North, by Macomb Street, NW. Under the agreement, **Tregaron Limited Partnership (TLP)** donated 13 acres to the **Tregaron Conservancy** for gardens and trails to be used by the public in perpetuity. In return, TLP was authorized to build *high-end* residences on eight lots within the Tregaron Estate boundaries. Owners could drive to their homes on five of these lots via rebuilt Klingle Road.

In 2007, Ward 3 Councilmember **Cheh** introduced legislation relieving the Conservancy from property and transfer taxes on the 13 acres it received under the **Agreement**. Witnesses at a subsequent hearing testified that the District Government would recoup loss of these tax revenues and more from property and income taxes generated on the Tregaron high-end properties, including five to be accessed via Klingle Road. Enactment of Cheh's hike/bike legislation in 2008 effectively stopped the building of residences and recoupment of her *tax-give away* gift to the Conservancy.

Presumably, the District Government and the Council will now fully comply with the District's **1982 Street and Alley Closing Act** which, unlike Cheh's hike/bike budget amendment, requires a full public hearing. This hearing will expose major flaws in the proposed project, including perpetuation of storm water damage in Klingle Valley, loss of tax revenue from the apparently killed Tregaron arrangement for building high end residences along Klingle Road, an additional \$1 million to connect the Cheh-designed trail to nowhere to other bike trails, and DC's potential loss of the underlying land.

###

Coalition to Repair and Reopen Klingle Road | [www.repairklingleroad.org](http://www.repairklingleroad.org) | Email: [Support@repairklingleroad.org](mailto:Support@repairklingleroad.org)

“The five houses on the closed portion of Klingle were speculative and specifically approved for those sites. They were proposed by the developer with full knowledge that Klingle was closed at the time and without any guarantee that it would be reopened. There was no contingency for relocating those five house lots to other portions of the site, and the remainder of the land has already been transferred to and is owned by the Conservancy. I don't think the failure of the developer to be able to build the five houses would affect the settlement agreement between the Tregaron Limited Partnership, the Washington International School and the Conservancy.”

The complete Assessment of Effects on Historic Resources report and the DC HPO concurrence letter is presented in Appendix B of this EA. The two emails in their entirety are available in the project Administrative Record.

**Response to Comment 033-04**

An alternative to reopen the barricaded portion of Klingle Road to motor vehicles would not fulfill the purpose and need for the proposed action, which is identified in Section 1.0 of the EA. Furthermore, a road alternative is not consistent with the District's Klingle Road Sustainable Development Act of 2008, and was eliminated from detailed study in the EA. Please see Section 2.3.5 for more details.

The proposed action is to construct a multi-use trail facility, manage stormwater, and restore Klingle Creek within the 0.7 mile barricaded portion of Klingle Road between Porter Street, NW, and Cortland Place, NW. The proposed trail alignment for all Action Alternatives lies within the existing DDOT right-of-way, which DDOT would continue to maintain and manage. The Preferred Alternative, a 10-foot permeable trail with 2-foot shoulders (14 feet total width) will accommodate periodic access needed by emergency, maintenance, and utility vehicles.

**Response to Comment 033-05**

The total cost of the Preferred Alternative and options including

construction of sustainable stormwater management infrastructure, restoration of Klingle Creek, access to Rock Creek Trail, and installation of lighting is \$6,763,823. The annual trail maintenance costs would be approximately \$5,840.

Based on the number of public comments received on the topic, the project team prepared a cost estimate for a road build scenario using DDOT standard cost estimating methods. Current costs to design, construct, and reopen the road to motor vehicle traffic would be \$10,619,000. Although not included as part of the proposed action in the 2005 DEIS, restoration of Klingle Creek would also be required under this scenario in order to promote a sustainable road, and would cost an additional \$1,075,000. Road maintenance would also cost approximately \$5,840 per year. At an estimated cost of \$11,694,000, the total cost of reconstructing the road is considerably more than the cost of the multi-use trail. Furthermore, the revised cost estimate to rebuild the road assumes that a number of design exceptions would be acceptable. Design exceptions would be required where the road would not meet current standards because of the constraints within Klingle Valley.

STATEMENT OF ERICH PICA, PRESIDENT,  
AND  
BRENT BLACKWELDER, PRESIDENT EMERITUS,  
OF FRIENDS OF THE EARTH.

034-01

Friends of the Earth (FOE) welcomes the opportunity to comment upon the Environmental Assessment for Klingle Valley. FOE is a non-profit, membership-based environmental organization dedicated to achieving a healthy planet and a just world. As the U.S. voice of Friends of the Earth International, we have worked for decades to protect and restore our Capital City's urban environment.

FOE has a long-standing interest in Klingle Valley. We have worked with District residents, the District government, and DC-based environmental organizations for over 15 years to see that the Valley's collapsed stormwater management system is repaired in compliance with the national Clean Water Act, and to ensure that the valley is restored to beneficial use as a bike and pedestrian trail, the use most consistent with its setting in Rock Creek National Park.

In 2003, we issued a *Green Scissors* report for the District of Columbia, part of a national campaign we and others<sup>1</sup> spearhead to end wasteful government subsidies for destroying precious natural resources. DDOT's proposal to build a costly vehicular road in Klingle Valley led the list of wasteful District projects we recommended scrapping.

We actively participated in the public hearings and meetings on the fate of Klingle Valley. On behalf of our members who use and enjoy the Valley and Rock Creek Park, we submitted 64 pages of comments on the 2005 "Draft Environmental Impact Statement for Klingle Road." Our comments stressed the importance of Klingle Valley: a densely wooded area rich in biodiversity with a boulder-strewn creek, 100-year old trees, and excellent habitat for a wide variety of birds and other wildlife. As an arm of Rock Creek National Park, the Valley enhances one of the oldest and largest

<sup>1</sup> Taxpayers for Common Sense and the U.S. Public Interest Research Group help FOE lead this campaign.

034-01  
(cont.)

forested urban parks in the country – one that receives 2 million recreational visitors annually.

FOE testified in support of the 2008 DC Council legislation barring a vehicular road through the Valley and directing DDOT to conduct environmental remediation and construct a pedestrian and bicycle trail instead. On October 7, 2009, we filed comments addressing the scoping for this project.

FOE firmly supports DDOT's plans to construct a bike/pedestrian pathway through the Valley and to remediate the Valley's stormwater management system, both to abate existing pollution and to ensure the structural integrity of the bike/pedestrian pathway. We hope the trail and stormwater management project is expeditiously completed, in a fashion that minimizes construction-related impacts on the local community.

034-02

FOE is preparing detailed written comments on this EA. However, we want to express tonight our concern that the EA does not address comments we submitted during scoping. For example, we urged DDOT to address potential impacts on the local community from construction-related activities, such as truck traffic, and identify appropriate mitigation measures. The EA does not do so and does not even include the 64-page supporting attachment to our comments. We trust DDOT will be more responsive going forward.

***Response to Comment 034-01***

Thank you for your comments. They will be included in the project Administrative Record.

The Friends of the Earth comments submitted at project scoping were considered in the development of the EA, and were included in Appendix G: Summary of Public Comments in the June 2010 EA. The attachments included Friends of the Earth comments submitted during the 2005 DEIS process, which were not included in Appendix G as they were not directly relevant to the proposed action or the EA document.

***Response to Comment 034-02***

Impacts to the local community from construction related activities and potential mitigation measures are addressed in the EA in the Environmental Consequences section under the "Economics and Development," "Aesthetics and Visual Quality," "Roadway Network and Traffic," "Air Quality," and "Noise and Vibration," and "Mitigation Measures" sections. More detailed mitigation measures will be determined as design continues, and such measures would be included in the design specifications of the construction documents.

Thank you for your comments. They will be included in the project Administrative Record.

**ADVISORY NEIGHBORHOOD COMMISSION 4A**  
**DISTRICT OF COLUMBIA GOVERNMENT**  
7600 Georgia Avenue, NW, Suite 404  
Washington, D.C. 20012  
(202) 291-9341

TESTIMONY AND RESOLUTION OF THE  
ADVISORY NEIGHBORHOOD COMMISSION (ANC) 4A  
REGARDING THE PROPOSED USE OF THE  
TRANSPORTATION RIGHT OF WAY KNOWN  
OFFICIALLY AS KLINGLE ROAD  
JUNE 23, 2010  
FOR THE DC DEPARTMENT OF TRANSPORTATION

Good evening,

035-01

My name is Gale Barron Black. I am the ANC Commissioner for ANC 4A08, Crestwood. I have been authorized to provide these comments on behalf of the entire Advisory Neighborhood Commission ANC 4A, which passed the attached resolution on June 17, 2010. We offer the resolution for your consideration and for the public record.

ANC 4A opposes the proposed conversion of Klingle Road into a recreational trail for the reasons detailed in the ANC's attached resolution. ANC 4A, particularly ANC 4A08 (Crestwood), is negatively affected by the city's neglect of its responsibilities to preserve the road and keep it available for its official dedicated public use. The city has never officially closed the road, just barricaded it. DC needs the road, more than a dog-walk. We ask that these comments and attachments be made a part of this record and that our comments be given great weight.

**It is in DC's overall interest to Keep Klingle Road as a Federal-aid road and as a bypass to Connecticut Avenue for the benefit of the city and for our use as a service road and emergency route. None of the proposed alternatives provide these benefits.**

Attached ANC 4A Resolution  
ANC 4A08 Description

*(18 pages total)*

***Response to Comment 035-01***

Thank you for your comments and attachments. They have been noted and will be included in the project Administrative Record.

The proposed action is to construct a multi-use trail facility, manage stormwater, and restore Klingle Creek within the 0.7 mile barricaded portion of Klingle Road between Porter Street, NW, and Cortland Place, NW. The proposed trail alignment for all Action Alternatives lies within the existing DDOT right-of-way, which DDOT would continue to maintain and manage.

An alternative to reopen the barricaded portion of Klingle Road to motor vehicles would not fulfill the purpose and need for the proposed action, which is identified in Section 1.0 of the EA. Furthermore, a road alternative is not consistent with the District's Klingle Road Sustainable Development Act of 2008, and was eliminated from detailed study in the EA. Please see Section 2.3.5 for more details.

**RESOLUTION OF ADVISORY NEIGHBORHOOD COMMISSION (ANC) 4A  
REGARDING THE PROPOSED USE OF THE  
TRANSPORTATION RIGHT- OF- WAY  
KNOWN OFFICIALLY AS KLINGLE ROAD.  
June 17, 2010**

1. WHEREAS, on June 4, 2010, the ANC was presented with two copies of a document, entitled Klingle Valley Trail Environmental Assessment, June 2010 and given the opportunity to comment by July 4<sup>th</sup>, 2010; and whereas the city is holding a meeting on this matter on June 23<sup>rd</sup> and the ANC wishes to be heard;
2. WHEREAS, the Advisory Neighborhood Commissions (ANCs) are the body of government with the closest ties to the people and are expected to advise the city on issues including fees, taxes, zoning, social services programs, health, emergency preparedness, economic development, transportation and environmental infrastructure issues;
3. WHEREAS, this ANC represents collectively thousands of residents in several Ward 4 neighborhoods, including Crestwood (Census Tract 26), Colonial Village, North Portal Estates, Shepherd Park, Brightwood and 16<sup>th</sup> Street Heights;
4. WHEREAS, the Advisory Neighborhood Commission 4A, with a quorum present and a majority of the Commissioners in favor, considered this resolution pertaining to the proposed alternative uses for Klingle Road at a Special Meeting on June 17, 2010;
5. WHEREAS, maintaining and preserving our public roads and keeping them open for public use are essential government services that we expect the Government to provide;
6. WHEREAS, Klingle Road is a public transportation right of way and this road is described in the DC Code as being within the ANC 4A08 single member district and was historically and safely used by DC residents for more than 125 years until the road was barricaded to motorists in 1991, due to the deterioration of the roadway and the underlying stormwater management problems;
7. WHEREAS, this transportation right-of-way connects three wards, 17 schools, many hospitals and neighborhoods in Wards 1, 3 and 4 and businesses on both sides of the city.
8. WHEREAS, the Klingle Road has never been officially closed, nor repaired, and DC is responsible for the maintenance of Klingle Road. The city is failing to meet its obligations to the residents and taxpayers of DC to maintain this public transportation right-of-way. Because of this dangerous dereliction of duty, residents are being wrongly denied the benefit of safe cross-town access and other benefits provided by this historic transportation right-of-way;
9. WHEREAS, the federal and city laws require that the city maintain and preserve its roads and comply with the highway plans or risk losing federal funding;

10. WHEREAS, Klingle Road is currently listed on the Federal-aid system functional classification of streets/roadways in the District of Columbia as a federal-aid collector road providing both land access and traffic circulation within residential neighborhoods and commercial areas. DDOT EIS Statement, p. 3-34, Section 3.10 Transportation. If converted from motorized to non-motorized use under the proposed action, this segment of roadway would have to be officially closed and removed as a collector street from the DC functional classification map using the appropriate processes under 23 CFR 470.109(a) and 470.115(a) regarding converting a designated federal aid highway to non-vehicular trail) and The Street & Alley Closing & Acquisition Procedures Act of 1982. DC Code section 9-201.01 et. Seq. Section 9-202-01 (re street closings and requirement of public hearing for such act). Federal law also requires DC to maintain and preserve its existing road network or risk the loss of funding.

11. WHEREAS, this is an historic public transportation right-of-way that the Cleveland Park Historic Society has stated should be preserved.

12. WHEREAS, the Klingle Road Restoration Act of 2003 (2003 Act) (DC Law 15-39, DC Official Code Section 9-115.11) directed the repair and reconstruction of the barricaded segment of Klingle Road and required reopening of the road to motorists. Prior to completion of the Final EIS, however, that project was put on hold.

13. WHEREAS, "Kingle Valley Trail" is not identified as a multi-use trail on the DC Bike Plan, or on the city's comprehensive plan or in the National Park Service General Management Plan. Instead, this is a ruse and really is trying to convert the existing transportation right-of-way that is Klingle Road, which is officially recognized in the city plan.

14. WHEREAS, in its present state, the road is an environmental hazard and still has storm water infrastructure issues that should have been addressed years ago when the city approved restoration;

15. WHEREAS, no need has been established for another trail along Rock Creek Park; and this latest proposal makes no sense. It states that "under all of the action alternatives, the barricaded segment of Klingle Road would continue to be used as a "transportation corridor", but "for non-motorized uses". In 2010, this right-of-way continues to be used by service and utility vehicles that maintain the gas lines, sewers and underlying utilities. However, the squirrels primarily use Klingle Road as their transportation corridor.

16. WHEREAS, the city may be risking the loss of the road because the land was given to the city for use as a public road and the city is risking the loss of federal funding if it persists along this course of action because federal transportation funds are supposed to be used for public transportation on open roads; and open roads is defined by law as open to 4 wheeled motorized vehicles under federal regulations (attached);

17. WHEREAS, ANC 4A08 and the neighborhood of Crestwood fall under Census Tract 26 and this failure to keep the road available is negatively impacting the residents of the Census Tract 26; and this has negative transportation, socio-economic and environmental justice implications for the city and particularly ANC 4A;

18. WHEREAS, the proposal acknowledges that the construction of a permeable trail would not meet the needs of the city, would be expensive, and is likely not to be used by many people; whereas Klingle Road carried 3,000 people each day when it was in use;

19. WHEREAS, the city has to keep a durable road there for the maintenance of the utilities under the road and to do necessary and overdue infrastructure repairs; and it makes no sense to build a road and not allow the public taxpayers to obtain the maximum benefit;

20. WHEREAS, not having access to this public transportation right-of-way is diminishing our transportation efficiency. Without it, DC loses a vital link and collector road; and the city has already conducted enough studies, including a 2001 Feasibility Study, and Environmental Impact Study and now this Environmental Assessment, under the guise of saving Klingle Valley Trail; and whereas the road could have been repaired years ago without these studies, because it is historic and could be built in its original 50 foot wide alignment;

21. WHEREAS, as a part of a previous Section 106 process undertaken in 2006, Klingle Valley and Klingle Road were determined eligible for listing in the National Register of Historic Places via consensus between DDOT and the DC HPO. The agencies found that "Klingle Road has been located in its approximate present location since the 1830s. Prior to the establishment of the District, the road has served as a principal transportation route across Rock Creek. Since the creation of Rock Creek Park, the road continued to serve as a transportation network. The road exhibits a high integrity of the historic feeling, association and location." The proposal acknowledges that Klingle Road itself may be considered a cultural resource.

22. WHEREAS, the city cannot afford to waste any public road or any more time and money studying alternative uses when the city needs to keep the road for its public use – which is a bypass to Connecticut Avenue and a public right-of-way for motorized vehicles;

23. WHEREAS, the city proposal admits that having a 10 foot wide trail will not be adequate for emergency vehicles or for service vehicles and the city acknowledges that the proposed trail would not meet the standards for individuals with disabilities;

24. WHEREAS, the DC Council approved an application for the adjacent subdivision of the Tregaron Estate into eight residential lots and approved a law that would necessitate the construction of a road to access the home sites and build a stormwater management conveyance system. Page 137.

25. WHEREAS, the ANC 4A was not always included in the scoping for this proposal that potentially burdens more residents than it would benefit; and

WHEREAS, ANC 4A further believes that it is in the interest of the city for the DC Council and the Mayor to reject this proposal to convert Klinge Road to a trail, because it is not in the overall interest of the city to waste this public transportation right-of-way that provides a much needed bypass for the residents of the neighborhood of Crestwood and other residents of ANC 4A and Ward 4, who are adversely and disproportionately affected by the absence of this link;

**THEREFORE, BE IT RESOLVED**, That ANC 4A opposes the proposed change in use and the construction of a bike path /dog park within the barricaded portion of Klinge Road between Porter Street, NW and Cortland Place and further opposes the expenditure of any funds for the conversion of the road from its public purpose – which is a public transportation right-of-way for motorized vehicles that connects three wards. The ANC urges the city to do its job and restore this transportation right of way for its official dedicated public purpose for the benefit of all of us.

*Voted approved*

*June 17, 2010*

*Steph G. Whalley*  
*Chair*

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**FRANCES ARMSTRONG**

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**From:** "FRANCES ARMSTRONG" <farmstrong@verizon.net>  
**To:** <comments@kingletrail.com>  
**Sent:** Wednesday, March 31, 2010 12:03 PM  
**Attach:** HMP Letterhead (1).pdf  
**Subject:** Ltr from Historic Mount Pleasant, Inc.  
Attached please find a letter from Historic Mount Pleasant expressing our opinion regarding proposed redevelopment of Kingle Road.

Thank you,

Fay Armstrong  
President  
Historic Mount Pleasant

6/23/2010



# HISTORIC MOUNT PLEASANT

March 31, 2010

Ms. Austina Casey  
Project Manager  
Klingle Valley Trail Section 106 Evaluation  
District Department of Transportation  
2000 14<sup>th</sup> Street, N.W.  
Washington, D.C. 20009

Re: Klingle Road

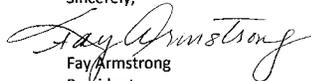
Dear Ms. Casey:

Historic Mount Pleasant is a 501(c)(3) organization formed in 1985 to take all steps necessary to further the purposes of historic preservation and designation of the Mount Pleasant neighborhood as a historic district under the National Historic Preservation Act of 1966, as amended. Mount Pleasant received such designation in 1986.

We have reviewed the most recent proposals for redevelopment of the DDOT right of way along Klingle Road from Beach Drive to Cortland Place, N.W., and are disappointed that full restoration of the road is not among them. The land for Klingle Road was conveyed to the District of Columbia "forever, for the purpose of a public highway," as recorded in the D.C. Surveyor's Office on June 3, 1885. It had previously been known as Klingle Ford Road and had been used regularly by loggers and farmers since well before creation of Rock Creek Park in 1880. As the neighborhood of Mount Pleasant developed rapidly around the turn of the last century, and neighborhoods to the west of the park followed suit, Klingle Road became an important cross-town thoroughfare. This continued until 1991, when the road was rendered impassable by neglect.

Given this history, it is difficult to understand how the option of restoring this public road could indeed be foreclosed. As one of the "design objectives" for the current project is to "provide access for utilities and emergency response," a functional roadway will have to be included alongside the proposed trail, which we support. What we cannot understand is how a functional roadway on land deeded to the District of Columbia in perpetuity for a public highway could be closed to public use. Accordingly, we support restoring and reopening Klingle Road as a public roadway consistent with its historical purpose and cross-town design.

Thank you for this opportunity to comment.

Sincerely,  
  
Fay Armstrong  
President

1731 Lamont Street, N.W., Washington, D.C. 20010 [www.historicmountpleasant.org](http://www.historicmountpleasant.org)

036-01

## ***Response to Comment 036-01***

Thank you for your comments, which will be included in the project Administrative Record.

Because it does not meet the purpose and needs of the proposed action, reopening the road to vehicular traffic is outside of the scope of this EA, and was dismissed from detailed study.

FHWA and DDOT consulted with the DC Historic Preservation Office (DC HPO) through the planning of this project. On June 18, 2010, DC HPO concurred with a finding of No Adverse Effect on historic properties, stating "the proposed action should have an overall beneficial effect on historic and cultural resources in comparison to the no action alternative. The Trail Alternatives, combined with the Stream Restoration Options and Rock Creek Trail Options would curtail the continued deterioration of Klingle Valley, its character defining features and restore views of the heavily wooded valley from nearby historic properties" (the complete Assessment of Effects is found in Appendix B of this EA). DDOT and FHWA will continue to consult with DC HPO throughout the project.

Speaker # 11

From: Lewis R Baskerville

June 23, 2010

To: U. S. Department of the Interior, Secretary  
U. S. Park Service, Under Secretary  
D. C. Congressional Representative  
Rock Creek Park, Superintendent  
Washington, D. C. Mayor  
Washington, DC Ward Four Councilperson  
Crestwood Neighborhood League, President

Subject: Klingle Road - "Is A Public Roadway "not a "Private Drive/Walkway".

037-01

Please be advised that, the Crestwood Community and other communities east of Rock Creek Park were major users of Klingle Road to access Georgetown and other areas on the west side of Rock Creek Park. Just like Beach Drive and Blagden Avenue is a major access route for citizens on the west side of the park to travel to the east side of Rock Creek Park. Both of these streets are public owned.

Given that the DC Government has neglected funding the repairs of Klingle Road - Porter Street, Tilden Streets and Beach Drive have had to bear more than their fair share of northwest community's automobile traffic. If Klingle Road is reopened, traffic would be more evenly distributed on all of these streets. A few years ago, Blagden Avenue had the same water drainage/washout problems as Klingle Road. DC Government came up with the funds to make all the major repairs, including updating the underground drainage system.

These repairs to Blagden Avenue have reduced the ice accumulation on the street during the winter, the washing away large chunks of asphalt, washing trash and tree limbs into the street. It appears that during the winter now, the US Park Service is assisting the city in keeping the road open by coming up Blagden Avenue until they reach the community to apply chemicals when it snows.

Crestwood Citizens east of the Park use The National Zoo two Entrances and Exit now that Klingle Road has not been repaired. Because of the traffic backed-ups on Porter or Tilden Streets, I also advise other citizens to use Beach Drive and The Zoo entrances to travel west of Rock Creek Park and reverse the process on their return trip during rush hours. We have found it to be much faster to travel route over to the west side of the park. Also, since I am a biker too, we now ride down Beach Drive and Rock Creek Parkway to Georgetown/VA areas since Klingle Road

***Response to Comment 037-01***

Thank you for your comments. They have been noted and will be included in the project Administrative Record. Please note the attachment cited in the comment, the Resolution of ANC 4A, was not received as part of this submittal.

An alternative to reopen the barricaded portion of Klingle Road to motor vehicles would not fulfill the purpose and need for the proposed action, which is identified in Section 1.0 of the EA. Furthermore, a road alternative is not consistent with the District's Klingle Road Sustainable Development Act of 2008, and was eliminated from detailed study in the EA. Please see Section 2.3.5 for more details.

11/17/2013

037-01  
(cont.)

is closed/not repaired. Riding in the street all the way to Georgetown is dangerous and it impedes automobile traffic, but it is better than going all around "Robin Hoods Barn" to get to West side of Rock Creek Park.

There are a large number of streets that run North-to-South; there are very few streets that run from East-to-West which does not help to improve traffic flow within the northwest part of the city. Opening Klingle Road would greatly improve the East-to-West and the return traffic.

The US Park Service and the city could use the Klingle Road Project as a Shovel Ready Project Stimulus Funds Project. This will assist the city in another "GO Green" project by adding a "Walking/Biking Path" like what we have done on the EAST SIDE of the Park on Blagden Ave. This would be a good business and government decision for citizens on both sides of the park. It would save our limited city tax dollars to be applied to more important city projects that would benefit more citizens.

I don't understand why DPW officials requested "an Environmental Impact Study" to repair/reopen Klingle Road which is an exiting street? To repair and re-open a road would not be a "new use" and it would not be "an environmental impact" issue. Klingle Road repair is a maintenance activity for an "existing facility" which is outside of the Federal Environmental Impact Study Regulations.

Or is this the DC Government underhanded approach to assist the citizen on the west side of the park to accomplish their personal objective to develop a "private driveway" through the use of a "public street and funds"?

If the DC Government allows the citizens along Klingle Road and west of Rock Creek Park to block the opening of Klingle Road, they will be establishing a dangerous precedent. This would open the door for other communities to close streets for their own personal and question benefits.

So, if the DC Government allows the Klingle Road Community to prevent the repair and access to this public street, I will solicit my community a public campaign to have Blagden Avenue closed and restricted limited use also. Finally, after 15 years, city and the US Park Service have develop a biking, walking and family access route to Rock Creek Park alone Blagden Avenue. Now families with baby strollers and kids on bikes can ride on the trail vs. on the street with the cars. This was a disaster waiting to happen given the number of cars that speed up and

037-01  
(cont.)

down Blagden Avenue to get to Breach Drive going to work. The same repairs to Klingle Road can allow Cars, Bikers, Walkers, Strollers, ETC can co-exist with all having full access to the "Public Tax Paid Space".

The Crestwood Neighborhood League strongly support the Resolution of Advisory Neighborhood Commission (ANC) 4A regarding this proposal because Klingle Road is "OFFICIALLY IS A ROAD" – SEE ATTACHED.

For additional information, I can be contacted on 202-726-5547.

Lewis Baskerville  
Past President  
Crestwood Neighborhood League  
Member - Rock Creek East Community Association  
Member - The Carter Baron Task Force

# MT. PLEASANT

## *Neighborhood Alliance*

June 21, 2010

Austina Casey  
Project Manager  
Planning, Policy and Sustainability Administration  
District Department of Transportation  
2000 14th Street, NW, 7th Floor  
Washington, DC 20009

Dear Ms Casey:

038-01

At its properly noticed June 20, 2010, public meeting, the Board of the Mount Pleasant Neighborhood Alliance (MPNA) voted to oppose the proposed construction of a bike path and dog park and to reaffirm its support of rebuilding it as a street for motorized vehicles which connects 3 wards.

The resolution is attached.

Thank you for your attention to this matter.

Sincerely,



Sam Broeksmit  
Board Member

### ***Response to Comment 038-01***

Thank you for your comment and attachment. They will be included in the project Administrative Record.

The proposed action is to construct a multi-use trail facility, manage stormwater, and restore Klingle Creek within the 0.7 mile barricaded portion of Klingle Road between Porter Street, NW, and Cortland Place, NW. The proposed trail alignment for all Action Alternatives lies within the existing DDOT right-of-way, which DDOT would continue to maintain and manage.

The No Action Alternative or an alternative to reopen the barricaded portion of Klingle Road to motor vehicles would not fulfill the purpose and need for the proposed action, identified in Section 1.0 of the EA. Furthermore, neither alternative is consistent with the District's Klingle Road Sustainable Development Act of 2008.

# MT. PLEASANT

## *Neighborhood Alliance*

### RESOLUTION OF THE MOUNT PLEASANT NEIGHBORHOOD ALLIANCE REGARDING THE PROPOSAL REGARDING THE TRANSPORTATION RIGHT OF WAY KNOWN AS KLINGLE ROAD.

WHEREAS, the Mount Pleasant Neighborhood Alliance (MPNA), with a quorum present, considered this resolution pertaining to the proposed alternative uses for Klingle Road as proposed in an Environmental Assessment for Klingle Valley Trail provided to the MPNA on June 4, 2010;

WHEREAS, maintaining and preserving our public roads and keeping them open for public use are essential government services that we expect the Government to provide;

WHEREAS, Klingle Road starts in the Mount Pleasant Neighborhood and was historically and safely used by Ward 1 (Mt. Pleasant) residents until the road was barricaded to motorists in 1991 due to the deterioration of the roadway and the underlying storm water management problems;

WHEREAS, this is an historic public transportation right of way that the Cleveland Park Historic Society has stated should be preserved.

WHEREAS, the federal and city laws require that the city maintain and preserve its roads and comply with the highway plans and whereas the Klingle Road Restoration Act of 2003 (2003 Act) (DC Law 15-39, DC Official Code Section 9-115.11) directed the repair and reconstruction of the barricaded segment of Klingle Road and required reopening of the road to motorists. Prior to completion of the Final EIS, the project was put on hold.

WHEREAS, Klingle Road is currently listed on the Federal-aid system functional classification of streets/roadways in the District of Columbia as a local street (DDOT, 2009c). If converted from motorized to non-motorized use under the proposed action, this segment of roadway would have to be officially closed and removed as a local street from the DC functional classification map using the appropriate processes under 23 CFR 470.109(a) and 470.115(a) regarding converting a designated federal aid highway to non-vehicular trail) and The Street & Alley Closing & Acquisition Procedures Act of 1982. DC Code section 9-201.01 et. Seq. Section 9-202-01 (re street closings and requirement of public hearing for such act). Federal law also requires DC to maintain and preserve its existing road network.

WHEREAS, the city may be risking the loss of the road because the land was given to the city for use as a public road and the loss of federal funding if it persists along this course of action because federal transportation funds are supposed to be used for public transportation on open roads; and open roads is defined by law as open to 4 wheeled motorized vehicles under federal regulations;

WHEREAS, the proposal acknowledges that the construction of a permeable trail would not meet the needs of the city and is likely not to be used; whereas Klingle Road carried 3,000 people each day when it was in use;

WHEREAS, the city proposal admits that having a 10 foot wide trail will not be adequate for emergency vehicles or for service vehicles;

WHEREAS, the city proposal admits that the proposed trail would not meet the standards for individuals with disabilities;

WHEREAS, the DC Council approved an application for the subdivision of the Tregaron Estate into eight residential lots and approved a law that would necessitate the construction of a road to access the home sites and build a stormwater management conveyance system.

WHEREAS, this transportation right of way connects three wards, 17 schools, many hospitals and neighborhoods in 3 wards and businesses on both sides of the city.

**THEREFORE, BE IT RESOLVED, That the MPNA opposes the proposed construction of a bike path /dog park within the barricaded portion of Klingle Road between Porter Street, NW and Cortland Place and further opposes the expenditure of any funds for the conversion of the road from its public purpose – which is a public transportation right of way for motorized vehicles that connects three wards.**

Klinge Draft Environmental Assessment  
June 23, 2010

Statement of Patricia Hahn  
[REDACTED]  
Washington DC 20008

039-01 I appreciate the opportunity to once again emphasize the point that Klingle Road should remain open. The land underlying and abutting the road was given to the District to be used as a road. The road should be rebuilt in order to maintain the benefactor's original intent, to preserve the Road's historic character, and to preserve the historic character of the surrounding neighborhood. The road should be rebuilt to its current width (that is, the width prior to the flooding of Klingle Creek) or improved to existing standards.

The draft Environmental Assessment (EA) and the process used to generate it are deficient in several respects:

- 039-02
- The City Council should never have appropriated funds to prepare the EA because, as noted in the draft EA, at S-2, Klingle Road has not been closed in accordance with the District's Street and Alley Closing and Acquisition Procedures Act of 1982 (D.C. Official Code §9-201.01 *et seq.*). Even if the Council were to close Klingle Road using proper procedures, that process takes considerable time and should require its own separate environmental analysis. By the time this EA is needed, if it is needed at all, cost estimates contained in it will be out of date. Unless and until Klingle Road is closed using the lawful statutory process, further expenditures on finalizing this EA are improper and an irresponsible waste of public funds.

**Response to Comment 039-01**

Thank you for your comment. It will be included in the project Administrative Record.

An alternative to reopen the barricaded portion of Klingle Road to motor vehicles would not fulfill the purpose and need for the proposed action, which is identified in Section 1.0 of the EA. Furthermore, a road alternative is not consistent with the District's Klingle Road Sustainable Development Act of 2008, and was eliminated from detailed study in the EA. Please see Section 2.3.5 for more details.

**Response to Comment 039-02**

Erroneously, the following information was listed in the EA, which was released in June 2010:

Klinge Road is currently listed on the Federal-aid system functional classification of streets/roadways in the District of Columbia as a local street (DDOT, 2009c). If converted from motorized to non-motorized use under the proposed action, this segment of roadway would have to be officially removed as a local street from the DC functional classification map using the appropriate processes under 23 CFR 470.109(a) and 470.115(a) (Federal Aid Highways re: converting a designated fed-aid highway to non-vehicular trail) and The Street & Alley Closing & Acquisition Procedures Act of 1982. D.C. Code Section 9-201.01 *et. Seq.* Section 9-202-01 (re: street closings and requirement of public hearing for such act).

Klinge Road is currently listed on the Federal-aid highway system functional classification of streets and roadways in the District of Columbia as a collector street and is eligible for Surface Transportation Program (STP) funds. Because the District is proposing to construct a multi-use trail on Klingle Road (i.e., the Klingle Valley Trail), Klingle Road will no longer be eligible for funding under the STP funding program. At the conclusion of the NEPA process regarding this EA for the Klingle Valley Trail, DDOT will propose to FHWA that the segment of Klingle Road between Porter Street, N.W. and Cortland Place, N.W. be removed from the Federal-aid highway system. However, the proposed multi-use trail is eligible for federal-aid funding under the Recreational Trails Program in accordance with SAFETEA-LU

Sections 1101(a)(8) and 1109, 23 USC 104(h) & 206, and 23 CFR Part 652.

Nevertheless, removal of Klinge Road from the Federal-aid highway system, does not affect the District's ownership and jurisdiction of the Klinge Road right-of-way. Under the proposed action, DDOT will not and does not plan to officially close the barricaded segment of Klinge Road between Porter Street, N.W. and Cortland Place, N.W. pursuant to the procedure outlined in The Street & Alley Closing & Acquisition Procedures Act of 1982 (D.C. Code sections 9-201.01 et seq. (see Appendix E). DC Code section 9-202.01 states that the Mayor may close all or part of any street or alley which is determined by the DC Council to be unnecessary for street or alley purposes. The 2008 Act, passed by DC Council, did not deem Klinge Road unnecessary when it authorized the construction of a pedestrian and bicycle trail on Klinge Road between Porter Street, N.W. and Cortland Place, N.W.; therefore, Klinge Road continues to be necessary for street (i.e., public right-of-way) purposes, as defined in DC Code section 9-201.01.

Additionally, DDOT will continue to operate, maintain and manage the public right-of-way for both non-motorized transportation and authorized motorized use (i.e. access for emergency, utility, and maintenance vehicles).

DDOT and FHWA are required to comply with the National Environmental Policy Act (NEPA) when federal funds are used for a project; therefore, an EA was prepared. The cost estimate will be revisited and further refined in more detailed design when FHWA completes the NEPA process for the project.

***Response to Comment 039-03***

As stated in response to Comment 039-01, an alternative to reopen the barricaded portion of Klinge Road to motor vehicles would not fulfill the purpose and need for the proposed action and is not consistent with the District's Klinge Road Sustainable

039-03

- Because the City has not officially closed Klingle Road, any EA should have considered the alternative of repairing the Road (with a bike path next to it if consistent with future Council action.)

039-04

- Having said that, no need has been shown for another bike trail in the city, especially one that connects to nothing. All City residents would get for their expenditure of \$5 to \$7 million is another dog park -- right next to the largest park in the City (Rock Creek Park).

039-05

- The EA recognizes that Klingle Road itself is historic (pp. 23-24 of Appendix E.) How can creation of a bike path preserve the historic importance of a road? The answer is that it can't.

Finally, if the City Council ever does attempt to close Klingle Road using Street and Alley Closing and Acquisition Procedures, it will have to consider issues such as the impacts on traffic patterns, air quality and hopefully, the benefit the road provides in terms of quicker access by emergency vehicles to areas in and near Rock Creek Park.

Development Act of 2008. Therefore, it was eliminated from detailed study in the EA.

***Response to Comment 039-04***

One of the needs identified for the project is additional connectivity between designated pedestrian and bicycle routes, which are used for commuting, recreation and leisure, and fitness. The nearest designated east-west bicycle routes crossing Connecticut Avenue into the Rock Creek Park trail system are located at Tilden Street to the north and 24th Street to the south, leaving an approximate 1 mile gap. Trailheads are included in all Action Alternatives, and details of wayfinding signage and/or pavement markings to the larger system, including Rock Creek Trail will be included as design continues.

***Response to Comment 039-05***

FHWA and DDOT consulted with the DC Historic Preservation Office (DC HPO) through the planning of this project. On June 18, 2010, DC HPO concurred with a finding of No Adverse Effect on historic properties, stating “the proposed action should have an overall beneficial effect on historic and cultural resources in comparison to the no action alternative. The trail alternatives, combined with the Klingle Creek Restoration Options and Access to Rock Creek Trail Options would curtail the continued deterioration of Klingle Valley, its character defining features and restore views of the heavily wooded valley from nearby historic properties” (the complete Assessment of Effects is found in Appendix B of this EA). DDOT and FHWA will continue to consult with DC HPO throughout the project.

***Response to Comment 040-01***

Thank you for your comment. It will be included in the project Administrative Record.

Based on the references cited in the Design Concept Report (Appendix B of the June 2010 EA), and other research, permeable

040-01

My name is William Carroll. This draft environmental assessment accurately finds that continuing deterioration has made Klingle Road unsafe. However, this EA itself is a dangerous document because it pretends to legitimize the inherent contradiction of managing stormwater by use of permeable surface on a road that is steeply sloped and whose neighboring slopes reach 30% and above. Examine extensive literature on the use of permeable surfaces and you find only flat surface parking lots and walkways as recommended applications. Where permitted on slopes, more than the reservoir below the surface as shown in this EA is required, including extensive piping systems. The condition to be met is stormwater "runoff" not "crawl off."

The EA's only acknowledgment of sloping as an issue tells us that Klingle's natural slopes will be regraded down to 8%. So much for respect for the naturalness of Klingle Valley. Redwood City, California limits the use of permeable surfaces on trails to those where the percent of grade is 5%. The EA does not and cannot give any examples of a permeable surface on a terrain as sloped as Klingle Road anywhere in the US. Where is DDOT going to find a contractor with permeable surface experience?

040-02

What this EA does is outline a severely underestimated \$5.5 - \$7 million taxpayer dollar experiment that is designed to fail in its fundamental purpose of managing Klingle Valley stormwater. A few years ago, we could have had the road repaired and reopened along with a very effective piping system for managing stormwater for \$7 million. I do commend FHWA and DDOT for requiring this project to comply with DC's time-honored Street and Alley Closing Act. The Council rushed through the hike/bike legislation without a hearing. Look at the unfolding transportation, financial and ecological disaster that has left us with.

pavement is not recommended for slopes greater than 5 percent unless specific applications and design techniques are incorporated. Such techniques can mitigate the lower underground storage volume on slopes up to 10-12 percent.

In addition to permeable pavement, the Preferred Alternative includes a number of stormwater management solutions for Klingle Valley: failed stormwater outfalls and culverts will be reconstructed and resized to appropriately convey water; a bio-island will be placed at the Cortland Place trailhead; and a bioswale with check dams along the length of the trail will treat runoff from side slopes as well as potential runoff from the trail. The restriction of permeable materials on steep slopes lies with the ability to store water below the surface. As part of the stormwater treatment and storage, DDOT plans to install a swale with check dams, which would meet project requirements for stormwater management. The EA Design Report provides references for where the information on permeable materials was obtained, such as the National Asphalt Pavement Association. The project team's research has also found that there are many contractors within the District with experience working with permeable asphalt and concrete.

#### ***Response to Comment 040-02***

The total cost of the Preferred Alternative and options including construction of sustainable stormwater management infrastructure, restoration of Klingle Creek, access to Rock Creek Trail, and installation of lighting is \$6,763,823. The annual trail maintenance costs would be approximately \$5,840.

Based on the number of public comments received on the topic, the project team prepared a cost estimate for a road build scenario using DDOT standard cost estimating methods. Current costs to design, construct, and reopen the road to motor vehicle traffic would be \$10,619,000. Although not included as part of the proposed action

in the 2005 DEIS, restoration of Klingle Creek would also be required under this scenario in order to promote a sustainable road, and would cost an additional \$1,075,000. Road maintenance would also cost approximately \$5,840 per year. At an estimated cost of \$11,694,000, the total cost of reconstructing the road is considerably more than the cost of the multi-use trail. Furthermore, the revised cost estimate to rebuild the road assumes that a number of design exceptions would be acceptable. Design exceptions would be required where the road would not meet current standards because of the constraints within Klingle Valley.

Erroneously, the following information was listed in the EA, which was released in June 2010:

Klingle Road is currently listed on the Federal-aid system functional classification of streets/roadways in the District of Columbia as a local street (DDOT, 2009c). If converted from motorized to non-motorized use under the proposed action, this segment of roadway would have to be officially removed as a local street from the DC functional classification map using the appropriate processes under 23 CFR 470.109(a) and 470.115(a) (Federal Aid Highways re: converting a designated fed-aid highway to non-vehicular trail) and The Street & Alley Closing & Acquisition Procedures Act of 1982. D.C. Code Section 9-201.01 et. Seq. Section 9-202-01 (re: street closings and requirement of public hearing for such act).

Klingle Road is currently listed on the Federal-aid highway system functional classification of streets and roadways in the District of Columbia as a collector street and is eligible for Surface Transportation Program (STP) funds. Because the District is proposing to construct a multi-use trail on Klingle Road (i.e., the Klingle Valley Trail), Klingle Road will no longer be eligible for funding under the STP funding program. At the conclusion of the NEPA process regarding this EA for the Klingle Valley Trail, DDOT will propose to FHWA that the segment of Klingle Road between Porter Street, N.W. and Cortland Place, N.W. be removed from the Federal-aid highway system. However, the proposed multi-use trail is eligible for federal-aid funding under the Recreational Trails Program in accordance with SAFETEA-LU Sections 1101(a)(8) and 1109, 23 USC 104(h) & 206, and 23 CFR

Part 652.

Nevertheless, removal of Kingle Road from the Federal-aid highway system, does not affect the District's ownership and jurisdiction of the Kingle Road right-of-way. Under the proposed action, DDOT will not and does not plan to officially close the barricaded segment of Kingle Road between Porter Street, N.W. and Cortland Place, N.W. pursuant to the procedure outlined in The Street & Alley Closing & Acquisition Procedures Act of 1982 (D.C. Code sections 9-201.01 et seq. (see Appendix E). DC Code section 9-202.01 states that the Mayor may close all or part of any street or alley which is determined by the DC Council to be unnecessary for street or alley purposes. The 2008 Act, passed by DC Council, did not deem Kingle Road unnecessary when it authorized the construction of a pedestrian and bicycle trail on Kingle Road between Porter Street, N.W. and Cortland Place, N.W.; therefore, Kingle Road continues to be necessary for street (i.e., public right-of-way) purposes, as defined in DC Code section 9-201.01. Additionally, DDOT will continue to operate, maintain and manage the public right-of-way for both non-motorized transportation and authorized motorized use (i.e. access for emergency, utility, and maintenance vehicles). Authorized access for emergency, utility, and maintenance motorized vehicles will occur only on an occasional basis.

[REDACTED]

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**From:** Molly Bingham [REDACTED]  
**Sent:** Saturday, June 05, 2010 9:34 AM  
**To:** KlingleTrail  
**Cc:** John Campbell; Julie Campbell; Ed Doheny; 'Jany'; Jany Dor; Steve Connors; Mike Papa  
**Subject:** Klingle Trail Project Proposal Response from Klingle Ridge Resident Molly Bingham

Dear Ms. Casey,

I'm happy to have an opportunity to review such a comprehensive report as the one made available to the public yesterday, June 4th regarding the Klingle Trail Project. Thank you for your hard work on this project and I look forward to seeing its completion!

I am a resident of Klingle Ridge, [REDACTED], and greatly appreciate the opportunity to give input into this process. I have been living here since 1997 and really love the beauty and peace that is associated with living in this area tucked away from the city.

I have focused my attention – as will be reflected in these notes - on the “**Appendix B Design Concept Report**” available on the website.

**Regarding Trail Options 1, 2, 3 & 4:**

Per your options for the multi-use trail, I strongly prefer **option 3** as spelled out in the document and addressed in the table 3 on page 34. I think that the great advantage of this plan is that

- 041-01
1. the permeable surface is wide enough to accommodate the steep slope (which will slow some bikers down and require space for passing),
  2. will accommodate emergency vehicles,
  3. and also keeps the ongoing maintenance into the future lower.
  4. It also would NOT require additional stormwater management beyond bank stabilization.

- 041-02
- Which leads me to a question regarding the cost analysis on page 43 (Table 4). This Analysis indicates that Alternative 3 would be MORE expensive than Alternative 4, and in particular states that Alternative 3's stormwater management costs would be higher than Alternative 4's. I find this confusing because in the rest of the document Alternatives 2 and 3 are described as having similar stormwater management needs, and Alternative 4 is described as requiring considerably more stormwater management work. Hence, I am not sure why Alternative 3 has the highest stormwater management cost given the other descriptions in the document. Is this maybe an error in the assessment?

- 041-03
- Also, I have to add that I hope no matter what happens, DDoT or whoever is responsible will repave the existing Klingle Road between the eastern trail head and Porter Street as the road has been in significant disrepair since 1997 – and has gotten worse with every heavy rain since then and that repaving Klingle be part of Option 1's basic stabilization priorities.

***Response to Comment 041-01***

After consideration of the purpose of and needs for the proposed action, analysis in the EA, and public and agency comments, DDoT has identified Alternative 2 – 10-Foot Multi-Use Trail (Permeable) as the Preferred Alternative.

***Response to Comment 041-02***

Based on agency and public comments, check dams are now included in all action alternatives, including the Preferred Alternative, and cost information has been updated in the EA. Please see Chapter 2 and Appendix A.

***Response to Comment 041-03***

The preferred Access to Rock Creek Trail Option will include repair of this area. Details will be developed in design.

041-04

• I would prefer no lighting (referenced on page 21) on the trail, with the exception of under the Connecticut Avenue bridge. The valley is a wonderful natural environment and lighting it would only disrupt that sensibility and be inconsistent with the Rock Creek Trail which is not lit.

041-05

• I would also prefer 2 or 3 spots where benches could be placed along the creek (page 21). It is a wonderful place to sit and listen to the sounds of the creek, something everyone should be encouraged to do with a bench or two.  
• I would also highly recommend litter collection devices/garbage cans. As the area is more highly trafficked it will inevitably have more people dropping various bits of trash. Giving them clear places to deposit their trash at either end of the trail would be an excellent precaution against getting the valley creek full of wrappers and bags. The areas is currently used by many people to walk their dogs. Giving them a place to deposit their dog's poop would also be an intelligent incorporation.

**Connection of Klingle Valley Trail to Rock Creek Trail:**

Per the description on page 35 of the "Appendix B Design Concept Report", my preference for the **connection to Rock Creek Trail is Option B.**

041-06

1. I do not think that you need a full separated multi use trail to connect from the trail head to the Rock Creek Trail
2. and so long as the path is separated from traffic by a physical barrier (concrete curb or plastic bollards) then I think it would be ideal,
3. and less expensive, as it connects to the Rock Creek Trail under Porter street where the existing foot bridge crosses Rock Creek.
4. There is also significant space in that connection area to incorporate a smoother blending of the paths
5. and even install a pull over spot where bicyclists and walkers can refresh and sit on a bench.

041-07

• I am concerned with figure 16 on page 40, which shows the multi use trail going down the center of the road from Klingle Ridge – and staying to the north/east of the 'wetlands area' discussed on the drawing. This worries me because as drawn there traffic to Klingle Ridge would be completely disrupted and our homes would be inaccessible. It would also require hikers and bikers to engage and cross traffic to connect with the Rock Creek Trail at least once, if not twice. Perhaps this is based on the 'Access to Rock Creek Park – Close Existing Ramp under Porter Street, NW' option described at the bottom of page 36, which you indicate would be "**most disruptive to existing traffic patterns**". I don't see any way that residents of Klingle Ridge would be able to access their property if this option were pursued.

041-08

• If we look at Figure 16 (page 40) and Appendix A: Proposed Alignment and Profile – last two drawings" closely, from long time experience living, hiking and biking along exactly this roadway and connection to Rock Creek Trail I can say that the safest and smartest option is to follow **Option B** outlined on page 35 and have that plan executed so that at

**Response to Comment 041-04**

DDOT has identified Option B – Pole or Bollard Lighting as the preferred Lighting Option. DDOT plans to install low-impact pole lighting along the trail. The lighting would be timed to correspond with commuter use of the facility to limit the hours of illumination and minimize impacts to nocturnal wildlife.

**Response to Comment 041-05**

Potential amenities such as trail furniture, water fountains, and specific interpretive signage are not discussed in detail in the EA. However, as design continues, DDOT will consider public and agency comments when incorporating amenities into more detailed design plans.

**Response to Comment 041-06**

DDOT has identified Access to Rock Creek Trail Option C- Modified as the preferred Access to Rock Creek Trail Option. Under this option, a multi-use trail 6 to 8 feet in width would be constructed within the footprint of the existing roadway. The trail would be separated from the existing vehicular travel lane via curb. The existing 20-foot wide vehicle travel lane will be redesigned to 12 to 14-foot wide. No new impervious surface would be added.

**Response to Comment 041-07**

The drawing is not shown in detail at the current scale. Access to Klingle Ridge will be maintained.

**Response to Comment 041-08**

DDOT has identified Access to Rock Creek Trail Option C- Modified as the preferred Access to Rock Creek Trail Option. Under this option, a multi-use trail 6 to 8 feet in width would be constructed within the footprint of the existing roadway. The trail would be separated from the existing vehicular travel lane via curb. The existing 20-foot wide vehicle travel lane will be redesigned to 12 to 14-foot wide. No new impervious surface would be added.

041-08  
(cont.)

the eastern trail head of the hiker/bike trail comes onto the existing Klingle Road **along the creek side of the roadway** with clear separation from the road. This will keep hikers/bikers safe from traffic coming and going from Klingle Ridge and require them to **cross NO traffic** to connect with the Rock Creek Trail under the Porter Street bridge near the existing foot bridge.

- o I believe that what I recommend above is what is outlined in your LAST (and next to last) legend under “Appendix A: Proposed Alignment and Profile” which shows the hike/bike trail running along the creek and connecting to the Rock Creek Trail under the Porter Street Bridge.
- o I will add that there is significantly more traffic that comes FROM beach drive, goes UNDER Porter street and loops around to access Porter Street EAST bound. Klingle Road that runs along the creek and under Porter Street near the foot bridge only carries traffic from Klingle Ridge (one way) away from the Ridge and towards Beach Drive and is much more lightly used.

041-09

**Regarding Staging Areas for the Project:**

In choosing a staging area for the work, I hope you will consider the residents on the Klingle Ridge.

- The eastern entrance to the trail was used as the staging area for the restoration project under Connecticut Avenue bridge and for almost two years we had heavy machinery and trucks parked at the bottom of the access to the

Klingle Ridge development, sometimes blocking access to residents, garbage and recycling collection as well as larger delivery trucks (UPS, Fedex, water delivery, moving trucks). In addition to access disruption, daily noise, idling trucks, reversing truck signals and such was the daily sound, often starting at 630am and going through the day.

The residents on the east end of the project have continually born the brunt of work done on the area and it would be appreciated if that could be alleviated and/or shared. [in addition to the Connecticut Avenue bridge work, the Porter St. bridge renovation that occurred in 1999/2000, added a huge amount of noise and disruption to the area for almost two years.]

- Through all of those two projects DDoT has never paved the Klingle Road all the way up to the Klingle Ridge access road, ignoring the needs of the DC residents who live on Klingle Ridge.
- Reiterating my comment under “Regarding the Trail Options” I hope **at a minimum that if Option 1 is what is ultimately chosen that DDoT puts repaving of Klingle Road into a priority plan with existing stated Priorities 1, 2 & 3.**

Again, thank you for your time and work on this project. I greatly look forward to its

***Response to Comment 041-09***

DDOT will consider residents and minimize disruptions to the extent possible. Staging areas and other construction specifications will be included in the construction documents.

Thank you for your comments. They will be included in the project Administrative Record.

completion so that more district residents can enjoy the wonderful park we have that runs through the center of our city.

Sincerely,

Molly Bingham



[REDACTED]

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**From:** [REDACTED]  
**Sent:** Saturday, June 05, 2010 8:26 PM  
**To:** KlingleTrail  
**Subject:** Re: From the Klingle Trail Website

**Name:** Kathi Sullivan  
**Email:** [REDACTED]  
**Address:** [REDACTED]

**Comment:** I have not evaluated the whole report, but looked at the traffic analysis. I live on Porter so am very interested in what it said as I have noticed an increase in traffic since Klingle was closed. What I did notice was the numbers don't make sense. In Figure D-4 we have 521 cars coming west on Porter at Conn. One car comes in from Quebec, raising the total to 522. Yet there are only 300 cars going straight (YIKES), 107 turning left and 143 taking a right at conn., so my question is what happened to the other 28 cars? This is one intersection. Do we citizens need to get out and count the cars, since the consultants can't?

**Periodic updates:**

042-01

***Response to Comment 042-01***

Comment noted and will be included in the project Administrative Record.

Figure D-4 of the Traffic Memorandum is located in “Attachment C: Intersection Volume Figures from 2004 Klingle Road EIS” (Appendix D of the Klingle Road Draft Environmental Impact Statement) and is included for comparison purposes with the current study.

Please refer to Figure 4, page 5 of the 2009 Traffic Memorandum for a summary of the 2009 turning movement counts for the study intersections. The raw traffic count data, which was collected from September 2009 through November 2009 is included as an attachment to the Memorandum.

[REDACTED]

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**From:** [REDACTED]  
**Sent:** Saturday, June 05, 2010 8:30 PM  
**To:** KingleTrail  
**Subject:** Re: From the Kingle Trail Website

**Name:** kathi Sullivan

**Email:** [REDACTED]

**Address:** [REDACTED]

**Comment:** So I am now on the cost estimates. I was surprised to learn that Kingle Road has 9" of pavement. This would be about 8" more than is currently on upper Porter (34th to Wisconsin). I am just wondering why we are closing a road that has a better infrastructure than the one that is used mostly now?

**Periodic updates:**

043-01

***Response to Comment 043-01***

Comment noted and will be included in the project Administrative Record.

[REDACTED]

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**From:** Wohlgemuth, Jim  
**Sent:** Monday, June 07, 2010 9:06 AM  
**To:** KingleTrail  
**Subject:** Kingle Valley

I am so glad to see this project has a solution and possible completion date  
As a neighbor to Kingle valley I have lived with the closed road, barricades and degrading conditions for the past 20 years.  
It will be nice to see this beautiful valley transformed into a useful public open space.  
I support this project in any of the options proposed

Jim Wohlgemuth

044-01

James Whelan Wohlgemuth  
Senior Vice President Investments  
Financial Advisor  
Global Wealth Management  
Morgan Stanley Smith Barney



*Investments and Services are offered through Morgan Stanley Smith Barney LLC, and accounts carried by Morgan Stanley & Co. Incorporated; members SIPC.*

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***Response to Comment 044-01***

Thank you for your comment. It will be included in the project Administrative Record.

One of the needs identified for the project is consistent with the Park and Recreation Open Space District element in the District Comprehensive Plan, which emphasizes the need and importance of open space, including the creation of trails, to better connect the city's open spaces with city residents.

[REDACTED]

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**From:** [REDACTED]  
**Sent:** Thursday, June 10, 2010 10:47 AM  
**To:** KingleTrail  
**Subject:** FW: KLINGLE VALLEY TRAIL ENVIRONMENTAL ASSESSMENT - NOTICE OF AVAILABILITY AND NOTICE OF PUBLIC HEARING  
**Attachments:** image003.jpg

Sheila

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From: Catherine Creese [REDACTED]  
Sent: Thursday, June 10, 2010 6:08 AM  
To: MAHONEY, Sheila  
Cc: Casey, Austina (DDOT)  
Subject: Re: KLINGLE VALLEY TRAIL ENVIRONMENTAL ASSESSMENT - NOTICE OF AVAILABILITY AND NOTICE OF PUBLIC HEARING

045-01 Thank you for this notice.

I am extremely disappointed that there will be no pedestrian connection to Connecticut Avenue. Build it now or build it later - will you be prepared to deal with the erosion from people climbing up the bank and building their own trail? I don't think a set of steps should be out of the question.

Please reconsider this service to the people who live here and will be most impacted by or most benefited by this project. Please make it as useful as possible.

thank you.

[REDACTED]

***Response to Comment 045-01***

Thank you for your comment. It will be included in the project Administrative Record.

As a result of public input during project scoping, DDOT considered a connection from the multi-use trail to Connecticut Avenue. With such a connection, the multi-use trail would likely serve more commuter trips and provide nearby residents with added access to the amenities at Connecticut Avenue. However, the steep slopes within Kingle Valley would require excessive grading, well outside of the existing DDOT right-of-way, in order to implement this option. One of the design objectives for the project was to minimize impacts to adjacent land by staying within the DDOT right-of-way to the extent possible. Therefore, this option is outside of the scope of the project, and was dismissed from detailed study.

[REDACTED]

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**From:** [REDACTED]  
**Sent:** Friday, June 11, 2010 10:51 AM  
**To:** KlingleTrail  
**Subject:** Re: From the Klingle Trail Website

046-01

**Name:** Zoila Forgione  
**Email:** [REDACTED]  
**Address:** [REDACTED]

**Comment:** Ms Casey I am writing to state my strong opposition to the closing of Klingle Road. There are not that many east-west arteries between the neighborhoods east and west of Rock Creek Park. However, there is already a myriad of hiking and biking trails. Closing this road down benefits only the residents of houses directly on the road, and negatively impacts commuters. Please reconsider. Thank you and take care.

**Periodic updates:**

### ***Response to Comment 046-01***

Your comment has been noted and will be included in the project Administrative Record.

Erroneously, the following information was listed in the EA, which was released in June 2010:

Klingle Road is currently listed on the Federal-aid system functional classification of streets/roadways in the District of Columbia as a local street (DDOT, 2009c). If converted from motorized to non-motorized use under the proposed action, this segment of roadway would have to be officially removed as a local street from the DC functional classification map using the appropriate processes under 23 CFR 470.109(a) and 470.115(a) (Federal Aid Highways re: converting a designated fed-aid highway to non-vehicular trail) and The Street & Alley Closing & Acquisition Procedures Act of 1982. D.C. Code Section 9-201.01 et. Seq. Section 9-202-01 (re: street closings and requirement of public hearing for such act).

Klingle Road is currently listed on the Federal-aid highway system functional classification of streets and roadways in the District of Columbia as a collector street and is eligible for Surface Transportation Program (STP) funds. Because the District is proposing to construct a multi-use trail on Klingle Road (i.e., the Klingle Valley Trail), Klingle Road will no longer be eligible for funding under the STP funding program. At the conclusion of the NEPA process regarding this EA for the Klingle Valley Trail, DDOT will propose to FHWA that the segment of Klingle Road between Porter Street, N.W. and Cortland Place, N.W. be removed from the Federal-aid highway system. However, the proposed multi-use trail is eligible for federal-aid funding under the Recreational Trails Program in accordance with SAFETEA-LU Sections 1101(a)(8) and 1109, 23 USC 104(h) & 206, and 23 CFR Part 652.

Nevertheless, removal of Klingle Road from the Federal-aid highway system, does not affect the District's ownership and jurisdiction of the Klingle Road right-of-way. Under the proposed action, DDOT will not and does not plan to officially close the barricaded segment of Klingle Road between Porter Street, N.W.

and Cortland Place, N.W. pursuant to the procedure outlined in The Street & Alley Closing & Acquisition Procedures Act of 1982 (D.C. Code sections 9-201.01 et seq. (see Appendix E). DC Code section 9-202.01 states that the Mayor may close all or part of any street or alley which is determined by the DC Council to be unnecessary for street or alley purposes. The 2008 Act, passed by DC Council, did not deem Klingle Road unnecessary when it authorized the construction of a pedestrian and bicycle trail on Klingle Road between Porter Street, N.W. and Cortland Place, N.W.; therefore, Klingle Road continues to be necessary for street (i.e., public right-of-way) purposes, as defined in DC Code section 9-201.01. Additionally, DDOT will continue to operate, maintain and manage the public right-of-way for both non-motorized transportation and authorized motorized use (i.e. access for emergency, utility, and maintenance vehicles).

**From:** Paulo Couto  
**Sent:** Saturday, June 19, 2010 12:56 PM  
**To:** KlingeTrail  
**Subject:** Public Comment for Klinge Trail Environmental Assessment

Hello,

I have read a good portion of the EA and although some of it is a bit technical, I understand what is trying to be done here and I hope it does become rehabilitated for a multi-use trail open to all non-motorized modes. Here are my suggestions:

- 047-01 1. Please use permeable material for the proposed surface with a width of 10 feet, possibly allowing a tree line for the additional 2 feet from the proposed 12 foot trail. As the Assessment states a permeable surface will better deter erosion and less maintenance.
- 047-02 2. Use bollard lighting with the LED or solar power option. If the pole lighting is more consistent with the current lighting along the rest of the trail, so be it. Ultimately, please use a more energy-efficient option. It costs less for us to maintain.
- 047-03 3. I would like to see the Rock Creek Trail Option C - Multi Use Trail Connection.
- 047-04 4. If possible, please replant native trees along the trail, such as the common names of green ash, chestnut or red oak. It seems those native plants and trees (among others in the list) do not cause erosion to the trail.

This would greatly improve the connectivity of the current bike and trail route and should definitely be redone for the District residents to utilize public space as much as possible.

Thank you and I look forward to the progress of the project.

Paulo Couto  
--  
Paulo Couto  
RPCV Thailand 06-08  
[www.sustainablestandard.blogspot.com](http://www.sustainablestandard.blogspot.com)  
[www.dcdogsitters.blogspot.com](http://www.dcdogsitters.blogspot.com)

### ***Response to Comment 047-01***

Thank you for your comments.

After consideration of the purpose of and needs for the proposed action, analysis in the EA, and public and agency comments, DDOT has identified Alternative 2 – 10-Foot Multi-Use Trail (Permeable) as the Preferred Alternative.

In order to support a sustainable trail, DDOT has identified Option B (Full Stream Channel and Bank Stabilization) as the Preferred Klinge Creek Restoration Option.

### ***Response to Comment 047-02***

DDOT has identified Option B – Pole or Bollard Lighting as the preferred Lighting Option. DDOT plans to install low-impact pole lighting along the trail. The lighting would be timed to correspond with commuter use of the facility to limit the hours of illumination and minimize impacts to nocturnal wildlife.

### ***Response to Comment 047-03***

DDOT has identified Access to Rock Creek Trail Option C- Modified as the preferred Access to Rock Creek Trail Option. Under this option, a multi-use trail 6 to 8 feet in width would be constructed within the footprint of the existing roadway. The trail would be separated from the existing vehicular travel lane via curb. The existing 20-foot wide vehicle travel lane will be redesigned to 12 to 14-feet wide. No new impervious surface would be added.

### ***Response to Comment 047-04***

Following construction of the trail, additional restoration of Klinge Valley would include replanting of native tree species and vegetation.

[REDACTED]  
**From:** Zack Fields [REDACTED]  
**Sent:** Monday, June 21, 2010 12:28 PM  
**To:** KlingleTrail  
**Subject:** public comment on proposed Klingle Trail

Thank you for the opportunity to comment on the proposed Klingle Trail.

048-01 For trail design, I support Alternative 3, the 12 foot wide hiking/bicycling trail. This is an important trail corridor and a 12 foot wide trail would accomodate pedestrians and bicyclists.

048-02 For the stream restoration, I support Option B, full stream channel restoration. Given the substantial erosion of the creek it doesn't make sense to stabilize only some sections when continuing degradation of other sections will undermine the sustainability of other stabilized sections. Restorations are more likely to work when they are complete, corridor-long restorations, and this creek certainly needs it. Full channel restoration will also help protect the longevity of the hiking/biking trail.

048-03 For connections to Rock Creek, the maps are not sufficiently clear for me to tell the difference between options B and C, but Ddot should choose the option that facilitates efficient bicycling and walking connections between both the bridge over Rock Creek and the Rock Creek trail.

048-04 I support a lighted trail (Option B) to facilitate evening use of the trail and support multimodal, including bike/ped commuting, transportation.

Thanks to the DC City Council for canceling plans to reopen the road and for initiating this stream restoration/trail plan. This corridor is much better suited to bike/pedestrian use, and I applaud your initiative in moving forward with trail construction.

Zack Fields  
[REDACTED]

***Response to Comment 048-01***

Thank you for your comments.

After consideration of the purpose of and needs for the proposed action, analysis in the EA, and public and agency comments, DDOT has identified Alternative 2 – 10-Foot Multi-Use Trail (Permeable) as the Preferred Alternative.

The project team considered a number of factors while formulating the alternatives and options for the Klingle Valley Trail EA. A primary consideration was the types of trail users, primarily bicyclists, pedestrians, runners, and skaters. A 10-foot trail meets current American Association of State Highway and Transportation Officials guidelines for multi-use trails and allows for a smaller footprint and fewer impacts than a 12-foot trail.

***Response to Comment 048-02***

In order to support a sustainable trail, DDOT has identified Option B (Full Stream Channel and Bank Stabilization) as the Preferred Klingle Creek Restoration Option.

***Response to Comment 048-03***

DDOT has identified Access to Rock Creek Trail Option C-Modified as the preferred Access to Rock Creek Trail Option. Under this option, a multi-use trail 6 to 8 feet in width would be constructed within the footprint of the existing roadway. The trail would be separated from the existing vehicular travel lane via curb. The existing 20-foot wide vehicle travel lane will be redesigned to 12 to 14-feet wide. No new impervious surface would be added.

***Response to Comment 048-04***

DDOT has identified Option B – Pole or Bollard Lighting as the preferred Lighting Option. DDOT plans to install low-impact pole lighting along the trail. The lighting would be timed to correspond with commuter use of the facility to limit the hours of illumination and minimize impacts to nocturnal wildlife.

[REDACTED]

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**From:** Margaret Luck [REDACTED]  
**Sent:** Tuesday, June 22, 2010 8:39 AM  
**To:** KingleTrail  
**Subject:** Comments

Our family will become residents of Woodley Road this year. My husband will commute to work by bike and the whole family enjoys biking for fun.

049-01

We would prefer Access Option B or C, particularly because we want our children to be safe from car traffic while riding.  
We would prefer Lighting Option B so that bike commuting would be safe on dark mornings and evenings in winter.

049-02

Thank you.

Sincerely,  
Margaret Luck

***Response to Comment 049-01***

After consideration of the purpose of and needs for the proposed action, analysis in the EA, and public and agency comments, DDOT has identified Access to Rock Creek Trail Option C-Modified as the preferred Access to Rock Creek Trail Option. Under this option, a multi-use trail 6 to 8 feet in width would be constructed within the footprint of the existing roadway. The trail would be separated from the existing vehicular travel lane via curb. The existing 20-foot wide vehicle travel lane will be redesigned to 12 to 14-foot wide. No new impervious surface would be added.

***Response to Comment 049-02***

DDOT has identified Option B – Pole or Bollard Lighting as the preferred Lighting Option. DDOT plans to install low-impact pole lighting along the trail. The lighting would be timed to correspond with commuter use of the facility to limit the hours of illumination and minimize impacts to nocturnal wildlife.

**From:** Tina Jones  
**Sent:** Wednesday, June 23, 2010 3:51 PM  
**To:** KingleTrail  
**Subject:** trail options for Kingle Valley

I thank all elected and appointed officials/employees and design and engineering consultants for this progress toward a hiker-biker trail in Kingle Valley. Thank you for your work and for this opportunity to provide my opinion on the design options.

Summary: Alternative 2 or 3 (pervious surfaces of either width) with complete creek restoration option B, trail access to RC shared use option B, and no lighting option A.

- 050-01 1. Creek stabilization option B: Complete stabilization/restoration of the creek bed should be a primary priority regardless of other project specifications.
- 050-02 2. Trail alternative 2 or 3: Permeable surfaces should be a priority in conjunction with stewardship of the health of the creek.
  - 1. Trail alternative Width 2 or 3: I have no opinion of the width of the path-only that it is pervious to water.
- 050-03 3. Access to Rock Creek at eastern terminus shared use option B: I do not believe the cost of option c is warranted at this time given the low volume of car traffic. However the utility of both Kingle trail and RC trail will be maximized with a connection of some sort that includes a bike ramp from the existing road onto RC trail.
- 050-04 4. No Lighting: I prefer the option without lighting for these reasons: 1) Night-lighting interferes with the biorhythms of wildlife. I have had the great pleasure and privilege of hearing and seeing owls in Kingle Valley over the years. They have so few places to live already. 2) Frequent bicyclers already have headlamps on their bikes and the connecting RC trail is not lit. For these reasons lighting seems like an unnecessary expense while it is detrimental to nocturnal wildlife.

Thank you all again for your work on this project! I am so delighted by the progress! It's going to be great!

Kristina Jones

The New Busy is not the old busy. Search, chat and e-mail from your inbox. [Get started.](#)

### ***Response to Comment 050-01***

In order to support a sustainable trail, DDOT has identified Option B – Full Stream Channel and Bank Stabilization as the preferred Kingle Creek Restoration Option.

### ***Response to Comment 050-02***

After consideration of the purpose of and needs for the proposed action, analysis in the EA, and public and agency comments, DDOT has identified Alternative 2 – 10-Foot Multi-Use Trail (Permeable) as the Preferred Alternative.

### ***Response to Comment 050-03***

DDOT has identified Access to Rock Creek Trail Option C- Modified as the preferred Access to Rock Creek Trail Option. Under this option, a multi-use trail 6 to 8 feet in width would be constructed within the footprint of the existing roadway. The trail would be separated from the existing vehicular travel lane via curb. The existing 20-foot wide vehicle travel lane will be redesigned to 12 to 14-feet wide. No new impervious surface would be added.

### ***Response to Comment 050-04***

DDOT has identified Option B – Pole or Bollard Lighting as the preferred Lighting Option. DDOT plans to install low-impact pole lighting along the trail. The lighting would be timed to correspond with commuter use of the facility to limit the hours of illumination and minimize impacts to nocturnal wildlife.

Thank you for your comments. They will be included in the project Administrative Record.

[REDACTED]

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**From:** Rich Reis [REDACTED]  
**Sent:** Wednesday, June 23, 2010 10:30 AM  
**To:** KingleTrail  
**Cc:** [REDACTED]  
**Subject:** Support of the trail option

051-01 Dear sir or madam,

I support the non-motorized trail option, because it has minimal impact on the environment, neighbors, and provides a useful public amenity - namely a trail that promotes quiet and healthy exercise by bicycle, walking and other non-motorized (including electrified) means. Bicycling and walking are the most environmentally-friendly and sustainable forms of transportation. I support the preferred option, although similar alternatives are fully acceptable to me.

051-02 I am ambivalent on lighting options - while they may promote safety and allow for evening use, they do intrude into the natural environment.

Although I live in Silver Spring, I do bicycle into the district regularly and know many people who live and work in the area.

Sincerely yours,

Richard Reis  
[REDACTED]

***Response to Comment 051-01***

After consideration of the purpose of and needs for the proposed action, analysis in the EA, and public and agency comments, DDOT has identified Alternative 2 – 10-Foot Multi-Use Trail (Permeable) as the Preferred Alternative.

***Response to Comment 051-02***

DDOT has identified Option B – Pole or Bollard Lighting as the preferred Lighting Option. DDOT plans to install low-impact pole lighting along the trail. The lighting would be timed to correspond with commuter use of the facility to limit the hours of illumination and minimize impacts to nocturnal wildlife.

[REDACTED]

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**From:** Jeff Coulter [REDACTED]  
**Sent:** Thursday, June 24, 2010 2:05 PM  
**To:** KingleTrail  
**Subject:** Kingle Trail

052-01

I was unable to attend the Open House last night at National Zoo, but I did want to add my comments to the growing group of people who favor the use of the trail as a nature, hiking and biking trail rather than re-establishing a road.

I am a resident of [REDACTED] and I pass over and by the trail almost every day. Since the time the road was officially closed, wildlife in the area has increased, and re-establishing a road would disturb that growth. Especially since it would provide a fast exit from Rock Creek Parkway back up to Connecticut Avenue. Residents of the area of grown accustomed to the road being closed, and the fact that it opens right next to a playground could present safety issues.

I think the trail provides excellent access to the great trails around Rock Creek and adds value to the homes in the area.

Jeff Coulter

***Response to Comment 052-01***

Thank you for your comments. They will be included in the project Administrative Record.

[REDACTED]  
**From:** [REDACTED]  
**Sent:** Thursday, June 24, 2010 4:37 PM  
**To:** KlingleTrail  
**Subject:** Re: From the Klingle Trail Website

**Name:** Edward J. Doheny

**Email:** [REDACTED]

**Address:** [REDACTED]

**Comment:** I attended the meeting of June 23 at the Zoo. Thank you for allowing DC residents to address their concerns and appreciation. My comment echos the comment of one of the last speakers. I favor either option 3 or 2 but am concerned about the width of the path. Limiting the path to 12 feet seems to be too narrow. I am a regular runner and biker on the paths in Rock Creek Park. It is often difficult particularly on weekends to pass other runners or bikers on those path. I fear that on the proposed path in Klingle Valley joggers, dog walkers, people pushing baby strollers and bikers will experience dangerous collisions if the path is only 10-12 feet wide. Bikers coming down hill on a curved road may generate a speed that will make stopping difficult when either the biker or runner or loose dog or a chld on a bike is not attentive to people on the path. I suggest a minimum width be equal to at least one full lane of a normal DC street and preferably 50% larger than one full lane width.

**Periodic updates:**

### ***Response to Comment 053-01***

After consideration of the purpose of and needs for the proposed action, analysis in the EA, and public and agency comments, DDOT has identified Alternative 2 – 10-Foot Multi-Use Trail (Permeable) as the Preferred Alternative.

The project team considered a number of factors while formulating the alternatives and options for the Klingle Valley Trail EA. A primary consideration was the types of trail users, primarily bicyclists, pedestrians, runners, and skaters. A 10-foot trail meets current American Association of State Highway and Transportation Officials guidelines for multi-use trails and allows for a smaller footprint and fewer impacts than a 12-foot trail.

[REDACTED]

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**From:** Kristen Arbuckle [REDACTED]  
**Sent:** Friday, June 25, 2010 12:40 PM  
**To:** KlingleTrail  
**Subject:** Strongly supportive of the proposed action

054-01 To Whom it May Concern,

I would like to voice my strong support for the proposed action outlined in the Environmental Assessment. I have a slight preference for Alternative 2 but am quite happy with any of the proposed trails.

054-02 I am very pleased to see that there is no consideration of using the space as a road for motor vehicles. I see no reason why it should be reopened to cars and trucks. Its orientation would make it useful to just a handful of people.

Thank you,  
Kristen Arbuckle

[REDACTED]

***Response to Comment 054-01***

After consideration of the purpose of and needs for the proposed action, analysis in the EA, and public and agency comments, DDOT has identified Alternative 2 – 10-Foot Multi-Use Trail (Permeable) as the Preferred Alternative.

***Response to Comment 054-02***

Thank you for your comments, which will be included in the Project Administrative Record.

An alternative to reopen the barricaded portion of Klingle Road to motor vehicles would not fulfill the purpose and need for the proposed action, which is identified in Section 1.0 of the EA. Furthermore, a road alternative is not consistent with the District's Klingle Road Sustainable Development Act of 2008, and was eliminated from detailed study in the EA. Please see Section 2.3.5 for more details. After consideration of the purpose of and needs for the proposed action, analysis in the EA, and public and agency comments, DDOT has identified Alternative 2 – 10-Foot Multi-Use Trail (Permeable) as the Preferred Alternative.

[REDACTED]

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**From:** [REDACTED]  
**Sent:** Friday, June 25, 2010 3:24 PM  
**To:** KingleTrail  
**Subject:** Re: From the Kingle Trail Website

**Name:** Jason Haber

**Email:** [REDACTED]

**Address:** [REDACTED]

055-01

**Comment:** why are we still talking about restoring a road when it's been voted down repeatedly and shown to be absurdly expensive. The road serves only a small number of people, the road would exclude everyone who is not in a car as roads tend to do. Handicapped or otherwise, can we officially put the road concept to rest, put the self-serving trail blockers aside and move forward? My concern is that an isolated park will become a "dog run" park with no leash or scoop enforcement. I'd like to see an emphasis on connectedness to rock creek parks and any other nearby tributaries, so that it is truly accessible and available to everyone who can get out of their cars.

~~Periodic updates. Yes~~

***Response to Comment 055-01***

Your comments have been noted and will be included in the project Administrative Record.

One of the needs identified for the project is additional connectivity between designated pedestrian and bicycle routes, which are used for commuting, recreation and leisure, and fitness. The nearest designated east-west bicycle routes crossing Connecticut Avenue into the Rock Creek Park trail system are located at Tilden Street to the north and 24th Street to the south, leaving an approximate 1 mile gap. Trailheads are included in all Action Alternatives, and details of wayfinding signage and/or pavement markings to the larger system will be included as design continues.

The preferred Access to Rock Creek Trail Option, Options B and C, will provide a direct link from points west to Rock Creek Trail.

[REDACTED]

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**From:** [REDACTED]  
**Sent:** Friday, June 25, 2010 10:43 AM  
**To:** KingleTrail  
**Subject:** Re: From the Kingle Trail Website

056-01

**Name:** Jeffrey Hanley

**Email:** [REDACTED]

**Address:** [REDACTED]

**Comment:** My name is Jeffrey Hanley, I live alongside the Kingle Valley and would like to state my support for Alternative #2 (a 10 ft wide permeable surface hiking trail), as well as Option B for a shared road/trail connector and a no lighting option. I believe this combination of choices best protects the unique environment of the very narrow Kingle Valley so that future generations can enjoy the same tranquil environment we have today. My only concern is what will happen to the current closed roadway? I hope the concrete will be broken up and disposed of properly so the valley can re-vegetate in those areas, helping to prevent further runoff issues.

**Periodic updates:** Yes

### ***Response to Comment 056-01***

After consideration of the purpose of and needs for the proposed action, analysis in the EA, and public and agency comments, DDOT has identified Alternative 2 – 10-Foot Multi-Use Trail (Permeable) as the Preferred Alternative.

DDOT has identified Access to Rock Creek Trail Option C- Modified as the preferred Access to Rock Creek Trail Option.

Under this option, a multi-use trail 6 to 8 feet in width would be constructed within the footprint of the existing roadway. The trail would be separated from the existing vehicular travel lane via curb. The existing 20-foot wide vehicle travel lane will be redesigned to 12 to 14-feet wide. No new impervious surface would be added.

DDOT has identified Option B – Pole or Bollard Lighting as the preferred Lighting Option. DDOT plans to install low-impact pole lighting along the trail. The lighting would be timed to correspond with commuter use of the facility to limit the hours of illumination and minimize impacts to nocturnal wildlife.

As stated in the proposed action, prior to construction the existing infrastructure within the project area would be removed including pavement, concrete barriers, curb and gutter, failed stormwater drainage infrastructure, trees that present a hazard, and debris. Following construction, additional restoration of Kingle Valley would include replanting of native tree species and vegetation.

[REDACTED]

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**From:** tom lalley [REDACTED]  
**Sent:** Friday, June 25, 2010 10:30 AM  
**To:** KlingleTrail  
**Subject:** Strongly supportive of the proposed action

To Whom it May Concern,

057-01

I would like to voice my strong support for the proposed action outlined in the Environmental Assessment. I have a slight preference for Alternative 2 but am quite happy with any of the proposed trails.

057-02

I am very pleased to see that there is no consideration of using the space as a road for motor vehicles. Having spend most of my life in Northwest DC, and knowing that road very well, I see no reason why it should be reopened to cars and trucks. It was rarely used in the first place and its orientation would make it useful to just a handful of people.

Sincerely,  
Tom Lalley

[REDACTED]

***Response to Comment 057-01***

After consideration of the purpose of and needs for the proposed action, analysis in the EA, and public and agency comments, DDOT has identified Alternative 2 – 10-Foot Multi-Use Trail (Permeable) as the Preferred Alternative.

***Response to Comment 057-02***

Thank you for your comments, which will be included in the Project Administrative Record.

An alternative to reopen the barricaded portion of Klingle Road to motor vehicles would not fulfill the purpose and need for the proposed action, which is identified in Section 1.0 of the EA. Furthermore, a road alternative is not consistent with the District's Klingle Road Sustainable Development Act of 2008, and was eliminated from detailed study in the EA. Please see Section 2.3.5 for more details.

**From:** [REDACTED]  
**Sent:** Friday, June 25, 2010 1:00 PM  
**To:** KingleTrail  
**Subject:** Re: From the Kingle Trail Website

**Name:** Janita Ponze

**Email:** [REDACTED]

**Address:** [REDACTED]

**Comment:** Dear Ms. Casey, I attended the public hearing on June 23rd and listened to the presentation and the comments. As a long time resident (over 40 years) of the Mt. Pleasant area, I stand with those citizens who agree with the plan and agree that preserving green spaces for our citizens is important. What is deemed recreational use is also healthy use for adults and children of all ages. I agree with those who prefer Alternative #2, multi-use with permeable trail. Like one gentleman, I would prefer a foot trail for pedestrians that was dirt with chips or something similar. Walking directly on the ground is very relaxing, even in walking footwear. However, if this is not possible, a permeable surface is preferred for the reasons put forth by the other citizens. I also agree with having a more narrow space. This area should not have as much heavy traffic as beach drive on weekends. I agree with Option A, no lighting, for the reasons advocated by the participants. The trail area should also protect the wildlife that inhabits the Rock Creek area. I agree with directing the tributary creek to its natural flow area. I agree with the suggestion to place historical posts, similar to those in Mt. Pleasant or Adams Morgan to tell the story of this area, but preferably at either end of the trail. I agree with adding trash and recycling bins at either end of the trail. In fact, I wish we had more along Porter St. up to Adams Mill Road. I also agree that we need more cross town traffic alternatives, and that perhaps Circulator or smaller busses that travel Military Road, Park Road, Porter Street, Calvert St etc. to take care of the needs of residents who need more mass transit alternatives. The traffic patterns of the existing cross-town roads should be analyzed for efficiency. Finally, I think something needs to be done in conjunction with Non profit and Federal Agencies to plant more trees along these natural areas to fill in the landscape and replace the many fallen trees. As a walker in Rock Creek Park, I think it is sad to see the real estate encroachment right up to the line of the park. The view should be for everyone, not just the owners of adjacent private property. The private property owners should just enjoy the privilege of living so close to the park and green spaces. I'm sure that planting these trees would be a great school and citizen volunteer project. As the man from Orlando, FL, said, we are very lucky to have the wild and semi-wild green spaces. Our forefathers, such as President Roosevelt, saw the need for them. Our duty is to keep what we have in good condition and perhaps return more sites to their natural state, wherever possible. Thank you for pursuing this initiative in spite of the development-for-profit interests of this city. Your plan is for all citizens, and particularly our children, and their children. Janita Ponze [REDACTED]

**Periodic updates:** [REDACTED]

### ***Response to Comment 058-01***

Thank you for your comments. They have been noted and will be included in the project Administrative Record.

After consideration of the purpose of and needs for the proposed action, analysis in the EA, and public and agency comments, DDOT has identified Alternative 2 – 10-Foot Multi-Use Trail (Permeable) as the Preferred Alternative.

Amenities such as potential trail furniture, water fountains, and signage are not discussed in detail in the EA. However, DDOT will consider public and agency comments and decisions regarding amenities will be incorporated into more detailed design plans.

### ***Response to Comment 058-02***

The Preferred Alternative includes several actions for the restoration of Kingle Valley, including the planting of native vegetation. Please see Section 2.2 of the EA for more details.

[REDACTED]  
**From:** [REDACTED]  
**Sent:** Saturday, July 03, 2010 5:41 PM  
**To:** KlingleTrail  
**Subject:** Re: From the Klingle Trail Website

**Name:** [REDACTED]  
**Email:** [REDACTED]  
**Address:** [REDACTED]

**Comment:** July 3, 2010 Below are two letters of support that the AOI first sent to the Coalition in 2001 and a follow-up letter to Chairman Linda Cropp in 2003. The AOI of DC continues to stand behind our position to re-open Klingle Road to vehicular traffic. August 29, 2001 The Coalition to Repair and Restore Klingle Road Washington, D.C. 200010 Dear Coalition Members: The Board of Directors of the Association of the Oldest Inhabitants of the District of Columbia would like to take this opportunity to provide its conditional support for the re-opening of Klingle Road. This position is conditional in that the AOI will not meet again until September 21, 2001, and we cannot ascertain the support of the body until that time; however, based upon past positions the AOI has taken on maintaining open streets in the District, I am certain this position also will be supported. The AOI has been a staunch supporter of the re-opening of Pennsylvania Avenue in front of the White House. The AOI has supported past efforts which seek to restore the Lâ?Tenfant and McMillan plans for the City of Washington â? these include the re-opening of G Street in front of the Martin Luther King Memorial Library and areas near the new MCI center which had suffered from years of neglect since being closed to vehicular traffic. We continue to monitor the streets affected by the new DC Convention Center just as we will press to re-open 10th Street should the current convention center be raised. No one likes the increased traffic we are seeing through our neighborhoods; however, the more opportunities which commuters and DC residents alike have to distribute traffic more evenly -- if not randomly â? across and through the city helps to ensure that no one (or few) streets bear that burden alone. The membership of the AOI is also deeply concerned about the environment, preservation of green space and the maintenance and improvement of the view- and sound-scapes of our city. Klingle Road was an important access point across the Rock Creek Park long before the recent call for environmental awareness and the movement to restore it exclusively as parkland. We believe, however, that both can mutually exist and look forward to the re-opening of the road with such improvements that will ensure the safety of the Rock Creek watershed, support indigenous wildlife and provide a pleasant park setting for residents and neighbors to walk. If the AOI can be of any assistance in the furtherance of this effort to include providing public testimony, please do not hesitate to call upon us. Sincerely, William N. Brown, President And... March 1, 2003 The Honorable Linda Cropp, Chair Council of the District of Columbia The John Wilson Building 1350 Pennsylvania Avenue, NW Washington, D.C. 20004 Dear Council Member Cropp: The Board of Directors of the Association of the Oldest Inhabitants of the District of Columbia would like to take this opportunity to support your legislation, the "Klingle Road Restoration Act of 2003", B15-61, which will restore Klingle Road to cars, and its historic use as Klingle Valley Parkway. No one likes the increased traffic we are seeing through our neighborhoods; however, the more opportunities which commuters and DC residents alike have to distribute traffic more evenly -- if not randomly â? across and through the city helps to ensure that no one (or few) streets bear that burden alone. The membership of the AOI is also deeply concerned about the environment, preservation of green space and the maintenance and improvement of the view- and sound-scapes of our city. Klingle Road was an important access point across the Rock Creek Park long before the recent call for environmental awareness and the movement to restore it exclusively as parkland. We believe, however, that both can mutually exist and look forward to the re-opening of the road with such improvements that will ensure the safety of the Rock Creek watershed, support indigenous wildlife and provide a pleasant park setting for residents and neighbors to walk. The issue of money for the repair of the road way would not now be an issue had the thoroughfare been maintained properly over the years. We now have the ability to restore and maintain it. The AOI has been a staunch supporter of the re-opening of Pennsylvania Avenue in front of the White House. The AOI has supported past efforts which seek to restore the Lâ?Tenfant and McMillan plans for the City of Washington â? these included the re-opening of G Street in front of the Martin Luther King Memorial Library and areas near the new MCI center which had suffered from years of neglect since being closed to vehicular traffic. We continue to monitor the streets affected by the new DC Convention Center just as we will press to re-open 10th Street when the current convention center is raised. Returning the statue of Governor Shepherd to a prominent place in downtown is another project which the AOI would like to see become a reality and may cause tour buses to once again pass in front of the District Building. As the Districtâ?T's oldest civic association, if the AOI can be of any assistance in the furtherance of this effort to include providing public testimony, please do not hesitate to call upon us. Sincerely, William N. Brown, President William N. Brown, President The Association of the Oldest Inhabitants of the District of Columbia

<http://www.aoidc.org>

**Periodic updates:** [REDACTED]

### *Response to Comment 059-01*

Thank you for your comments. They have been noted and will be included in the project Administrative Record.

An alternative to reopen the barricaded portion of Klingle Road to motor vehicles would not fulfill the purpose and need for the proposed action, which is identified in Section 1.0 of the EA. Furthermore, a road alternative is not consistent with the District's Klingle Road Sustainable Development Act of 2008, and was eliminated from detailed study in the EA. Please see Section 2.3.5 for more details.

[REDACTED]

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**From:** Bill and Bobbie Carroll [REDACTED]  
**Sent:** Saturday, July 03, 2010 12:01 PM  
**To:** KingleTrail  
**Subject:** comments  
**Attachments:** Notes on the Kingle EA.docx

Notes on the Klingle EA

060-01 The land is a road dedication given to DC in 1885 for a public highway forever, which is an easement use as a road. If it is not used as a road and closed for recreation use because of DC Statute the land will pass onto the abutting land owners. At that point DC has no interest in the land. The current legislation is trying to keep the road open so it does not pass onto the abutting land owners but changing the land to this non-motorized vehicle use essentially passes it to the abutting land owners. We do not have any 10 feet wide or 12 feet wide roads in DC. DC can build a road to 75 feet or rebuild it to the existing width for older roads. This drastic change in use that does not fit DC law would require this land to go through the Street and Alley Closing Act of 1982. And part of that process is to prove that a road that has been used for 106 years until it was barricaded is not needed. This road is also listed on the Federal-aid Road maps for DC and allows Fed. Funds to be used for rebuilding the road. The recreational use or hike/bike would have to use Fed. Bike money to build it and that is a much smaller pot of funds. This road that carried 3,200 cars per day when it was last open to the public as a collector road between two sides of Rock Creek Park would still carry 3,200 or more cars per day. There are over 400,000 cars coming into and move around DC every day and all roads need to remain open for vehicle traffic. There never will be 3,200 bikers or dog walkers on this road.

060-02 Purpose and Need of this EA: The purpose of the EA is the Legislation Klingle Road Sustainable Development Act of 2008 not the rest of what is listed on this EA. The area to be covered is not 10.5 acres of land into NPS land, but .7 of a mile on Klingle Road. NW.

060-03 Even WABA (Washington Area Bicycle Association) has referred to this legislation as a neighborhood hike/bike path. It is very unlikely visitors will use it. This three city block hike/bike path has never had bikers on it because of the steep slope and with all the new bike paths available it will not have bikers in the future. I see your numbers of bikers who take Porter Street down to Rock Creek Park Trail and that will continue as it also links to Wisconsin Ave. but there are no numbers of bikers using the 34<sup>th</sup> Street end and that bike route. The entrance to Rock Creek Park trail would be the same for both Porter Street and the proposed Klingle hike/bike path. Then we have CM Cheh saying in the Northwest Current the Klingle path is not a commuter route. I think WABA had it correctly, the goal is a neighborhood path within a new park. Not mentioned in this report are the roads in Rock Creek Park closed on weekends for hiking and biking, more than enough space for those activities. Closing Rock Creek Park roads pushes traffic onto Conn. Ave. and other roads that are very congested on weekends. This makes this proposed hike/bike path not necessary. Most of the recreation bikers I know want a 10 to 25 mile run on their bike and this path would not even count as a warm up area. This hike/bike path has not been on the DC map as bike trails to be built unless you recently changed your maps to meet the EA. Bike money should be used on this project if it is ever built and I seriously doubt the bikers looking for the Branch Trail completion and others wish to waste bike trail construction dollars on this neighborhood path.

060-04 The safety concerns are not the reason for the EA; the safety concerns were adequately address in the June 2005 PEIS supporting the road repair legislation. The Cheh 2008 legislation is the only reason this project is being undertaken. The comprehensive plan does not mention closing roads to add a park beside Rock Creek Park, the Tregaron Conservancy's 13 acre Park and the Woodley Playground and park. This language is exaggerated and insulting.

060-05 The relevant section of Klingle Road starts further east than Beach Drive. It runs from Park Road and Waldridge Place, NW and ends at 34<sup>th</sup> Street, NW (Wash National Cathedral). Klingle Road has been used since 1991 and every place in the EA you state it has not been used is inaccurate. Ddot has gone in to clean up 65 trees (my count) when they came down on the road and were cleared away by Ddot trucks or contractors. These trees were huge and large flat-bed trucks hauled them off Klingle Road. The Klingle Bridge construction went on during this time for 2 years with a multitude of trucks, trailers and cars on the road on a daily basis, including a house trailer that stayed parked on site. After the bridge reconstruction, dump trucks were on Klingle removing the contaminated soil and replacing it with huge rocks and planting mature trees. Recently 5 trucks and 4 cars were using the road to repair a sewer line coming in from Conn. Ave.

**Response to Comment 060-01**

An alternative to reopen the barricaded portion of Klingle Road to motor vehicles would not fulfill the purpose and need for the proposed action, which is identified in Section 1.0 of the EA. Furthermore, a road alternative is not consistent with the District's Klingle Road Sustainable Development Act of 2008, and was eliminated from detailed study in Section 2.3.5 of the EA.

Under 23 CFR 652 "policies and procedures relating to the provision of pedestrian and bicycle accommodations on Federal-aid projects, and Federal participation in the cost of these accommodations and projects" are provided.

Erroneously, the following information was listed in the EA, which was released in June 2010:

Klingle Road is currently listed on the Federal-aid system functional classification of streets/roadways in the District of Columbia as a local street (DDOT, 2009c). If converted from motorized to non-motorized use under the proposed action, this segment of roadway would have to be officially removed as a local street from the DC functional classification map using the appropriate processes under 23 CFR 470.109(a) and 470.115(a) (Federal Aid Highways re: converting a designated fed-aid highway to non-vehicular trail) and The Street & Alley Closing & Acquisition Procedures Act of 1982. D.C. Code Section 9-201.01 et. Seq. Section 9-202-01 (re: street closings and requirement of public hearing for such act).

Klingle Road is currently listed on the Federal-aid highway system functional classification of streets and roadways in the District of Columbia as a collector street and is eligible for Surface Transportation Program (STP) funds. Because the District is proposing to construct a multi-use trail on Klingle Road (i.e., the Klingle Valley Trail), Klingle Road will no longer be eligible for funding under the STP funding program. At the conclusion of the NEPA process regarding this EA for the Klingle Valley Trail, DDOT will propose to FHWA that the segment of Klingle Road between Porter Street, N.W. and Cortland Place, N.W. be removed from the Federal-aid highway system. However, the proposed multi-use trail is eligible for federal-aid funding under the

Recreational Trails Program in accordance with SAFETEA-LU Sections 1101(a)(8) and 1109, 23 USC 104(h) & 206, and 23 CFR Part 652.

Nevertheless, removal of Klingle Road from the Federal-aid highway system, does not affect the District's ownership and jurisdiction of the Klingle Road right-of-way. Under the proposed action, DDOT will not and does not plan to officially close the barricaded segment of Klingle Road between Porter Street, N.W. and Cortland Place, N.W. pursuant to the procedure outlined in The Street & Alley Closing & Acquisition Procedures Act of 1982 (D.C. Code sections 9-201.01 et seq. (see Appendix E). DC Code section 9-202.01 states that the Mayor may close all or part of any street or alley which is determined by the DC Council to be unnecessary for street or alley purposes. The 2008 Act, passed by DC Council, did not deem Klingle Road unnecessary when it authorized the construction of a pedestrian and bicycle trail on Klingle Road between Porter Street, N.W. and Cortland Place, N.W.; therefore, Klingle Road continues to be necessary for street (i.e., public right-of-way) purposes, as defined in DC Code section 9-201.01. Additionally, DDOT will continue to operate, maintain and manage the public right-of-way for both non-motorized transportation and authorized motorized use (i.e. access for emergency, utility, and maintenance vehicles).

***Response to Comment 060-02***

In accordance with FHWA Technical Advisory T6640.8a, the purpose identifies the proposed action. Federal, State and Local government mandates can be used to support the needs for a proposed action. The District of Columbia's Klingle Road Sustainable Development Amendment Act of 2008 specifies that DDOT shall allocate and use Federal aid highway funds for the environmental remediation of Klingle Valley and construction of a pedestrian and bicycle trail along the barricaded portion of Klingle Road.

060-06  
(cont)

that was collapsing. This work has been going on since Dec., 2009 everyday and even during the Feb. snows when the road was plowed. To say the road is impassable is inaccurate. In fact the road has been used by vehicles since 1991, only barricaded in theory. The only alternative that would allow these trucks in the area in the future would be the 12 foot wide trail. In the former study of the area, June 2005 PEIS, Washington Gas said they needed a 14 foot width to get their trucks into the area. The gas lines run under the road and as the Tregaron 5 house lots start building in the future, these house lots will need the gas lines along with other utilities.

060-07

The dog walkers and their dogs are also using the road continuously and have broken through every barricade that was put up. Some dog walkers have moved over to the Tregaron Conservancy land but they are expected to clean up after their dogs. It is DC law that dog walkers clean up after their dogs except on Kingle Road they do not. This newly proposed path does not have trash cans available for the dog walkers nor is it wide enough for trash trucks to come in and empty the trash cans. This is actually a needed addition not benches or furniture. Again the EA is not factually accurate on how the land has been and will be used and has not met the needs of the dog walkers. This is a very expensive dog park.

060-08

Ddot and the consultant also don't seem to know that gang graffiti appears under the Conn. Ave. Bridge. Every time it is cleaned off, it reappears in a matter of weeks. Ddot has not been there to see the drug deals going down. Another function of this current park-like space is as a quiet spot for the drug dealers. And let us not forget the homeless who have lived here over the years. When the work started on the lead base paint on the bridge and removing the contaminated soil, first the contractor had to remove a hillside of trash from the homeless man who lived under the bridge and threw his trash down the hill every day. He too needed a trash can. Nor was Ddot there to see the creative home built of scrap wood including an American flag beside the stream. It actually had architectural value. The homeless man under the bridge is a neighborhood fixture and will be back as soon as WASA trucks get out of the way. These are the crime elements that you are also not addressing.

060-09

It was always doubtful that an EIS statement was needed as the EIS process is for NEW construction and this is the REPAIR of a road that has been in use for 106 years. Federal Highway demands kept changing on what the EIS needed as FHWA wanted to stop the road project. FHWA even sent the project to their Richmond office saying the DC office was too busy to handle it. The Richmond FHWA office said an EIS was not needed for Kingle Road as it was rebuilding an existing road. Thus FHWA had to take the project back to the DC office and find a new way to block its conclusion. This is DC land and FHWA needs to get out of trying to control DC business.

060-10

Alternative 2: A 10 foot wide Permeable Surface is not wide enough for utility vehicles and emergency response vehicles. As fire trucks and EMS vehicles seem to get larger over time and not smaller, this 10 foot wide path is useless. The EA itself says 10' will not meet the needs for emergency vehicles today. Even maintenance trucks could not fit in here to remove future falling trees from the area. This does not include the possibility that a utility truck would meet a pedestrian who would need to move to the side of the bike path to let the truck through or get hit. This width does not serve any of the needs as stated.

060-11

Alternative 3: A 12 foot Permeable Surface can handle all the water in the area? Is that also true if 5 houses are built on the Tregaron Property? Where will their water and sewage pipes be placed? Since none of the utilities have answered your letters, you are really not sure what is under the road and being used and how it will be used in the future. Gas and sewer lines are under the road. Will they be under the permeable surface? A permeable surface needs to be cleaned off monthly, swept or vacuumed monthly. This number is not reflected in your cost figures. The monthly cleaning number is multiplied by 4 and there are actually 12 months in a year not 4, thus the total would be much higher than the maintenance costs you plan. Please correct. Permeable surfaces require constant maintenance to be kept clean and your cost figures are allowing for cleaning 4 times a year or every quarter. Since the area is full of trees, some falling and some standing, leaves falling this cleaning will not keep the permeable surface usable but it will fail and flood.

**Response to Comment 060-03**

The needs for the project are presented in Section 1.2 of the EA. Based on the FHWA Technical Advisory, the needs for the project fall under one of five categories: Safety, Social Demands, System Linkage, Infrastructure Deficiencies, and Legislation.

**Response to Comment 060-04**

In accordance with FHWA Technical Advisory T6640.8a, safety can also be used to support the needs for a proposed action, i.e., the existing conditions. The need discussion on safety is presented in Section 1.2.1 of the EA.

**Response to Comment 060-05**

This section describes the project limits of the proposed action.

**Response to Comment 060-06**

After consideration of the purpose of and needs for the proposed action, analysis in the EA, and public and agency comments, DDOT has identified Alternative 2 – 10-Foot Multi-Use Trail (Permeable) as the Preferred Alternative. DDOT coordinated with WASA, WMATA, Washington Gas, and NPS regarding access requirements (Appendix C of this EA). A 10-foot trail with 2-foot shoulders (14 feet total width) would accommodate the periodic access needed by emergency, maintenance, and utility vehicles as described in your comment.

**Response to Comment 060-07**

Please see response to comment 060-05 regarding utility and maintenance vehicle access. Also, amenities such as trash cans will be included in more detailed design.

**Response to Comment 060-08**

DDOT is aware of these existing conditions. Gang graffiti, homelessness, and crime unfortunately occur throughout the District and other urban locations. However, these issues have little to no bearing on the construction of a multi-use trail. Existing safety

conditions are described in Sections 1.2.1 and 3.3.8 of the EA.

***Response to Comment 060-09***

A project funded through a Federal Aid program is required to comply with the National Environmental Policy Act (NEPA). Therefore, compliance with NEPA and the preparation of an EIS was appropriate.

***Response to Comment 060-10***

As stated, a 10-foot trail with 2-foot shoulders (14 feet total width) would be designed to accommodate the periodic access needed by emergency, maintenance, and utility vehicles as described in your comment.

***Response to Comment 060-11***

After consideration of the purpose of and needs for the proposed action, analysis in the EA, and public and agency comments, Alternative 3 was not selected as the Preferred Alternative.

060-01

060-11  
(cont)

Permeable surface is a huge amount of time by Ddot to maintain such a small section of space, 3 city blocks it will more than likely be forgotten. Since DC does not have any permeable surfaces to maintain this space will not be in with other cleaning projects but a stand alone. If DC wants to try a permeable surface this would not be the best location to experiment with permeable options. Since DC did not maintain the road and it collapsed there is no faith that Ddot will be able to maintain a permeable surface which requires MONTHLY maintenance. All permeable surfaces for this project should be vacated. There were even comments from bikers that think a permeable surface is not a good biking surface.

060-12

Alternative 4: Again this surface although sturdier for large trucks and better for bikes needs to be wider. Utility Trucks, emergency vehicles, large construction trucks, flat bed trucks to pull out falling trees will not fit on a 10 foot wide surface but need at least 14 feet. If you are not building a separate path for the trucks this multiuse is not even considered by AASHTO but even AASHTO suggests a new bike path be 14 feet wide for multi-use paths with a steep slope. You have mentioned the wider path but not added this as an alternative and it needs to be the alternative for this EA to meet the actual users of this multi-use path.

060-13

At one time it was proposed that a separate road should be built beside the bike path for trucks and for safety reasons this actually makes more practical sense. If you actually assume this bike trail will be used, a bike climbing up the hill will be very surprised to meet a large truck head on. The potential for accidents is high. Why this is not listed in your safety concerns?

Klingle Creek Restoration

060-14

The Option B sounds more like a long term solution. It should be noted the last time I measured the creek it was 4 inches deep at one end and 1 inch deep at its lowest point. During the summer it dried up and in the lowest area was a series of puddles. To call it a stream sounds like an exaggeration and the term creek should be used throughout the document. If you are using data from the EIS you should be aware that 4 buildings including the Kennedy Warren Building used to dump water into the creek and these buildings were cited and stopped from future dumping. This has drastically reduced the amount of water in the Klingle Creek from what it once carried.

Socioeconomic Resources-Land use

060-15

Klingle Road was used for 106 years as a cross-town road with 3,200 cars per day using the road. Since 1991 it has been used by heavy trucks that have been in on the road regularly. If it were open to the public it would be used every day as in the past 106 years. Because Ddot could not do its job and build the road it does not mean this road is not needed to get around the ever increasing DC traffic. At the moment instead of using Klingle Road to cross town we have sat at the traffic light at Tilden Road and Rock Creek Parkway through 3 rotations to get across town. Not only is this a waste of time it also pollutes the air as congested traffic pollutes while it is sitting still. The impact is huge as Ddot should be maintaining roads and keep them open. The chart showing Porter, Tilden reducing their level to an F category shows the impact of leaving Klingle closed to traffic and the greater use of adjoining streets. Yet the EA does not find any change in traffic patterns associated with this study, again a factually inaccurate EA. The traffic study done for the EIS was inaccurate (done in August when people are on vacation) and you build upon that to pretend there is no change in traffic since the EIS traffic study. Those of us sitting at red lights know traffic congestion is worse.

060-16

This proposal is for a 3 city block segment of an existing road. To change the land use from a connecting road to recreational use when this is land dedicated for a road on the Federal Road map and DC road map is creating recreational use on an existing road, a road that is used daily. This not yet created recreational use is next to Tregaron

060-17

Conservancy Park of 13 acres with hiking trails and of course this is next to Rock Creek Park and next to the Woodley Park Playground and park. There is more than enough open green space and parks in the immediate area thus this Park is not needed or useful. The contractor who wrote this EA obviously never actually goes to this part of the city or is not familiar with adjoining parks. It is factually inaccurate to ignore the Tregaron Conservancy Park of 13 acres for bird

### ***Response to Comment 060-12***

After consideration of the purpose of and needs for the proposed action, analysis in the EA, and public and agency comments, Alternative 4 was not selected as the Preferred Alternative. The 10-foot trail will include stabilized shoulders on each side, which is sufficient for most maintenance vehicles.

### ***Response to Comment 060-13***

Access for utility vehicles would be restricted to authorized parties, who would use appropriate signage and/or notices and observe safe speeds when accessing the trail. This use of the trail by authorized vehicles is an existing condition on most trails, including the adjacent Rock Creek Trail, and is not a notable safety concern.

### ***Response to Comment 060-14***

In order to support a sustainable trail, DDOT has identified Option B – Full Stream Channel and Bank Stabilization as the preferred Klingle Creek Restoration Option.

Please refer to the Stream Assessment Report (Appendix C) of the June 2010 EA for information on the current conditions of Klingle Creek.

### ***Response to Comment 060-15***

The traffic data used in the traffic analysis for this EA was collected from September 2009 through November 2009. The comparisons in methodologies between the 2004 traffic study and the current study are described in Section 3.4.2 of the Final EA. More detailed information is available in Appendix F: Traffic Analysis Memorandum, of the June 2010 EA.

### ***Response to Comment 060-16***

The land use section evaluates existing conditions and analyzes potential impacts of the proposed action and the No Action alternative. The land surrounding Klingle Valley is either developed to full or near full capacity, or protected against

development by legislation. The segment of Klingle Road between Cortland Place, NW and Porter Street, NW has been barricaded to traffic since 1991, and land use has not changed significantly during the 19 years of closure.

***Response to Comment 060-17***

The Land Use Section of the EA, Section 3.3.1 states, “Parks, recreation, and open space areas, and moderate and low density residential areas are predominant.” The Environmental Consequences Sections under Land Use (4.3.1) and Indirect and Cumulative Effects projects (4.9) acknowledges that the Tregaron Conservancy is open to the public, although it is not labeled a park because it is currently owned in title by a non-profit organization. An alternative to reopen the barricaded portion of Klingle Road to motor vehicles would not fulfill the purpose and need for the proposed action, which is identified in Section 1.0 of the EA. Furthermore, a road alternative is not consistent with the District’s Klingle Road Sustainable Development Act of 2008, and was eliminated from detailed study in the EA. Please see Section 2.3.5 for more details. DDOT has considered the potential impacts of the Klingle Valley Trail project with regards to approval of the subdivision of Tregaron per the DC Historic Preservation Office 2006 Decision and Order (Subdivision of Tregaron Estate – Eight Residential Lots and Initial Rehabilitation Plan of Conservancy). A discussion of potential impacts is provided in the Cultural Resources Section 4.2.1 and Land Use Section (4.3.1) of the EA. A number of commentators on the June 2010 EA noted the 2006 approval by the DC Historic Preservation Review Board (DC HPO) of an application for subdivision of one acre of the historic Tregaron Property in exchange for the Tregaron Limited Partnership’s donation of 13 acres for permanent open space preservation on the historic property (Decision and Order (Subdivision of Tregaron Estate – Eight Residential Lots and Initial Rehabilitation Plan of

Conservancy – March, 2006). According to the commentators, the proposed trail would prohibit vehicular access from five homes to Klingle Road, essentially nullifying the DC HPO's approval. The DC HPO's order allowed for the subdivision; however, it clearly acknowledges that five of the eight subdivided properties proposed frontage would be on "that portion of Klingle Road which is currently closed to traffic" (DC HPO, 2006).

As required under Section 106 of the National Historic Preservation Act, FHWA and DDOT consulted with the DC HPO and prepared an Assessment of Effects on Historic Resources report. Throughout FHWA and DDOT's consultations with DC HPO, DC HPO did not raise the approval for the subdivision in the Decision and Order as an issue whereby the proposed trail would affect the Tregaron Limited Partnership's activities. Notably, DC HPO has stated:

"The 'HPRB order' . . . is more accurately a concept approval and acceptance of the three-party property agreement between Washington International School, the Tregaron Conservancy, and the Tregaron Limited Partnership regarding the ownership and future treatment of the Tregaron landmark. This agreement does not have any impact or relevance to the Klingle Road project . . . In fact, there is no right to built [sic] the houses; they were always a highly speculative proposition."

Furthermore in an email response to a citizen's inquiry regarding this issue, the DC HPO stated:

"The five houses on the closed portion of Klingle were speculative and specifically approved for those sites. They were proposed by the developer with full knowledge that Klingle was closed at the time and without any guarantee that it would be reopened. There was no contingency for relocating those five house lots to other portions of the site, and the remainder of the land has already been transferred to and is owned by the Conservancy. I don't think the failure of the developer to be able to build the five houses would affect the settlement agreement between the Tregaron Limited Partnership, the Washington International School and the Conservancy."

The complete Assessment of Effects on Historic Resources report and the DC HPO concurrence letter is presented in Appendix B of

060-17 (cont)

watching, walking, enjoying nature and open green space as Tregaron is adjacent to this proposed path and so much larger, with an entrance on Klingle Road. This 13 acre park is not mentioned once in this EA as it negates any need for a ½ mile path. The Tregaron park is land that was worth 6.5 million dollars now a park opened to the public in perpetuity and yet you ignore its existence in maps, land use, purpose, outrageous and inaccurate. Please correct all your maps to reflect this park.

Demographics

In apparent reliance on the 2003 Cropp/Schwartz road repair and reopening legislation (Klingle Road Restoration Act of 2003 (Bill 15-61), a long standing controversy over building residences on the Tregaron Estate was resolved by an agreement dated March 30, 2006, (HPA #04-145 DECISION AND ORDER Subdivision of Tregaron Estate-Eight Residential Lots and Initial Rehabilitation Plan of Conservancy) under which 8 high end, tax generating private residences would be built, 5 of these accessed by the rebuilt Klingle Road. In exchange the Tregaron Conservancy, a non-profit organization, would be created to receive 13 acres of land adjacent to and running beside Klingle Road for a PARK, garden and hiking and biking trails. This PARK has been created, the land transfer was in 2008 and is open to the public but there is no mention of this in the EA. Tax free status has been granted to the Tregaron Conservancy the land valued at 6.5 million dollars before the transfer. The District government heard testimony for this tax free land that proclaimed DC would recoup those lost tax revenues with the 8 houses to be built and 5 are along Klingle Road. This legislation was funded in 2010 and the park is not paying taxes and now this hike/bike legislation cuts off tax revenues the city needs in perpetuity. The maps and drawings do not even show the Tregaron land separate from the Washington International School. The abutting land owner is Tregaron Limited Partnership not WIS. And the EA says No Impact on joint developments? Again that is factually incorrect or just sloppy and bad for DC revenues. Using old maps from the EIS and not updating them? Where is the credibility in this EA? No impact on land use, development projects or zoning? Please correct all your maps for the final version and correct all aspects of this report that Tregaron impacts. (Find maps on [www.Tregaronconservancy.org](http://www.Tregaronconservancy.org)) Add adjoining parks to your maps so all available green space can be seen at once.

060-018

Quality of life is worse as traffic cannot use Klingle Road and must sit at red lights at Porter Street, Tilden Street and Calvert Street as each road carries more traffic congestion. Waiting at red lights adds to air pollution and not opening this road to automobiles adds to air pollution. Yet you did not count cars at Tilden Street and see no impact on traffic, this makes those of us who live here wonder if there is anything accurate in this EA.

Both my husband and I have done bike commuting in the city long before it was popular and I still see a need for a usable bike grid north to south, east to west and not all these useless 2 and 3 block so called bike routes. The theory of build it and they will come is also ridiculous. Only 1.2% of the population are bike commuting and if the usable grid is not created the number will drop, not increase. I also think as the Nation's Capitol this city will always have cars, limos, taxi and all the service trucks that make this city operable. Sierra Club has been working towards auto free DC for the past 20 years and that is equally ridiculous. Why do you even listen to them? They want road real estate removed for bikes, street cars or anything but autos. Sierra Club sees Klingle as the first road they could get closed and do not care about who uses the road; next they will go back to trying to close Beach Drive as they have previously proposed. I do think public transportation should be encouraged by building 4 or 5 story parking garages at Metro stations in the suburbs. Tax the monthly parking spaces that the Federal Gov. and private employers give their employees as a perk so they will stop that give away. But public transportation costs have to be kept down because if it is cheaper to drive to work than use public transportation that is what the public will be doing. Closing roads does not take away vehicles.

Even your history portion is not accurate. Klingle Road was in place before Rock Creek Park was created. The Federal Government made DC pay for the land to be placed in Rock Creek Park as land was purchased to create Rock Creek Park. As Rock Creek Park was created MANY smaller roads were closed and 3 were left open. Klingle Fords Road was one that was a necessary road and it was left open. This is why we need this road to be rebuilt. Rock Creek Park has few roads

this EA. The two emails in their entirety are available in the project Administrative Record.

**Response to Comment 060-18**

The EA discusses existing traffic conditions in Section 3.4.2 and Air Quality in Section 3.5. The proposed action (construction of a multi-use trail) does not change air quality or traffic conditions. Each alternative is similar to the No Action Alternative because there are no plans to reopen Klingle Road to vehicular traffic.

into it and around it. Klingle is one that serves that purpose. Rock Creek Park managed by NPS has little money to improve or maintain their park and they have not and do not maintain the land beside Klingle in the past or present. At one time NPS said no contractor could go on their land to repair the raw leaking sewage and yet they call themselves environmentally concerned. NPS has also said they would like a bike path in this area, DC can pay for the construction and NPS would then be glad to take it over if DC will continue the maintenance. If you close the road and the land goes to the abutting land owners NPS will waste the land and let it rot.

I do not support the underlying legislation but find the EA so inaccurate in many areas. But you still have time to correct these inaccurate statements before the final is due. Open the road to vehicles to keep the land for DC and let the bikes use the road or the 26 miles of bike paths in Rock Creek Park. Push the dog walkers, the bird watchers and other hikers over to the Tregaron Park and make some use of the tax free park.

060-19 Page S-3 . Ddot would not retain the existing right of way if the road is closed. According to the Street and Alley Closing Act, the land goes to the abutting land owners. DC does not have a deed to the land. Land use should have been decided BEFORE this EA was ever started. This legislation does not fit into DC laws.

060-20 Page S-4 . Contradiction, as all alternatives proposed do not accommodate emergency vehicles. Only the 12 foot wide alternative and, actually, you need 14 feet wide for large trucks, such as a fire truck and road repair trucks and even a multi-use trail.

060-21 Page S-4. Lighting should be put in as before for a road. This area is very dark even during daylight hours it is not safe. Chandra Levy's body was found after a year at the end of Klingle Road and she was hiking during the day.

060-22 Page S-6 . Full Creek Channel and Bank Stabilization sounds better but I have not had an expert look at this data. The collecting pools mentioned in one plan put a collector pool where the 5 Tregaron houses are to be built and uncooperative NPS is unlikely to allow a pool of water on their land. I also see this as a West Nile Virus problem to anyone in the area, did you consider that option?

060-23 Page S-6. Rock Creek Trail option is beyond the scope of this EA and should not be included. What was requested is a 3 city-block recreational use in the middle of a road and it leads to nowhere, so provide that.

060-24 Page S-10. Land use has changed since 1991 but you have totally ignored the Tregaron HPRB agreement, the Tregaron Conservancy Park and the building of 5 houses on Klingle Road. Please be accurate and correct these sections. By leaving them out the EA is a lie by omission. Since large repair trucks HAVE continuously used this area since 1991 and traffic would also use it if possible, please correct the EA. This is inaccurate and needs to be removed wherever it is stated; DDOT's position is -barricade the road in 1991, don't do your job to rebuild the road and then say you don't need it because we barricaded it so you could not use the road. The road should have been rebuilt and if it had not been used, THEN you could say it is not needed. This road was used for 106 years and it would be used today if Ddot had done their job and rebuilt it.

060-25 Page S-10. Transportation impact is to land lock the Tregaron house lots. That is a big impact, yet you ignore it. There are zoning problems you ignore. Tell the Tregaron Limited Partnership once it has given away 13 acres of land now this EA has decided to ignore their right to build on the remaining one acre of land. This is no action on the EA part because they are incorrect and Ddot knew about the 5 house lots before they started the EA. Tell the Department of Tax and Revenue that 2 million dollar houses will not be built or taxed because Ddot decided to throw them away, and create a hike/bike path. No economic benefit negligible, correct your EA. No impact on Joint Developments is an outrageous lie! This of course makes one wonder if any of this EA is truthful? The reason all of this is ignored because the EA would have to conclude that this hike/bike path should not be built in this area that the road is needed and the recreational

### ***Response to Comment 060-19***

Erroneously, the following information was listed in the EA, which was released in June 2010:

Klingle Road is currently listed on the Federal-aid system functional classification of streets/roadways in the District of Columbia as a local street (DDOT, 2009c). If converted from motorized to non-motorized use under the proposed action, this segment of roadway would have to be officially removed as a local street from the DC functional classification map using the appropriate processes under 23 CFR 470.109(a) and 470.115(a) (Federal Aid Highways re: converting a designated fed-aid highway to non-vehicular trail) and The Street & Alley Closing & Acquisition Procedures Act of 1982. D.C. Code Section 9-201.01 et. Seq. Section 9-202-01 (re: street closings and requirement of public hearing for such act).

Klingle Road is currently listed on the Federal-aid highway system functional classification of streets and roadways in the District of Columbia as a collector street and is eligible for Surface Transportation Program (STP) funds. Because the District is proposing to construct a multi-use trail on Klingle Road (i.e., the Klingle Valley Trail), Klingle Road will no longer be eligible for funding under the STP funding program. At the conclusion of the NEPA process regarding this EA for the Klingle Valley Trail, DDOT will propose to FHWA that the segment of Klingle Road between Porter Street, N.W. and Cortland Place, N.W. be removed from the Federal-aid highway system. However, the proposed multi-use trail is eligible for federal-aid funding under the Recreational Trails Program in accordance with SAFETEA-LU Sections 1101(a)(8) and 1109, 23 USC 104(h) & 206, and 23 CFR Part 652.

Nevertheless, removal of Klingle Road from the Federal-aid highway system, does not affect the District's ownership and jurisdiction of the Klingle Road right-of-way. Under the proposed action, DDOT will not and does not plan to officially close the barricaded segment of Klingle Road between Porter Street, N.W. and Cortland Place, N.W. pursuant to the procedure outlined in The Street & Alley Closing & Acquisition Procedures Act of 1982 (D.C. Code sections 9-201.01 et seq. (see Appendix E). DC Code section

9-202.01 states that the Mayor may close all or part of any street or alley which is determined by the DC Council to be unnecessary for street or alley purposes. The 2008 Act, passed by DC Council, did not deem Klingle Road unnecessary when it authorized the construction of a pedestrian and bicycle trail on Klingle Road between Porter Street, N.W. and Cortland Place, N.W.; therefore, Klingle Road continues to be necessary for street (i.e., public right-of-way) purposes, as defined in DC Code section 9-201.01. Additionally, DDOT will continue to operate, maintain and manage the public right-of-way for both non-motorized transportation and authorized motorized use (i.e. access for emergency, utility, and maintenance vehicles).

***Response to Comment 060-20***

As stated, DDOT coordinated with WASA, WMATA, Washington Gas, and NPS regarding access requirements. All trail alternatives include 2-foot shoulders, which would accommodate the periodic access needed by emergency, maintenance, and utility vehicles as described in your comment.

***Response to Comment 060-21***

After consideration of the purpose of and needs for the proposed action, analysis in the EA, and public and agency comments, DDOT has identified Option B – Pole or Bollard Lighting as the preferred Lighting Option. DDOT plans to install low-impact pole lighting along the trail. The lighting would be timed to correspond with commuter use of the facility to limit the hours of illumination and minimize impacts to nocturnal wildlife.

***Response to Comment 060-22***

In order to support a sustainable trail, DDOT has identified Option B – Full Stream Channel and Bank Stabilization as the preferred Klingle Creek Restoration Option.

The referenced stormwater management storage ponds were

presented to the public as potential options at the December 2009 public meeting. However, these options were eliminated from consideration for the reasons discussed in Section 2.3.3 of the EA.

***Response to Comment 060-23***

In accordance with 23 CFR 771.111, the action evaluated in an EIS or finding of no significant impact (FONSI) shall connect logical termini and have independent utility. Logical termini for project development are defined as (1) rational end points for a transportation improvement, and (2) rational end points for a review of the environmental impacts. Have independent utility or independent significance, i.e., be usable and be a reasonable expenditure even if no additional transportation improvements in the area are made. By definition, the connection to the Rock Creek Trail system is a logical terminus at the east end of the project area.

***Response to Comment 060-24***

The Land Use Section of the EA, Section 3.3.1 states, “Parks, recreation, and open space areas, and moderate and low density residential areas are predominant.” The Environmental Consequences Sections under Land Use (4.3.1) and Indirect and Cumulative Effects projects (4.9) acknowledges that the Tregaron Conservancy is open to the public, although it is not labeled a park because it is currently owned in title by a non-profit organization.

An alternative to reopen the barricaded portion of Klinge Road to motor vehicles would not fulfill the purpose and need for the proposed action, which is identified in Section 1.0 of the EA. Furthermore, a road alternative is not consistent with the District’s Klinge Road Sustainable Development Act of 2008, and was eliminated from detailed study in the EA. Please see Section 2.3.5 for more details.

***Response to Comment 060-25***

DDOT has considered the potential impacts of the Klinge Valley Trail project with regards to approval of the subdivision of Tregaron

per the DC Historic Preservation Office 2006 Decision and Order (Subdivision of Tregaron Estate – Eight Residential Lots and Initial Rehabilitation Plan of Conservancy). A discussion of potential impacts is provided in the Cultural Resources Section (4.2.1) and Land Use Section (4.3.1) of the EA. A number of commentators on the June 2010 EA noted the 2006 approval by the DC Historic Preservation Review Board (DC HPO) of an application for subdivision of one acre of the historic Tregaron Property in exchange for the Tregaron Limited Partnership's donation of 13 acres for permanent open space preservation on the historic property (Decision and Order (Subdivision of Tregaron Estate – Eight Residential Lots and Initial Rehabilitation Plan of Conservancy – March, 2006). According to the commentators, the proposed trail would prohibit vehicular access from five homes to Klingle Road, essentially nullifying the DC HPO's approval. The DC HPO's order allowed for the subdivision; however, it clearly acknowledges that five of the eight subdivided properties proposed frontage would be on "that portion of Klingle Road which is currently closed to traffic" (DC HPO, 2006).

As required under Section 106 of the National Historic Preservation Act, FHWA and DDOT consulted with the DC HPO and prepared an Assessment of Effects on Historic Resources report. Throughout FHWA and DDOT's consultations with DC HPO, DC HPO did not raise the approval for the subdivision in the Decision and Order as an issue whereby the proposed trail would affect the Tregaron Limited Partnership's activities. Notably, DC HPO has stated:

"The 'HPRB order' . . . is more accurately a concept approval and acceptance of the three-party property agreement between Washington International School, the Tregaron Conservancy, and the Tregaron Limited Partnership regarding the ownership and future treatment of the Tregaron landmark. This agreement does not have any impact or relevance to the Klingle Road project . . . In fact, there is no right to built [sic] the houses; they were always a highly speculative proposition."

Furthermore in an email response to a citizen's inquiry regarding this issue, the DC HPO stated:

“The five houses on the closed portion of Klingle were speculative and specifically approved for those sites. They were proposed by the developer with full knowledge that Klingle was closed at the time and without any guarantee that it would be reopened. There was no contingency for relocating those five house lots to other portions of the site, and the remainder of the land has already been transferred to and is owned by the Conservancy. I don't think the failure of the developer to be able to build the five houses would affect the settlement agreement between the Tregaron Limited Partnership, the Washington International School and the Conservancy.”

The complete Assessment of Effects on Historic Resources report and the DC HPO concurrence letter is presented in Appendix B of this EA. The two emails in their entirety are available in the project Administrative Record.

By definition, there are no joint developments within or surrounding the project area; therefore there can be no impact or benefit as a result of the proposed action or the No Action alternative.

use along with all the EXISTING parks, Rock Creek trails, weekend Rock Creek road closure this hike/bike path is not needed.

060-26 Page S-11. More utilities are needed to be repaired and operational in this area, once again you incorrectly find negligible impact.

060-27 Page S-12. Transportation is greatly affected by turning this road into a hike/bike path for all the above-stated reasons. The only way you can reach this conclusion is to ignore all current facts. Is this meant to be a political document or an earnest EA?

060-28 Page S-14. Land Use to past, present and future is not beneficial and is adverse as stated above for many reasons and needs to be corrected in your final version. This land is needed for a road and nothing else. The reason it was a road for over 100 years is it has been needed as a road, used as a road, needed TODAY and in the future as a road.

I also note that the Sierra Club did not submitted anything in writing after the public meeting or on the web to justify this hike/bike trail but have used this agency to do their job. Does Ddot really think they will create auto free DC? This of course is the opposite of your purpose as an agency. I also don't see anything from WABA in writing saying how much they need this trail, maybe because they don't need this trail.

060-29 Page S-22. Roadway Network and Traffic Minor long-term impact on the local roadway network and as traffic continues to increase and more people move into the city it is more than minor as we all sit at traffic lights and can hardly move around this city.

060-30 Page 4. Legislation. Federal Highway funds can be used for a highway which includes allowing automobiles on it, Federal funds for bike trails can be used but not highway funds for this project. Do not try and walk around this law.

060-31 Page 5. This project does have to go through the Street and Alley Closing Act procedures if it is to continue forward and meet the requirements to remove the road from the Federal-aid system of roads. This should have been done BEFORE the EA was started. I have been saying this directly to Ddot and Ddot continues to ignore. There was no need to spend money on this EA in order to get a determination of land use law in DC.

060-32 Page 10. State that Land Use is the first item for this EA to comply with before the list can go forward. The conversion from road land use to recreational land use should have been dealt with before spending \$700,000 on this EA. It is not the job of the EA contractor to deal with DC law.

060-33 Page 12. Permeable Surfaces are 20 to 25% more expensive to build than asphalt yet your cost list does not reflect that difference. Of course they also cost more to maintain and your list of costs say sweeping of vacuuming 4 times a year instead of every month which would be 12 times the amount listed for a total of \$3,000. Permeable surfaces are not good biking surfaces, and do not do well in cold weather.

060-34 Page 15. The Comprehensive Plan shows Klingle Road as a road. This area has provided additional park and open green space on the Tregaron Conservancy which this EA conveniently ignores. That is 13 acres compared to this ½ mile 10 feet wide park. Which is greater and more important? Do the math. Bikes can use the road on Tregaron and this is not on your Bicycle Master Plan.

060-35 Page 17. The majority of the District of Columbia is in a watershed area.

060-36 Page 20. The only amenity you need to add is trash cans and provide access road of suitable width so the trash cans can be emptied.

### ***Response to Comment 060-26***

Per coordination with WASA and Washington Gas (Appendix C of this EA), there are no impacts to existing or planned utilities as a result of the proposed action.

### ***Response to Comment 060-27***

For the purposes of this EA, the closure of Klingle Road is an existing condition common to the No Action and Action Alternatives because the road has been barricaded since 1991 and there are no plans to reopen the road to general vehicular traffic at the time of this EA. The impacts to the roadway network associated with barricading the road were previously documented in the Klingle Road Draft EIS prepared by FHWA and DDOT in 2003.

### ***Response to Comment 060-28***

The land use section evaluates existing conditions and analyzes potential impacts of the proposed action and the No Action alternative. The segment of Klingle Road between Cortland Place, NW and Porter Street, NW has been barricaded to traffic since 1991, and land use has not changed significantly over 19 years.

### ***Response to Comment 060-29***

For the purposes of this EA, the closure of Klingle Road is an existing condition common to the No Action and Action Alternatives because the road has been barricaded since 1991 and there are no plans to reopen the road to general vehicular traffic at the time of this EA. The impacts to the roadway network associated with barricading the road were previously documented in the Klingle Road Draft EIS prepared by FHWA and DDOT in 2003.

### ***Response to Comment 060-30***

23 CFR 652 provides policies and procedures relating to the provision of pedestrian and bicycle accommodations and Federal-aid projects, and Federal participation in the cost of these accommodations and projects.

***Response to Comment 060-31***

Erroneously, the following information was listed in the EA, which was released in June 2010:

Klinge Road is currently listed on the Federal-aid system functional classification of streets/roadways in the District of Columbia as a local street (DDOT, 2009c). If converted from motorized to non-motorized use under the proposed action, this segment of roadway would have to be officially removed as a local street from the DC functional classification map using the appropriate processes under 23 CFR 470.109(a) and 470.115(a) (Federal Aid Highways re: converting a designated fed-aid highway to non-vehicular trail) and The Street & Alley Closing & Acquisition Procedures Act of 1982. D.C. Code Section 9-201.01 et. Seq. Section 9-202-01 (re: street closings and requirement of public hearing for such act).

Klinge Road is currently listed on the Federal-aid highway system functional classification of streets and roadways in the District of Columbia as a collector street and is eligible for Surface Transportation Program (STP) funds. Because the District is proposing to construct a multi-use trail on Klinge Road (i.e., the Klinge Valley Trail), Klinge Road will no longer be eligible for funding under the STP funding program. At the conclusion of the NEPA process regarding this EA for the Klinge Valley Trail, DDOT will propose to FHWA that the segment of Klinge Road between Porter Street, N.W. and Cortland Place, N.W. be removed from the Federal-aid highway system. However, the proposed multi-use trail is eligible for federal-aid funding under the Recreational Trails Program in accordance with SAFETEA-LU Sections 1101(a)(8) and 1109, 23 USC 104(h) & 206, and 23 CFR Part 652.

Nevertheless, removal of Klinge Road from the Federal-aid highway system, does not affect the District's ownership and jurisdiction of the Klinge Road right-of-way. Under the proposed action, DDOT will not and does not plan to officially close the barricaded segment of Klinge Road between Porter Street, N.W. and Cortland Place, N.W. pursuant to the procedure outlined in The Street & Alley Closing & Acquisition Procedures Act of 1982 (D.C.

Code sections 9-201.01 et seq. (see Appendix E). DC Code section 9-202.01 states that the Mayor may close all or part of any street or alley which is determined by the DC Council to be unnecessary for street or alley purposes. The 2008 Act, passed by DC Council, did not deem Klingle Road unnecessary when it authorized the construction of a pedestrian and bicycle trail on Klingle Road between Porter Street, N.W. and Cortland Place, N.W.; therefore, Klingle Road continues to be necessary for street (i.e., public right-of-way) purposes, as defined in DC Code section 9-201.01. Additionally, DDOT will continue to operate, maintain and manage the public right-of-way for both non-motorized transportation and authorized motorized use (i.e. access for emergency, utility, and maintenance vehicles). Additionally, a project funded through a Federal Aid program is required to comply with the National Environmental Policy Act (NEPA).

***Response to Comment 060-32***

Land use is not complied with or not. Rather existing conditions are evaluated and potential impacts of the proposed action and the No Action alternative are evaluated. The segment of Klingle Road between Cortland Place, NW and Porter Street, NW has been barricaded to traffic since 1991, and land use has not changed significantly during the 19 years of closure.

***Response to Comment 060-33***

Considerations for trail users and trail materials are discussed in Section 1.5.1 in the EA, and in the cost estimates in Appendix A of the June 2010 EA. Based on data collected for the cost estimates, a 10 to 20 percent cost difference between permeable and non-permeable pavement was considered. For each alternative, a contingency is built into the cost estimate tables to account for variations in materials and construction costs.

***Response to Comment 060-34***

Please see response to comment 060-01.

The proposed action is to construct a multi-use trail facility and does not include the creation of a park.

***Response to Comment 060-35***

Comment noted.

***Response to Comment 060-36***

Comment noted.

060-37 Page 34. Only the 12 foot wide trail allows for large trucks and actually you need 14 feet wide for the gas company and other large trucks. Your other trails do not meet the needs for the area and should not be considered as useful.

060-38 Page 37. Three foot deep detention pond is deep enough for a two year old to drown in, are there fences around them? Did you discuss West Nile Virus as an added benefit to this option?

Page 39. This is where the Tregaron houses are to be built and if you had incorporated their map you would know that and not have included this in your plan. Do your homework!

Page 40. The reason for the request for a Conn. Ave. access is because this land is not useful to most as a trail so they are trying to tie the trail to a place a majority of people walk and bike. Few other than the neighborhood are on Woodley Road to enter this path.

Page 62. This is the start of the historic section but it does not mention Klingle Road as a road dedication given to DC to be used as a road forever. Seems you left out the most important part of the historic information. Please correct in the final version. I also read that the 5 families that gave this land for a road also paid for its first paving. Also left out of the report are all the minor roads that use to exist and Rock Creek Park closed by NPS leaving only 3 main roads open. This makes Rock Creek Park with limited driving access and no public transportation access not as usable as a major park in the center of an urban area. Central Park in New York has made a big effort to get people and activities into their park and in our city, NPS wants you to drive through and just look at the trees but not actually use the park for soccer, baseball, ice skating, picnic areas, etc.

060-39 Page 75. Joint Development. Again, the Tregaron houses and the revenue DC would receive from taxes is a joint project. The DC government along with Tregaron Limited Partnership are the losers with your ignoring these houses to be built. This trail project certainly does not assist but makes this development impossible.

060-40 Page 77. Not sure if the utilities are adequately protected that are under the road and if they will be protected and available in the future, but it needs to be considered.

Page 79. This trail is not on your list of DC Bike Trails nor has it been. I do not even see any statement from WABA in favor of this neighborhood trail.

Page 82. This bike trail costing millions would only benefit 16 bikers.

060-41 Page 87. Level of Service. All of the levels of service have gone down in 2009 at some time in the day. And yet you find no impact from increase in traffic?

060-42 Page 108 & 109. Historic Structures. Tregaron property again is affected by this hike/bike path in a negative way. The road needs to be rebuilt for the 5 houses that were agreed to in the HPRB consent agreement and order on Tregaron. (Which you were told about and have ignored in this whole document). The WIS school uses the road as an egress route as part of its traffic flow. The road, not a hike/bike trail, would give more access to the Tregaron Park and its visitors. The road itself is historic not a hike/bike path.

Page 111. This historically significant transportation route needs to be restored for automobiles not a hike/bike path. This road has been an important transportation route and is needed today for transportation across the city by automobiles so everyone in DC can use it not just the immediate neighborhood.

Page 116 and 117. Since Ddot could not do its job and rebuild this road it has deteriorated for 19 years and has been used by trucks and cars during that time and would be used by autos if Ddot were able to do their job and rebuild the road. This road has been used in 19 years even in its unsafe condition. It is needed today as a road as it was used for

### ***Response to Comment 060-37***

As stated, all Action Alternatives, including the Preferred Alternative, include 2-foot stabilized shoulders which will accommodate utility, maintenance, and emergency vehicles.

### ***Response to Comment 060-38***

The stormwater management option referred to in your comment was dismissed from detailed study in Section 2.3.3 of the EA.

### ***Response to Comment 060-39***

By definition, there are no joint developments within the project area.

### ***Response to Comment 060-40***

Per coordination with WASA and Washington Gas (Appendix C of this EA), there are no impacts to existing or planned utilities as a result of the proposed action.

### ***Response to Comment 060-41***

As stated, for the purposes of this EA, the closure of Klingle Road is an existing condition common to the No Action and Action Alternatives because the road has been barricaded since 1991 and there are no plans to reopen the road to general vehicular traffic at the time of this EA. The impacts to the roadway network associated with barricading the road were previously documented in the Klingle Road Draft EIS prepared by FHWA and DDOT in 2003.

### ***Response to Comment 060-42***

FHWA and DDOT consulted with the DC Historic Preservation Office (DC HPO) through the planning of this project. On June 18, 2010, DC HPO concurred with a finding of No Adverse Effect on historic properties, stating “the proposed action should have an overall beneficial effect on historic and cultural resources in comparison to the no action alternative. The Trail Alternatives, combined with the Klingle Creek Restoration Options and Access to Rock Creek Trail Options would curtail the continued deterioration

106 years and according to the DEIS 134 years as a road, a historically significant road. The Tregaron 2 million dollar homes will not be built or sold next to a hike/bike path and that is a very large impact. If you were the owner of that property and expected to sell these house lots the economic loss would be huge and not no impact as stated. It is not needed as a hike/bike path which is why there is a continual suggestion there be access via Conn. Ave. bridge. As it stands, only the neighborhood few people have easy access as a hike/bike path and not the general public. The use as a road is lengthy and documented the use as a hike/bike path is useless and has no proven need. This hike/bike path breaks up an existing road that is used daily, as this is the MIDDLE segment of an existing road. There is significant land use impact and since these statements in the draft EA are so inaccurate they need to be changed for the final EA. These kinds of inaccuracies put a cloud over the whole EA and its accuracy.

060-43 Page 118. Zoning changes are again related to the Tregaron Building Project which would build 5 houses on the residential lots which this hike/bike path are trying to land lock and take away that zoning right. There is a zoning change under the hike/bike path the zoning would change from residential lots to vacant land and would be tax revenue loss to the city. This section needs to be changed in the final EA and try to be truthful.

060-44 Page 119. Economic and Development . There is a development project planned for this area as stated above and one this EA continually ignores. Change the final EA to reflect this development.

060-45 Page 120. Joint Development. Again, the development of high end homes is ignored so you can state no impact. Not true!

This landowner has donated 13 acres of land for a park and evidently the EA does not see that as significant and wants to ignore the owner's right to sell off 5 housing lots to recoup some of his costs on the land and yet you call that no impact. The road is needed here and the greedy few do not need a 13 acre park and another park of 1/2mile in the middle of a road. There is impact the opposite of what you state.

060-46 Page 121. Lighting options- Restore the street lights that existed in this area.

Page 122. Trailheads and signage will not keep out the drug dealers or the gangs, the signs will be ignored similar to the barricades which have been ignored. A police car riding through the area may have an impact since the police do not ride through at present the area has become a safe haven for drug dealers and gangs. There needs to be access so the area can be patrolled regularly and not some locked gate system which essentially leave it as an unpatrolled and unprotected area. These criminal elements did not move in until the road was barricaded and became a safe haven. Put police patrolling and street lights in your final EA.

Page 123. There was an emergency I know of during the 19 years. Aa boy fell and broke his collar bone. The EMS could not get in and they had to go over the Conn. Ave. Bridge and lift him out to get the boy to the hospital. Emergency vehicles used the road as access to the Washington Hospital Center and Children's Hospital on a regular basis. Police used it to reach suspects who went from one Police precinct on one side of the park to the other side of the park under the assumption no one would be pursuing them.

060-47 Page 125. Utilities are needed for the 5 house lots, you need more not the same or less. Again inaccurate!

060-48 Page 128, Transportation There is no proved need for this hike/bike path. The pedestrians and dog walkers can use the 13 acre Tregaron Park and there has never been heavy bike use in this area because of the steep hill and it is not a cross town bike route that is needed. There is a long history of its use as a road and you ignore this completely. What cross town road route will you be providing if you take this one away. Will NPS create other land for a new across the park route that is actually needed and would be used. Traffic is piling up on other intersections and cross town routes as this one route has been closed. See attached article on bike paths pollute. Every day 400,000 cars come into the

of Klingle Valley, its character defining features and restore views of the heavily wooded valley from nearby historic properties” (the complete Assessment of Effects is found in Appendix B of this EA). DDOT and FHWA will continue to consult with DC HPO throughout the project.

An alternative to reopen the barricaded portion of Klingle Road to motor vehicles would not fulfill the purpose and need for the proposed action, which is identified in Section 1.0 of the EA. Furthermore, a road alternative is not consistent with the District's Klingle Road Sustainable Development Act of 2008, and was eliminated from detailed study in Section 2.3.5 of the EA.

***Response to Comment 060-43***

The District zoning map is found following Section 3.3.3 of the EA. There would be no changes to zoning as a result of the proposed action or No Action alternative.

***Response to Comment 060-44***

The one acre of land on the historic Tregaron Property which was approved for subdivision by the DC HPO was discussed in the June 2010 EA and is included throughout this Final EA in Sections 3.2.1, 4.2.1, 4.3.1, and 4.9.2.

***Response to Comment 060-45***

As stated, the one acre of land on the historic Tregaron Property which was approved for subdivision by the DC HPO is not a joint development by definition.

District of Columbia and only 1.2% of the population bike commute. The need is for more roads to handle the traffic not more bike paths in hopes that biking commuting will increase. Even CM Cheh says this is not meant to be a bike commuting route, so I guess maybe on the weekend some biker might use it instead of the 3,200 cars per DAY that used this road in the past. The people in DC that do not own a car already have easy access to the Metro, buses, taxis they are not waiting for more bike routes.

Page 129. Roadway network and traffic - Traffic is significantly increased since 2003 and yet you do not reflect that in this EA. We all know we are sitting at traffic lights longer and getting across this city can take up to 45 minutes. All the roads mentioned in your study have been downgraded in use and yet that is not reflected in this EA. The hike/bike path in the middle of a cross town route adds to traffic congestion and simply saying since it has been closed for 19 years that is okay and we should all live with the congestion. What new route is Ddot proposing to handle the traffic you are not allowing on this historically significant road? Because Ddot has not been able to do its job and rebuild this road as it should have done, this does not make it okay to continue the mistake and error. Two wrongs do not make a right. A bike path in the middle of a road is not a substitute for an open road and it does not even make any sense.

060-48 (cont.)

Page 131. This hike/bike trail does not access bus routes or Metro as you would walk past Conn. Ave. and then walk back to Conn. Ave. to use bus and Metro access. Not logical.

Page 137. Tregaron will need a road and so do the rest of us. The impact of taking away a road for an unnecessary recreational path beside Tregaron Park, Rock Creek Park and Woodley Park is huge. It is dishonest to state there is no impact with past, present and cumulative information. There is definitely a long term impact on transportation to take away a road and replace it with an unnecessary recreational path. The consultant may view his job as agreeing with the legislation but it should be stated there is a negative impact on transportation. I will also note that surrounding parks and recreational areas are not mentioned in this draft EA but should be corrected in the final EA. There is no mention of 26 miles of bike lanes in Rock Creek Park for those recreational bikers nor the fact that the roads in the park are closed on weekends which puts added traffic on adjoining streets so the weekend biker can enjoy Rock Creek Park. This same weekend biker will not be coming to Klingle for a ½ mile ride on a steep slope that cannot accommodate the disabled.

Robert C. Carroll

Wash. DC 20008

***Response to Comment 060-46***

A lighting option is preferred for the proposed trail. As stated, an alternative to reopen the road to vehicular traffic does not meet the project purpose and needs.

***Response to Comment 060-47***

Impacts to existing and planned utilities are analyzed in the EA. There are no plans in place for new utilities to serve the Tregaron Property.

***Response to Comment 060-48***

An alternative to reopen the barricaded portion of Klingle Road to motor vehicles would not fulfill the purpose and need for the proposed action, which is identified in Section 1.0 of the EA. Furthermore, a road alternative is not consistent with the District's Klingle Road Sustainable Development Act of 2008, and was eliminated from detailed study in Section 2.3.5 of the EA.

Thank you for your comments. They have been noted and will be included in the project Administrative Record.

**From:** [REDACTED]  
**Sent:** Saturday, July 03, 2010 2:30 PM  
**To:** KlingeTrail  
**Subject:** Re: From the Klinge Trail Website

**Name:** Laurie Collins  
**Email:** [REDACTED]  
**Address:** [REDACTED]

061 **Comment:** June 27, 2010 As a resident of Ward 3, and who lives a few hundred yards from Klinge Road, I do not support any of the  
-01 options presented in the Environmental Assessment. None of the options will carry large utility vehicles, or public safety vehicles such  
as fire trucks. Since numerous utility companies, such as WASA have to access the road, there is a need for a normal size road. A road  
which, this past 2010 winter, was snow plowed by WASA during Snowmageddon, thereby making a road necessary. There are already  
2 parks (Woodley, which has 2-3 acres, and the Tregaron Conservancy, 13-acres of hiking and paths) and we already kiss Rock Creek  
Park we are so close, yet there are no cross-park roads to access. You must either drive north or south to go east and west. Repairing  
Klinge Road is still cheaper than a 3-block neighborhood hike/bike path to nowhere and has no monthly maintenance cost! Just a few  
years ago, and according to FHWA and DDOT, the cost to rebuild two lanes of Klinge Road for public motor vehicle traffic with a  
reliable storm water management system was \$7.18M? far less than Alternative 3 and 4 and will benefit all the residents of the District  
of Columbia. Permeable surface is too expensive, makes no sense on steep grades as Klinge Road, and costly to maintain. As I stated  
in December, and again now, the Project Area defined in the EA is inconsistent with the legislation. Any options to connect Klinge  
Valley Trail to the Rock Creek Trail system are outside the scope of the legislation and should not be included in the final EA. You  
cannot walk around addressing this legislation until you close the road. You cannot use Federal funding, build a hike/bike path, do a  
street closing, and then lose the land. Therefore, I support the EA requirement that the City must follow the Streets and Alley Closing  
and Acquisitions Procedures Act. IMPACTS: The EA incorrectly states that there would be no impact on future developments. This is  
not true. The EA needs to include the Mayor's Agent 2006 Historic Preservation Order approving the Tregaron Partnership's plan  
to build 5 high-end, tax generating lots and private residences along Klinge Road. This trail project is either putting this development on  
hold or is killing it. This is a significant socioeconomic impact that the EA should disclose in the final EA. A hike/bike path discriminates  
against individuals with disabilities, an underserved portion of our population. With a 12% grade in some areas, these people who  
enjoyed the road via an automobile would never be able to enjoy the valley, and trying to maneuver from the Porter Street side towards  
Woodley Road would be impossible. By not complying with the Americans with Disabilities Act, you violate the public health and welfare  
of individuals with disabilities who will no longer be able to enjoy the pleasure of recreational driving nor any of this trail. The  
hike/bike trail impacts Wards 4, 3, and Ward 1 residents because there are virtually no roads going east and west without have to travel  
north and south to do so. The Cleveland Park Historic Society, Historic Mount Pleasant, as well as the Mount Pleasant Neighborhood  
Alliance organizations who serve hundreds of residents, support an open road to everyone. This has impacted transportation in Wards  
1, 2, 3, 4, and 5.  
-07  
**Periodic updates:**

### ***Response to Comment 061-01***

Thank you for your comments. These will also be included in the project Administrative Record. Please see response to comments 017-01 through 017-04 from the Public Hearing transcript and responses below.

An alternative to reopen the barricaded portion of Klinge Road to motor vehicles would not fulfill the purpose and need for the proposed action, which is identified in Section 1.0 of the EA. Furthermore, a road alternative is not consistent with the District's Klinge Road Sustainable Development Act of 2008, and was eliminated from detailed study in Section 2.3.5 of the EA.

### ***Response to Comment 061-02***

Based on the number of public comments received on the topic, the project team prepared a cost estimate for a road build scenario using DDOT standard cost estimating methods. Current costs to design, construct, and reopen the road to motor vehicle traffic would be \$10,619,000. Although not included as part of the proposed action in the 2005 DEIS, restoration of Klinge Creek would also be required under this scenario in order to promote a sustainable road, and would cost an additional \$1,075,000. Road maintenance would also cost approximately \$5,840 per year. At an estimated cost of \$11,694,000, the total cost of reconstructing the road is considerably more than the cost of the multi-use trail. Furthermore, the revised cost estimate to rebuild the road assumes that a number of design exceptions would be acceptable. Design exceptions would be required where the road would not meet current standards because of the constraints within Klinge Valley.

***Response to Comment 061-03***

Although the 2008 Act specifically mentions “the portion of Klingle Road, NW, between Porter Street, NW on the east, to Cortland Place, NW on the west”, the FHWA NEPA regulations under 23 CFR 771.111, require that action evaluated in the NEPA process shall connect logical termini and have independent utility. Logical termini for project development are defined as (1) rational end points for a transportation improvement, and (2) rational end points for a review of the environmental impacts. Have independent utility or independent significance, i.e., be usable and be a reasonable expenditure even if no additional transportation improvements in the area are made. Therefore, the project area was expanded as presented in the EA. The option to connect Klingle Valley Trail to the Rock Creek Trail system meets the need for system linkage as described in the EA.

***Response to Comment 061-04***

Erroneously, the following information was listed in the EA, which was released in June 2010:

Klingle Road is currently listed on the Federal-aid system functional classification of streets/roadways in the District of Columbia as a local street (DDOT, 2009c). If converted from motorized to non-motorized use under the proposed action, this segment of roadway would have to be officially removed as a local street from the DC functional classification map using the appropriate processes under 23 CFR 470.109(a) and 470.115(a) (Federal Aid Highways re: converting a designated fed-aid highway to non-vehicular trail) and The Street & Alley Closing & Acquisition Procedures Act of 1982. D.C. Code Section 9-201.01 et. Seq. Section 9-202-01 (re: street closings and requirement of public hearing for such act).

Klingle Road is currently listed on the Federal-aid highway system functional classification of streets and roadways in the District of Columbia as a collector street and is eligible for Surface Transportation Program (STP) funds. Because the District is proposing to construct a multi-use trail on Klingle Road (i.e., the Klingle Valley Trail), Klingle Road will no longer be eligible for funding under the STP funding program. At the conclusion of the

NEPA process regarding this EA for the Klingle Valley Trail, DDOT will propose to FHWA that the segment of Klingle Road between Porter Street, N.W. and Cortland Place, N.W. be removed from the Federal-aid highway system. However, the proposed multi-use trail is eligible for federal-aid funding under the Recreational Trails Program in accordance with SAFETEA-LU Sections 1101(a)(8) and 1109, 23 USC 104(h) & 206, and 23 CFR Part 652.

Nevertheless, removal of Klingle Road from the Federal-aid highway system, does not affect the District's ownership and jurisdiction of the Klingle Road right-of-way. Under the proposed action, DDOT will not and does not plan to officially close the barricaded segment of Klingle Road between Porter Street, N.W. and Cortland Place, N.W. pursuant to the procedure outlined in The Street & Alley Closing & Acquisition Procedures Act of 1982 (D.C. Code sections 9-201.01 et seq. (see Appendix E). DC Code section 9-202.01 states that the Mayor may close all or part of any street or alley which is determined by the DC Council to be unnecessary for street or alley purposes. The 2008 Act, passed by DC Council, did not deem Klingle Road unnecessary when it authorized the construction of a pedestrian and bicycle trail on Klingle Road between Porter Street, N.W. and Cortland Place, N.W.; therefore, Klingle Road continues to be necessary for street (i.e., public right-of-way) purposes, as defined in DC Code section 9-201.01. Additionally, DDOT will continue to operate, maintain and manage the public right-of-way for both non-motorized transportation and authorized motorized use (i.e. access for emergency, utility, and maintenance vehicles).

***Response to Comment 061-05***

DDOT did consider the potential impacts of the Klingle Valley Trail project with regards to approval of the subdivision of Tregaron per the DC Historic Preservation Office 2006 Decision and Order (DC HPO #04-145). A discussion of potential impacts is provided in the

Cultural Resources Section (4.2.1) and Land Use Section (4.3.1) of the EA. A number of commentators on the June 2010 EA noted the 2006 approval by the DC Historic Preservation Review Board (DC HPO) of an application for subdivision of one acre of the historic Tregaron Property in exchange for the Tregaron Limited Partnership's donation of 13 acres for permanent open space preservation on the historic property (Decision and Order (Subdivision of Tregaron Estate – Eight Residential Lots and Initial Rehabilitation Plan of Conservancy – March, 2006). According to the commentators, the proposed trail would prohibit vehicular access from five homes to Klingle Road, essentially nullifying the DC HPO's approval. The DC HPO's order allowed for the subdivision; however, it clearly acknowledges that five of the eight subdivided properties proposed frontage would be on "that portion of Klingle Road which is currently closed to traffic" (DC HPO, 2006).

As required under Section 106 of the National Historic Preservation Act, FHWA and DDOT consulted with the DC HPO and prepared an Assessment of Effects on Historic Resources report. Throughout FHWA and DDOT's consultations with DC HPO, DC HPO did not raise the approval for the subdivision in the Decision and Order as an issue whereby the proposed trail would affect the Tregaron Limited Partnership's activities. Notably, DC HPO has stated:

"The 'HPRB order' . . . is more accurately a concept approval and acceptance of the three-party property agreement between Washington International School, the Tregaron Conservancy, and the Tregaron Limited Partnership regarding the ownership and future treatment of the Tregaron landmark. This agreement does not have any impact or relevance to the Klingle Road project . . . In fact, there is no right to built [sic] the houses; they were always a highly speculative proposition."

Furthermore in an email response to a citizen's inquiry regarding this issue, the DC HPO stated:

"The five houses on the closed portion of Klingle were speculative and

specifically approved for those sites. They were proposed by the developer with full knowledge that Klingle was closed at the time and without any guarantee that it would be reopened. There was no contingency for relocating those five house lots to other portions of the site, and the remainder of the land has already been transferred to and is owned by the Conservancy. I don't think the failure of the developer to be able to build the five houses would affect the settlement agreement between the Tregaron Limited Partnership, the Washington International School and the Conservancy.”

The complete Assessment of Effects on Historic Resources report and the DC HPO concurrence letter is presented in Appendix B of this EA. The two emails in their entirety are available in the project Administrative Record.

***Response to Comment 061-06***

DDOT will follow FHWA procedures with regards to compliance with the Americans with Disabilities Act.

***Response to Comment 061-07***

An alternative to reopen the barricaded portion of Klingle Road to motor vehicles would not fulfill the purpose and need for the proposed action, which is identified in Section 1.0 of the EA

[REDACTED]

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**From:** [REDACTED]  
**Sent:** Saturday, July 03, 2010 2:30 PM  
**To:** KlingeTrail  
**Subject:** Re: From the Klinge Trail Website

**Name:** Stakeholder

**Email:** [REDACTED]

062-01  
**Address:** [REDACTED]  
**Comment:** Please add the Coalition to Repair and Reopen Klinge Road as a stakeholder in your final EA. Thank you.

**Periodic updates:**

***Response to Comment 062-01***

Thank you for your comments. The Coalition to Repair and Reopen Klinge Road has been listed in the EA Distribution List of this document.

**From:** [REDACTED]  
**Sent:** Sunday, July 04, 2010 4:22 PM  
**To:** KlingleTrail  
**Subject:** Re: From the Klingle Trail Website

**Name:** Dana Keeney

**Email:** [REDACTED]

**Address:** [REDACTED]

**Comment:** I strongly object to the proposal to make Klingle Road into a path to serve a few, as opposed to restoring it to an important roadway that serves all. The elitist stench of this proposal is overwhelmingly offensive to ordinary citizens such as myself that have been deprived of an important means of traveling across Rock Creek Park purely to satisfy the selfish desires of a few wealthy individuals who place their privacy and exclusivity above the general welfare of public at large. More specifically, I object to the proposal for the following reasons: Chehâ?Ts legislation limits the trail to 10â?T width with a permeable surface. The EA has a wider and impervious surface alternatives. It should add an alternative of restoring and rebuilding Klingle Road. Hike/Bike supporters told Cheh the trail would cost about \$2million. The EA says at least \$5 million and \$7million to extend to Rock Creek. In 2005, the cost of rebuilding the road to its pre-collapse two-lane configuration was \$7.1 million. Thatâ?Ts still in the ballpark in todayâ?Ts economy. A road is clearly more bang for the buck. A road assures the Districtâ?Ts right to use the Klingle land forever as a public highway. A hike/bike trail does not. The 2003 Road restoration legislation and a supporting Preliminary environmental impact statement were in force when the Tregaron land swap deal was negotiated and approved by the Mayorâ?Ts agent for historic preservation. Closing Klingle Road kills development of at least five high-end residences that would otherwise generate badly needed income and property taxes for the City. Permeable surfaces may be useful on flat terrain like a parking lot. Building a permeable surface trail, that cannot catch storm water running down Klingleâ?Ts slopes, is a multi-million dollar experiment at the expense of DC taxpayers. WASA, WMATA and Washington Gas have used Klingle Road since its collapse in 1991. WASA had the road plowed in February 2010. Multi-ton trucks used the road on the Connecticut Avenue Bridge rebuilding. The Cheh Trail does not provide width or durable surface needed by these vehicles. I strongly urge you to reject the trail proposal and to fully restore Klingle Road to the important road it has been for many years. Dana Keeney

**Periodic updates:**

### ***Response to Comment 063-01***

Thank you for your comments, which will be included in the project Administrative Record.

An alternative to reopen the barricaded portion of Klingle Road to motor vehicles would not fulfill the purpose and need for the proposed action, which is identified in Section 1.0 of the EA. Furthermore, a road alternative is not consistent with the District's Klingle Road Sustainable Development Act of 2008, and was eliminated from detailed study in the EA. Please see Section 2.3.5 for more details.

After consideration of the purpose of and needs for the proposed action, analysis in the EA, and public and agency comments, DDOT has identified Alternative 2 – 10-Foot Multi-Use Trail (Permeable) as the Preferred Alternative.

Erroneously, the following information was listed in the EA, which was released in June 2010:

Klingle Road is currently listed on the Federal-aid system functional classification of streets/roadways in the District of Columbia as a local street (DDOT, 2009c). If converted from motorized to non-motorized use under the proposed action, this segment of roadway would have to be officially removed as a local street from the DC functional classification map using the appropriate processes under 23 CFR 470.109(a) and 470.115(a) (Federal Aid Highways re: converting a designated fed-aid highway to non-vehicular trail) and The Street & Alley Closing & Acquisition Procedures Act of 1982. D.C. Code Section 9-201.01 et. Seq. Section 9-202-01 (re: street closings and requirement of public hearing for such act).

Klingle Road is currently listed on the Federal-aid highway system functional classification of streets and roadways in the District of Columbia as a collector street and is eligible for Surface Transportation Program (STP) funds. Because the District is proposing to construct a multi-use trail on Klingle Road (i.e., the Klingle Valley Trail), Klingle Road will no longer be eligible for funding under the STP funding program. At the conclusion of the NEPA process regarding this EA for the Klingle Valley Trail, DDOT will propose to FHWA that the segment of Klingle Road

between Porter Street, N.W. and Cortland Place, N.W. be removed from the Federal-aid highway system. However, the proposed multi-use trail is eligible for federal-aid funding under the Recreational Trails Program in accordance with SAFETEA-LU Sections 1101(a)(8) and 1109, 23 USC 104(h) & 206, and 23 CFR Part 652.

Nevertheless, removal of Klinge Road from the Federal-aid highway system, does not affect the District's ownership and jurisdiction of the Klinge Road right-of-way. Under the proposed action, DDOT will not and does not plan to officially close the barricaded segment of Klinge Road between Porter Street, N.W. and Cortland Place, N.W. pursuant to the procedure outlined in The Street & Alley Closing & Acquisition Procedures Act of 1982 (D.C. Code sections 9-201.01 et seq. (see Appendix E). DC Code section 9-202.01 states that the Mayor may close all or part of any street or alley which is determined by the DC Council to be unnecessary for street or alley purposes. The 2008 Act, passed by DC Council, did not deem Klinge Road unnecessary when it authorized the construction of a pedestrian and bicycle trail on Klinge Road between Porter Street, N.W. and Cortland Place, N.W.; therefore, Klinge Road continues to be necessary for street (i.e., public right-of-way) purposes, as defined in DC Code section 9-201.01.

Additionally, DDOT will continue to operate, maintain and manage the public right-of-way for both non-motorized transportation and authorized motorized use (i.e. access for emergency, utility, and maintenance vehicles).

A 10-foot trail with 2-foot shoulders (14 feet total width) will accommodate periodic access needed by emergency, maintenance, and utility vehicles.

Based on the number of public comments received on the topic, the project team prepared a cost estimate for a road build scenario using DDOT standard cost estimating methods. Current costs to design, construct, and reopen the road to motor vehicle traffic would be

\$10,619,000. Although not included as part of the proposed action in the 2005 DEIS, restoration of Klingle Creek would also be required under this scenario in order to promote a sustainable road, and would cost an additional \$1,075,000. Road maintenance would also cost approximately \$5,840 per year. At an estimated cost of \$11,694,000, the total cost of reconstructing the road is considerably more than the cost of the multi-use trail. Furthermore, the revised cost estimate to rebuild the road assumes that a number of design exceptions would be acceptable. Design exceptions would be required where the road would not meet current standards because of the constraints within Klingle Valley.

In addition to permeable pavement, which includes sub-grade storage, the Preferred Alternative includes a number of stormwater management solutions for Klingle Valley: failed stormwater outfalls and culverts will be reconstructed and resized to appropriately convey water; a bio-island will be placed at the Cortland Place trailhead; and a bioswale with check dams along the length of the trail will treat runoff from side slopes as well as potential runoff from the trail.

[REDACTED]  
From: [REDACTED]  
Sent: Sunday, July 04, 2010 10:09 AM  
To: KlingleTrail  
Subject: Comments on the Trail restoration

Hello,

064-01 Thank you for undertaking this restoration. I have the following comments for the reasons noted below:

064-02 1) I prefer Alternative 4: It allows for multi-use but the trail isn't too large and it allows water to drain. We should not have a hard surface over Rock Creek Park.

064-03 2) Please undertake full creek restoration, as you are already disturbing the area when you do minimal work.

3) I urge you not to have too much night lighting and to ensure the lights are turned downward to preserve dark skies.

Thanks,  
Christine Powell  
[REDACTED]

***Response to Comment 064-01***

Thank you for your comments. They will be included in the project Administrative Record.

After consideration of the purpose of and needs for the proposed action, analysis in the EA, and public and agency comments, DDOT has identified Alternative 2 – 10-Foot Multi-Use Trail (Permeable) as the Preferred Alternative.

***Response to Comment 064-02***

In order to support a sustainable trail, DDOT has identified Option B – Full Stream Channel and Bank Stabilization as the preferred Klingle Creek Restoration Option.

***Response to Comment 064-03***

DDOT has identified Option B – Pole or Bollard Lighting as the preferred Lighting Option. DDOT plans to install low-impact pole lighting along the trail. The lighting would be timed to correspond with commuter use of the facility to limit the hours of illumination and minimize impacts to nocturnal wildlife.

[Redacted]

**From:** Coalition to Repair and Reopen Klingle Road [Redacted]  
**Sent:** Monday, July 05, 2010 5:26 PM  
**To:** KlingleTrail  
**Subject:** Coalition to Repair and Reopen Klingle Road: Response to Draft EA  
**Attachments:** Coaliton on June 2010 EA Final Submission.pdf

Attached,  
Thanks.

COALITION FOR THE REPAIR AND REOPENING OF KLINGLE ROAD  
COMMENTS ON JUNE 2010 ENVIRONMENTAL ASSESSMENT, KLINGLE TRAIL

The Coalition has been participating in efforts to repair and reopen Klingle Road since the early 1990s. Our dedicated pursuit of repair and reopening the road for motor vehicle traffic has never objected to inclusion of a hike/bike trail adjacent to the road. The EA should formally identify the Coalition as an interested party in this assessment. We hereby submit the following comments of the June 2010 EA:

I. LEGAL STATUS OF THE TRAIL PROJECT

A. Functional Classification Map and Street and Alley Closing Act

The Draft EA correctly notes that Klingle Road is currently listed on the Federal-aid system functional classification of streets/roadways in the District of Columbia as a local street. The EA further finds that, if converted from motorized to non-motorized use, this segment of roadway would have to be officially removed as a local street from the DC functional classification map using the appropriate processes under 23 CFR 470.109(a) and 470.115(a) and the Street and Alley Closing and Acquisition Procedures Act of 1982, D.C. Code sections 9-201.01 et. Seq. ; Section 9-202-01 (re: street closings and requirement of public hearing for such act.) **The Coalition concurs. However, this statement needs to be further clarified to identify the specific events/actions that will require commencement of requirements to comply with Section 109(a) and the Street & Alley Closing Act. Moreover, this statement fails to discuss the following legal/ regulatory issues that must be addressed before any federal or DC funds are committed to the proposed action.**

B. Loss of Property Right By Violating Terms of the Klingle Road Grant

The principal unaddressed issue is the limited property right that the District of Columbia has in the land on which Klingle Road is situated. As documented in Appendix G comment from Public Meeting No. 1 by Roberta Carroll and Web comments from Suellen Keiner and Nathalie Black, JD, Klingle Road was acquired on June 3, 1885 by conveyance from the then owners forever, for the purpose of a public highway. The road was approved on the Highway plan of May 27, 1998. See Report, New Streets and Alleys Amendment Act of 1988., p.3, February 9, 1988. The Carroll and Keiner/Black comments extensively review relevant laws and judicial decisions leading to the conclusions that **closing Klingle Road in order to tear it up and replace it with a park-like hike/bike path will result in the unimpeded ownership of the Klingle Road land by the owners of land abutting the barricaded section. Therefore, if the District wanted to build this neighborhood park-like hike/bike path it would have to purchase the land from the neighbors. The proposed project is not consistent with relevant real property law affecting the District of Columbia's right to use Klingle Road. FHWA and DDOT must address this issue.**

C. Inconsistency with the Comprehensive Plan

[www.repairklingle.org](http://www.repairklingle.org) email: [support@repairklingle.org](mailto:support@repairklingle.org)



**Response to Comment 065-01**

Thank you for your comments and attachments, which will be included in the project Administrative Record. Please see response to comments 017-01 through 017-04 from the Public Hearing transcript and responses below.

An alternative to reopen the barricaded portion of Klingle Road to motor vehicles would not fulfill the purpose and need for the proposed action, which is identified in Section 1.0 of the EA. Furthermore, a road alternative is not consistent with the District's Klingle Road Sustainable Development Act of 2008, and was eliminated from detailed study in Section 2.3.5 of the EA.

Erroneously, the following information was listed in the EA, which was released in June 2010:

Klingle Road is currently listed on the Federal-aid system functional classification of streets/roadways in the District of Columbia as a local street (DDOT, 2009c). If converted from motorized to non-motorized use under the proposed action, this segment of roadway would have to be officially removed as a local street from the DC functional classification map using the appropriate processes under 23 CFR 470.109(a) and 470.115(a) (Federal Aid Highways re: converting a designated fed-aid highway to non-vehicular trail) and The Street & Alley Closing & Acquisition Procedures Act of 1982. D.C. Code Section 9-201.01 et. Seq. Section 9-202-01 (re: street closings and requirement of public hearing for such act).

Klingle Road is currently listed on the Federal-aid highway system functional classification of streets and roadways in the District of Columbia as a collector street and is eligible for Surface Transportation Program (STP) funds. Because the District is proposing to construct a multi-use trail on Klingle Road (i.e., the Klingle Valley Trail), Klingle Road will no longer be eligible for funding under the STP funding program. At the conclusion of the NEPA process regarding this EA for the Klingle Valley Trail, DDOT will propose to FHWA that the segment of Klingle Road between Porter Street, N.W. and Cortland Place, N.W. be removed from the Federal-aid highway system. However, the proposed multi-use trail is eligible for federal-aid funding under the

065-01

065-02

Recreational Trails Program in accordance with SAFETEA-LU Sections 1101(a)(8) and 1109, 23 USC 104(h) & 206, and 23 CFR Part 652.

Nevertheless, removal of Klingle Road from the Federal-aid highway system, does not affect the District's ownership and jurisdiction of the Klingle Road right-of-way (DC Code 9-101.02). Under the proposed action, DDOT will not and does not plan to officially close the barricaded segment of Klingle Road between Porter Street, N.W. and Cortland Place, N.W. pursuant to the procedure outlined in The Street & Alley Closing & Acquisition Procedures Act of 1982 (D.C. Code sections 9-201.01 et. seq. section 9-202.0 (see Appendix E). DC Code 9-202.01 states that the Mayor may close all or part of any street or alley which is determined by the Council to be unnecessary for street or alley purposes. The 2008 Act, passed by DC Council did not deem the Klingle Road unnecessary when it authorized the construction of a pedestrian and bicycle trail on Klingle Road; therefore, Klingle Road continues to be necessary for street purposes, as defined in DC Code 9-201.01. Additionally, DDOT will continue to operate, maintain and manage the public right-of-way for both non-motorized transportation and authorized motorized use (i.e. access for emergency, utility, and maintenance vehicles).

***Response to Comment 065-02***

The District of Columbia will not officially close the barricaded segment of Klingle Road between Porter Street, NW, and Cortland Place, NW, pursuant to the procedures outlined in 23 CFR §§ 470.109(a), 470.115(a) and the Street & Alley Closing & Acquisition Procedures Act of 1982, since DDOT will continue to maintain and manage the public right-of-way for both non-motorized transportation and authorized motorized use (e.g., access for emergency, utility and maintenance vehicles).



065-03 **The EA incorrectly finds the proposed project to be consistent with the Comprehensive Plan for the National Capital.** In the first instance, the Comprehensive Plan specifically identifies Klingle Road as a road, not green space. Secondly, it is a distortion of the Comprehensive Plan and its underlying processes for the EA to indicate that the Plan endorses destruction of a segment of a functioning road by government neglect as an acceptable method of creating green space.

065-04 **D. Requirement to Seek Amendment of 2008 HIKE/BIKE LEGISLATION**

While ill-advised, the 2008 Klingle hike/bike legislation's precise design specifications are the current law of the District of Columbia and not a vague set of design guidelines. In below comments, the Coalition demonstrates the total inadequacy of the legislation's 10-foot-wide trail with a permeable surface. Significantly, supposed supporters of a multi-use trail are near unanimous in opposition to the 10-foot width. The impervious surface option is clearly beyond the design limitations of the statutes. It is clear that any option identified as preferred will require return to the DC Council before implementation. **The clear need for return to the Council, therefore, allows for consideration of an option to build, within DDOT's 50 foot right of way, a multi-use trail adjacent to a road repaired and restored for use by motor vehicles, including multi-ton vehicles deployed to service utilities critical to the metropolitan area. This alternative is described in our comment regarding omission of a repair and reopen Klingle Road alternative.**

065-05 **II. ERRONEOUS DESCRIPTION OF KLINGLE ROAD BOUNDARIES**

The Background subsection of the Project Overview inaccurately identifies the eastern point of the relevant section of Klingle Road as Beach Drive. In fact, this section extends eastward another half mile to the intersection of Klingle Road, Park Road and Walbridge Place, NW. **Whether inadvertent or deliberate, this omission does not reflect the continuing needs of residents in Wards 1, 4 and 5 in the use of Klingle Road.**

065-06 **III. OMISSION OF FHWA AND DDOT JOINT FAILURE TO FINALIZE JUNE 2005 PRELIMINARY EIS**

The Background subsection limits review of 2003 -2008 events to the November 2003 Klingle Restoration Act, the March 2004 Notice of Intent to prepare a supporting Environmental Impact Statement, and the 2008 legislation. The EA inexplicably omits the FHWA/DDOT June 2005 Preliminary EIS which identified restoration of Klingle Road to its original two-lane configuration, along with an effective stormwater underground piping system and restoration of Klingle Creek as the preferred environmental alternative. **The PEIS identified the cost of this preferred alternative as \$7.1million.**

The EA passively and obtusely states that "*Prior to completion of the Final EIS in support of the Final EIS, the project was put on hold.*" The 2003 road restoration project was not put on hold until the DC Council enacted the 2008 legislation. At that point in time, and for the previous three year and ½ years, DDOT and FHWA were constantly trading messages pointing fingers at each other for failure to finalize the EIS for the Klingle 0.7 mile, \$7.1 million road repair job. In its entire history, no other PEIS



### **Response to Comment 065-03**

The EA states that the action alternatives are consistent with the District's 2006 Revised Comprehensive Plan, which calls for the preservation and improvement of the natural environment and improvement of multi-modal access to Rock Creek Park.

### **Response to Comment 065-04**

An alternative to reopen the barricaded portion of Klingle Road to motor vehicles would not fulfill the purpose and need for the proposed action, which is identified in Section 1.0 of the EA. Furthermore, a road alternative is not consistent with the District's Klingle Road Sustainable Development Act of 2008, and was eliminated from detailed study in Section 2.3.5 of the EA.

### **Response to Comment 065-05**

Although the 2008 Act specifically mentions "the portion of Klingle Road, NW, between Porter Street, NW on the east, to Cortland Place, NW on the west", the FHWA NEPA regulations under 23 CFR 771.111, require that action evaluated in the NEPA process shall connect logical termini and have independent utility. Logical termini for project development are defined as (1) rational end points for a transportation improvement, and (2) rational end points for a review of the environmental impacts. Have independent utility or independent significance, i.e., be usable and be a reasonable expenditure even if no additional transportation improvements in the area are made. Therefore, the project area was expanded as presented in the EA. The option to connect Klingle Valley Trail to the Rock Creek Trail system meets the need for system linkage as described in the EA.

065-06  
(cont.)

supporting a FHWA funded project failed to be finalized over a 3 and ½ year period. By comparison, the entire EIS process for new construction of the 18 mile, \$2.3 billion Maryland inter-county connector was completed in less time. No government official put the Klingle Road final EIS on hold prior to the DC 2008 legislation. Whether intentionally or by ineptitude, FHWA and DDOT sabotaged the 2003 Act. **The agencies should take responsibility for undermining DC's 2003 legislation by including that factual history in this EA.**

065-07

#### IV. OMISSION OF REPAIR AND REOPENING OF KLINGLE ROAD AS AN ALTERNATIVE

In our comments on this EA, the Coalition demonstrates the dangers of a permeable surface on Klingle's steep slopes, limited to 10 feet in width, and to be used by multi-ton utility maintenance vehicles. Those comments call into question the cost estimates for a permeable surface trail with unproven swale technology on amidst Klingle's steep slopes. **We have also identified the potential loss of the District of Columbia's property right to use the land on which Klingle Road is situated if the road is closed under the Street and Alley Closing Act and removed from the functional classification map as a local street.**

Further, while nationwide there was slight increase in road construction costs in the years immediately after 2005, available evidence shows that **road construction costs leveled off** during 2008, declined in 2009 and declined again in the early months of 2010. Thus the projected \$7.1 million dollar cost estimate in the 2005 PEIS for rebuilding Klingle Road to its pre-collapse two lane configuration along with a proven stormwater management methodology and restoration of Klingle Creek is within a reasonable comparable range with the likely under-estimated cost projections for constructing the experimental permeable surface trail on and amidst Klingle's steep slopes. Moreover, **repair and reopening Klingle Road as a public highway clearly retains the District's property right acquired under the 1885 grant.**

Because FHWA and DDOT have already identified alternatives that are outside the design limitations specified in the 2008 legislation, the agencies should also provide decision makers with the alternative in this EA of constructing the two-lane preferred environmental alternative identified in the 2005 PEIS.

065-08

#### V. OMISSION OF SIGNIFICANT ADVERSE IMPACT ON PLANNED TREGARON DEVELOPMENT

**Under Socioeconomic factors, the EA incorrectly finds no planned development that would be impacted by tearing up Klingle Road and replacing it with a 0.7 mile hike/bike trail.** This finding ignores the 2006 agreement among the Tregaron Limited Partnership, the Tregaron Conservancy, and the Mayor's Agent for Historic Preservation. This agreement resolved years of controversy that had delayed, if not prevented, the Tregaron Limited Partnership, a private owner of significant acreage abutting Klingle Road, from developing a substantial amount of residences on that acreage for sale to individual homeowners. Under the agreement, the Tregaron Limited Partnership donated 13 acres to the Tregaron Conservancy for development of trails and gardens to be used by the public, in perpetuity. In return, the Conservancy, agreed to allow the Tregaron Limited Partnership to convey 8 assessment



#### *Response to Comment 065-06*

Your comments are noted and have been included in the project's administrative record.

#### *Response to Comment 065-07*

Your comments are noted and have been included in the project's administrative record.

#### *Response to Comment 065-08*

DDOT considered the potential impacts of the Klingle Valley Trail project with regards to approval of the subdivision of Tregaron per the DC Historic Preservation Office 2006 Decision and Order (DC HPO #04-145). A discussion of potential impacts is provided in the Cultural Resources Section (4.2.1) and Land Use Section (4.3.1) of the EA. A number of commentators on the June 2010 EA noted the 2006 approval by the DC Historic Preservation Review Board (DC HPO) of an application for subdivision of one acre of the historic Tregaron Property in exchange for the Tregaron Limited Partnership's donation of 13 acres for permanent open space preservation on the historic property (Decision and Order (Subdivision of Tregaron Estate – Eight Residential Lots and Initial Rehabilitation Plan of Conservancy – March, 2006). According to the commentators, the proposed trail would prohibit vehicular access from five homes to Klingle Road, essentially nullifying the DC HPO's approval. The DC HPO's order allowed for the subdivision; however, it clearly acknowledges that five of the eight subdivided properties proposed frontage would be on "that portion of Klingle Road which is currently closed to traffic" (DC HPO, 2006).

As required under Section 106 of the National Historic Preservation Act, FHWA and DDOT consulted with the DC HPO and prepared an Assessment of Effects on Historic Resources report. Throughout FHWA and DDOT's consultations with DC HPO, DC HPO did not raise the approval for the subdivision in the Decision and Order as

065-08  
(cont.)

and taxation lots to private homeowners/builders for development and use as private residences. Five of these taxable lots abut Klingle Road. This agreement was approved by the March 30, 2006 Order of the Mayor's Agent for Historic Preservation, HPA #04-145. It is available at <http://www.11.georgetown.edu/histpres/decisions/hpa04-145.html>.

In addition, in 2008, the District of Columbia Council enacted the Tregaron Conservancy Tax Relief and Exemption statute that relieved the Conservancy from payment of transfer tax on the 13 acres received under the agreement with Tregaron Limited Partnership and property taxes on those 13 acres, forever. Supporters of this legislation testified that the **loss of tax revenue to the District of Columbia** would be recouped from income and property taxes on the residences developed by Tregaron Limited Partnership.

The Klingle Road Restoration Act of 2003 was in full force at the time when the 2006 Mayor's Agent's Order was issued and when the Tregaron Conservancy Tax Relief and Exemption statute was enacted. FHWA and DDOT's June 2005 PEIS had identified restoration of Klingle Road to its prior two-lane configuration as the preferred environmental alternative.

If implemented, the 2008 Klingle **hike/bike legislation would preclude the Tregaron Limited Partnership from conveying taxable lots that were to be accessed via the repaired and restored Klingle Road. FHWA and DDOT must assess this significant negative social and economic impact.**

#### VI. SIGNIFICANTLY COST-UNDERESTIMATED, DESIGNED-TO- FAIL STORMWATER MANAGEMENT PLANS

The EA significantly underestimates the level of effort that would be required to construct a stormwater management system premised on a permeable surface on and amidst the steep terrain of Klingle Road and its abutting slopes to the south and north. Consequently, it underestimates both construction and maintenance costs. Available literature well documents that recommended applications for permeable surfaces are flat terrains such as parking lots. See flat terrain illustration in Figure 5, page 13 of the EA. Some jurisdictions restrict the use of permeable surfaces on trails that exceed slopes of 5%. Major concerns are (1) the likelihood of the underlying reservoir to slide downhill, (2) Rapid run-off of storm water on sloped terrain will not permeate the surface, and (3) requirement for frequent maintenance to prevent clogging of permeable surface from falling leaves, branches, dirt that runs off from adjacent slopes and other debris.

The EA tepidly responds to these significant, if not herculean, engineering challenges by proposing a regrading of slopes in the barricaded segment to 8%, noting that connecting slopes will remain at 9% and 10%, respectively. The EA also identifies inclusion of a 2' wide, 1' deep flat bottom drainage swale running parallel to the trail on the north side to "capture runoff from the steep slopes on that side." It appears that the EA infers, without analysis, that a restored Klingle Stream and retaining wall would address runoff from equally steep slopes on the south side of the road.



065-09

an issue whereby the proposed trail would affect the Tregaron Limited Partnership's activities. Notably, DC HPO has stated:

"The 'HPRB order' . . . is more accurately a concept approval and acceptance of the three-party property agreement between Washington International School, the Tregaron Conservancy, and the Tregaron Limited Partnership regarding the ownership and future treatment of the Tregaron landmark. This agreement does not have any impact or relevance to the Klingle Road project . . . In fact, there is no right to built [sic] the houses; they were always a highly speculative proposition."

Furthermore in an email response to a citizen's inquiry regarding this issue, the DC HPO stated:

"The five houses on the closed portion of Klingle were speculative and specifically approved for those sites. They were proposed by the developer with full knowledge that Klingle was closed at the time and without any guarantee that it would be reopened. There was no contingency for relocating those five house lots to other portions of the site, and the remainder of the land has already been transferred to and is owned by the Conservancy. I don't think the failure of the developer to be able to build the five houses would affect the settlement agreement between the Tregaron Limited Partnership, the Washington International School and the Conservancy."

The complete Assessment of Effects on Historic Resources report and the DC HPO concurrence letter is presented in Appendix B of this EA. The two emails in their entirety are available in the project Administrative Record.

#### **Response to Comment 065-09**

Your comments are noted and included in the administrative record. Detailed analysis was completed for stormwater management, which is included in the Design Concept Report (Appendix B of the June 2010 EA) and DDOT has coordinated with DDOE throughout the development of alternatives for this project.

065-09  
(cont.)

Recognizing that these engineering challenges emanate from a politically driven DC statute that was enacted without benefit of any engineering analysis, **the Coalition remains concerned that FHWA and DDOT are, nevertheless, proposing an experiment that is designed to fail in its fundamental purpose of managing significant stormwater that falls in Klingle Valley.**

On page 22, **the EA misleadingly indicates that this permeable surface/swale stormwater management surface falls within the District's Storm Water Management Program, including design criteria in the DDOE Stormwater Guidebook.** Approved District stormwater management designs set forth in the Guidebook, including infiltration, address only impervious surfaces. Unlike the proposed permeable surface and adjacent swales, the Guidebook recognizes trenches that will store stormwater runoff from an impervious surface, allowing it to slowly infiltrate into the ground.

In addition, the Environmental Protection Agency is conducting swale experiments with and without vegetation at its facility in Edison, New Jersey. Here again, EPA's swale designs assume runoff from flat terrain and gradual, not steep slopes. Use of swales is an unproven technology for a permeable surface trail that would be set amidst slopes whose grade reaches 30% and more.

**The EA also incorrectly states that DDOE's Rock Creek Watershed Implementation Plan focuses on four low impact development practices including cistern/rain barrel installation, establishment of bioretention cells, green roofs, and installation of permeable pavement.** While the plan examines three of these practices, nowhere in its 77 pages does it discuss installation of permeable pavement.

As discussed further below under our comment on trail width, the EA recognizes that utilities, including WASA, WMATA and Washington Gas have facilities along side or under the barricaded section of Klingle Road. The EA attempts to accommodate these unassailable facts of life by proposing trail options wider than the 10 foot limitation prescribed by the 2008 statute. However, **the EA does not fully address inability of a permeable surfaced trail on the steep Klingle slopes to withstand the use thereof by multi-ton maintenance vehicles and occasional use by multi-ton emergency vehicles.** Suggestions that damage to the permeable surface and underlying reservoir could be alleviated by forcing Utility and Emergency Vehicles to enter a Klingle trail from the west are facially nonsensical and certainly not supported by engineering analysis. **The EA should more clearly express the inability of a permeable surface trail on Klingle's steep slopes to support requirements of these critical metropolitan utilities.**

The Coalition's research has not identified any jurisdiction within the United States or elsewhere that has permitted or has had experience managing stormwater in terrain as steeply sloped as Klingle Valley using a permeable surface and an adjacent swale. Thus, **the Coalition considers the EA's permeable surface alternatives to be an experiment designed to fail in its fundamental purpose of managing stormwater** in Klingle Valley and that it is extremely likely that the projected costs in the action alternatives are significantly understated. The EA must inform decision makers of the high technical and cost risks that are inherent in the proposed designs and cost estimates.



065-10

## VII. Dangerous Trail Width Limitations

As discussed in our comment on a proposed permeable surface, the District of Columbia Water and Sewer Authority (WASA), Washington Metropolitan Area Transit Authority (WMATA), and Washington Gas have facilities under and/or abutting the barricaded section of Klingle Road. Prior to and since collapse of the road and expanded deterioration, those utilities have continued to enter the barricaded section with multi-ton vehicles. **WASA is able to confirm that, during the February 2010 snow storms, the barricaded section was plowed in order to allow work continue on an emergency sewer system repair.** In addition, multi-ton vehicles access Klingle Road in order to service as necessary the Connecticut Avenue Bridge under which the road passes. **The 2008 Act ignored these unassailable facts of life when prescribing a permeable surfaced trail limited to 10 feet in width.**

The Coalition includes bicyclists, joggers, and walkers. We note that supposed supporters of not repairing Klingle Road firmly oppose the legislation's 10 foot width limitation. They point out, for example, that the EA's illustrations of a single bicyclist and single pedestrian do not reflect realities of a so-called multi-use trail. Further examples include fear experienced by weekend joggers on the closed off section of Rock Creek Parkway as bicyclists whiz by. Relevant organizations indicate that a multi-use trail should be at least 14 feet in width. The notion that a Klingle road not become a "commuter pathway" (Quote from comment by Ward 3 Councilmember Cheh reported in June 16 2010 edition of the Northwest Current) is other worldly. In June 23<sup>rd</sup> comments, a supposed supporter residing in Mount Pleasant testified that she and her 7-year-old son currently bicycle to Beauvoir School, apparently disregarding the perilous condition and official barricades. Clearly any trail would invite so-called commuter use. **The EA should more clearly identify the inherent danger of a 10 foot width for multiple bicycling, jogging, walking and running uses.**

Given DDOT's 50 foot right of way, it is clear that a sufficiently safe, wide trail could be constructed along-side a road repaired, restored, and open to motor vehicles, including the multi-ton motor vehicles that need a reliable surface and width in order to service critical metropolitan utilities. As stated above, **the EA should provide decision makers the alternative of construction of the two-lane preferred environmental alternative identified in the June 2005 PEIS.**

***Response to Comment 065-10***

The trail design components are described in the Design Concept Report (pages 15-18) included as Appendix B of the June 2010 EA. The trail design would consider design criteria outlined in the *AASHTO Guide for the Development of Bicycle Facilities* (AASHTO, 1999), DDOT's *Bicycle Facility Guide* (DDOT, 2005a) and other guidance. The development of a 10 foot trail is consistent with many other trails in the District developed by DDOT. The trail width has to balance trail use with resource protection of Klingle Valley, which is another objective of the project.

[REDACTED]

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**From:** Ellen Herscher [REDACTED]  
**Sent:** Monday, July 05, 2010 5:03 PM  
**To:** KlingleTrail  
**Subject:** opposed to proposed trail

066-01

Considering the estimated costs of this proposed trail, I object to the expense of building something usable by only hikers and bikers. The road needs to be retained as a crucial access route through Rock Creek Park, both for private citizens and necessary utility and emergency vehicles.

066-02

I also object to the fact that closing Klingle Road prevents the construction of the high-end houses previously agreed to at Tregaron. Not only does this hurt the property owners who have invested there, but it also deprives DC of tax revenues.

Ellen Herscher  
[REDACTED]

***Response to Comment 066-01***

Thank you for your comments. They have been noted and will be included in the project Administrative Record.

An alternative to reopen the barricaded portion of Klingle Road to motor vehicles would not fulfill the purpose and need for the proposed action, which is identified in Section 1.0 of the EA. Furthermore, a road alternative is not consistent with the District's Klingle Road Sustainable Development Act of 2008, and was eliminated from detailed study in Section 2.3.5 of the EA.

***Response to Comment 066-02***

DDOT did consider the potential impacts of the Klingle Valley Trail project with regards to approval of the subdivision of Tregaron per the DC Historic Preservation Office 2006 Decision and Order (DC HPO #04-145). A discussion of potential impacts is provided in the Cultural Resources Section (4.2.1) and Land Use Section (4.3.1) of the EA. The Decision and Order was the approval to subdivide a portion of historic Tregaron Estate, to create eight record lots for the purpose of developing eight single family residences. The DC HPO #04-145 acknowledges the closed portion of Klingle Road and does not contain any provision for the reopening of that closed segment of the road.

A number of commentators on the June 2010 EA noted the 2006 approval by the DC Historic Preservation Review Board (DC HPO) of an application for subdivision of one acre of the historic Tregaron Property in exchange for the Tregaron Limited Partnership's donation of 13 acres for permanent open space preservation on the historic property (Decision and Order (Subdivision of Tregaron Estate – Eight Residential Lots and Initial Rehabilitation Plan of Conservancy – March, 2006). According to the commentators, the proposed trail would prohibit vehicular access from five homes to Klingle Road, essentially nullifying the DC HPO's approval. The DC HPO's order allowed for the subdivision; however, it clearly

acknowledges that five of the eight subdivided properties proposed frontage would be on “that portion of Klingle Road which is currently closed to traffic” (DC HPO, 2006).

As required under Section 106 of the National Historic Preservation Act, FHWA and DDOT consulted with the DC HPO and prepared an Assessment of Effects on Historic Resources report. Throughout FHWA and DDOT’s consultations with DC HPO, DC HPO did not raise the approval for the subdivision in the Decision and Order as an issue whereby the proposed trail would affect the Tregaron Limited Partnership’s activities. Notably, DC HPO has stated:

“The ‘HPRB order’ . . . is more accurately a concept approval and acceptance of the three-party property agreement between Washington International School, the Tregaron Conservancy, and the Tregaron Limited Partnership regarding the ownership and future treatment of the Tregaron landmark. This agreement does not have any impact or relevance to the Klingle Road project . . . In fact, there is no right to built [sic] the houses; they were always a highly speculative proposition.”

Furthermore in an email response to a citizen's inquiry regarding this issue, the DC HPO stated:

“The five houses on the closed portion of Klingle were speculative and specifically approved for those sites. They were proposed by the developer with full knowledge that Klingle was closed at the time and without any guarantee that it would be reopened. There was no contingency for relocating those five house lots to other portions of the site, and the remainder of the land has already been transferred to and is owned by the Conservancy. I don't think the failure of the developer to be able to build the five houses would affect the settlement agreement between the Tregaron Limited Partnership, the Washington International School and the Conservancy.”

The complete Assessment of Effects on Historic Resources report and the DC HPO concurrence letter is presented in Appendix B of this EA. The two emails in their entirety are available in the project Administrative Record.

[REDACTED]

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**From:** Barkan, Joel D [REDACTED]  
**Sent:** Tuesday, July 06, 2010 11:28 AM  
**To:** KingleTrail  
**Subject:** Kingle Valley Trail Environmental Assessment

Although I spoke at the hearing on June 23<sup>rd</sup> I forgot to indicate that I spoke for my wife in addition to myself. And to be sure that I was not miss recorded, and also did not speak to the lighting issue except in passing at that time.

067-01

1. We favor the 10 or 12 foot wide travel with a permeable surface if in fact, upon further analysis, that proves to be the best surface that does not degrade. We would also support a non-permeable surface and basically defer this to whatever is both environmentally sound yet long lasting.
2. We would prefer a 10 foot wide trail (alternative 2), but accept the argument that as traffic picks up, a 12 foot wide travel might be preferable.

067-02

3. No lighting. No other (?) or at least the vast majority of paved trails in Rock Creek Park do not have lighting and there is no compelling reason to change this practice. While lighting might facilitate some commuter bikers they will face the same problem when they hit the main trails at the junction of Kingle and the main section of Rock Creek park. Lights would also vastly add to the cost at a time when the city budget is tight and there has as yet been no appropriation for the Kingle Valley trail. Lights can always be installed later if and when there is a justifiable need.

067-03

4. We support the restoration of the creek/storm control drainage plan (Option B?).
5. We would really like this entire assessment process to be completed ASAP. The assessment appears professionally done but why it has been dragged out over such a long period remains a mystery. It's time to finish and move on to the issue of resolving all outstanding legal issues, funding the project, and building it. Even on the most optimistic scenarios suggest another 2-3 years of waiting. We're sorry, but government should be more efficient than that. This also means that for us, alternative 1, i.e. doing nothing after all the work on the assessment is totally unacceptable. Indeed, a waste of taxpayers money.,

Thank you.

Joel and Sandra Barkan

[REDACTED]

***Response to Comment 067-01***

After consideration of the purpose of and needs for the proposed action, analysis in the EA, and public and agency comments, DDOT has identified Alternative 2 – 10-Foot Multi-Use Trail (Permeable) as the Preferred Alternative.

***Response to Comment 067-02***

DDOT has identified Option B – Pole or Bollard Lighting as the preferred Lighting Option. DDOT plans to install low-impact pole lighting along the trail. The lighting would be timed to correspond with commuter use of the facility to limit the hours of illumination and minimize impacts to nocturnal wildlife.

***Response to Comment 067-03***

In order to support a sustainable trail, DDOT has identified Option B – Full Stream Channel and Bank Stabilization as the preferred Kingle Creek Restoration Option

Thank you for your comments. They will be included in the project Administrative Record.

[Redacted]

**From:** [Redacted]  
**Sent:** Tuesday, July 06, 2010 2:44 PM  
**To:** KlingleTrail  
**Subject:** Re: From the Klingle Trail Website

**Name:** joseph bressler  
**Email:** [Redacted]  
**Address:** [Redacted]

068-01

**Comment:** I have been a resident of Washington D.C. for over 25 years but I have never seen the blatant interest of a small minority receive such empowerment. The loss of Kingle Road will take away a thorough fare enjoyed by the residents from Northwest and Northeast. Only count the number of streets available to cross the park and you will find a handful. This is especially true if you look at streets without stop signs and road bumps. Yet, the government is willing to take it away because a handful of residents will gain from the traffic emptying into their streets. Will it take a catastrophe to show the residents the power of money? If the city has extra money to spend on trails, there are a plethora of wooded parks that need attention. Certainly a new trail is not needed when so many are not used because of poor upkeep. thank you for your attention  
**Periodic updates:** Yes

***Response to Comment 068-01***

Thank you for your comments. They have been noted and will be included in the project Administrative Record.

An alternative to reopen the barricaded portion of Klingle Road to motor vehicles would not fulfill the purpose and need for the proposed action, which is identified in Section 1.0 of the EA. Furthermore, a road alternative is not consistent with the District's Klingle Road Sustainable Development Act of 2008, and was eliminated from detailed study in the EA. Please see Section 2.3.5 for more details.

[REDACTED]  
From: [REDACTED]  
Sent: Tuesday, July 06, 2010 3:24 PM  
To: KlingleTrail  
Subject: Re: From the Klingle Trail Website

Name: Jason Broehm

Email: [REDACTED]

Address: [REDACTED]

069-01 **Comment:** Thank you for preparing the environmental assessment for the Klingle Valley trail. I think that this trail would be a positive step forward for Klingle Valley, which is in great need of environmental restoration after many years of neglect. When built, this trail will be an excellent recreational resource for residents in the surrounding neighborhoods and across the city. Klingle Valley is truly a beautiful place, and it will be much improved once the roadbed is removed, the water infrastructure is repaired and a trail is available to make this special place safe and accessible to the public. I support Alternative 2. I believe the the narrower 10-foot-wide trail should be plenty wide to permit safe recreational use of this trail. I believe that a permeable surface is preferable in the interest of protecting the water quality of Klingle Creek and Rock Creek. Finally, I believe that lighting should not be installed along the trail right-of-way in keeping with the Rock Creek trail. If it is determined that lighting should be included, I would support the most environmentally friendly type of lighting. By this I mean, that it should seek to use renewable energy sources to the extent possible, and the lights should only be on during the minimal amount of time necessary to make the trail more available for bicycle commuting in the morning and evening but not all night. Thank you for the opportunity to provide feedback on the Klingle Valley Trail Environmental Assessment. Sincerely, Jason Broehm

**Periodic updates:** Yes

### ***Response to Comment 069-01***

Thank you for your comments. They will be included in the project Administrative Record.

After consideration of the purpose of and needs for the proposed action, analysis in the EA, and public and agency comments, DDOT has identified Alternative 2 – 10-Foot Multi-Use Trail (Permeable) as the Preferred Alternative. In order to support a sustainable trail, DDOT has identified Option B – Full Stream Channel and Bank Stabilization as the preferred Klingle Creek Restoration Option.

DDOT has identified Option B – Pole or Bollard Lighting as the preferred Lighting Option. DDOT plans to install low-impact pole lighting along the trail. The lighting would be timed to correspond with commuter use of the facility to limit the hours of illumination and minimize impacts to nocturnal wildlife.

[Redacted]

**From:** Sheppard, Daphney I. [Redacted]  
**Sent:** Tuesday, July 06, 2010 4:04 PM  
**To:** KingleTrail  
**Subject:** Friends of the Earth  
**Attachments:** Kingle-EA comments.pdf

Attached are comments on behalf of Friends of the Earth on the draft Kingle Valley Environmental Assessment. If you have any questions please contact me at [Redacted] or my co-counsel, Frances Dubrowski at [Redacted]

David T. Buente  
[Redacted]  
Daphney Sheppard, Assistant  
[Redacted]

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IRS Circular 230 Disclosure: To comply with certain U.S. Treasury regulations, we inform you that, unless expressly stated otherwise, any U.S. federal tax advice contained in this communication, including attachments, was not intended or written to be used, and cannot be used, by any taxpayer for the purpose of avoiding any penalties that may be imposed on such taxpayer by the Internal Revenue Service. In addition, if any such tax advice is used or referred to by other parties in promoting, marketing or recommending any partnership or other entity, investment plan or arrangement, then (i) the advice should be construed as written in connection with the promotion or marketing by others of the transaction(s) or matter(s) addressed in this communication and (ii) the taxpayer should seek advice based on the taxpayer's particular circumstances from an independent tax advisor.  
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**COMMENTS  
OF  
FRIENDS OF THE EARTH (FOE)  
ON THE  
ENVIRONMENTAL ASSESSMENT  
FOR THE  
KLINGLE VALLEY TRAIL PROJECT**

SUBMITTED BY:  
ERICH PICA, PRESIDENT,  
AND  
BRENT BLACKWELDER, PRESIDENT EMERITUS

*JULY 6, 2010*

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Attachment A

Attachment B

Friends of the Earth (FOE) welcomes the opportunity to comment upon the Environmental Assessment (EA) for Klingle Valley. FOE is a non-profit, membership-based environmental organization dedicated to achieving a healthy planet and a just world. As the U.S. voice of Friends of the Earth International, we have worked for decades to protect and restore our Capital City's urban environment.

FOE has a long-standing interest in Klingle Valley. We have worked with District residents, the District government, and DC-based environmental organizations for over 15 years to see that the Valley's collapsed stormwater management system is repaired in compliance with the national Clean Water Act, and to ensure that the valley is restored to beneficial use as a bike and pedestrian trail, the use most consistent with its setting in Rock Creek National Park.

In 2003, we issued a *Green Scissors* report for the District of Columbia, part of a national campaign we and others<sup>1</sup> spearhead to end wasteful government subsidies for destroying precious natural resources. DDOT's proposal to build a costly vehicular road in Klingle Valley led the list of wasteful District projects we recommended scrapping.

We actively participated in the public hearings and meetings on the fate of Klingle Valley. On behalf of our members who use and enjoy the Valley and Rock Creek Park, we submitted 64 pages of comments on the 2005 "Draft Environmental Impact Statement for Klingle Road." Our comments stressed the importance of Klingle Valley: a densely wooded area rich in biodiversity with a boulder-strewn creek, 100-year old trees, and excellent habitat for a wide variety of birds and other wildlife. As an arm of Rock Creek National Park, the Valley enhances one of the oldest and largest forested urban parks in the country – one that receives 2 million recreational visitors annually.

FOE testified in support of the 2008 DC Council legislation barring a vehicular road through the Valley and directing DDOT to conduct environmental remediation and construct a pedestrian and bicycle trail

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<sup>1</sup> Taxpayers for Common Sense and the U.S. Public Interest Research Group help FOE lead this campaign.

instead. On October 7, 2009, we filed comments addressing the scoping for this project. On June 23, 2010, we provided oral comments at the public hearing on the EA.

FOE firmly supports DDOT's plans to construct a bike/pedestrian pathway through the Valley and to remediate the Valley's stormwater management system, both to abate existing pollution and to ensure the structural integrity of the bike/pedestrian pathway. We hope the trail and stormwater management project is expeditiously completed, in a fashion that minimizes construction-related impacts on the local community. The following comments address particulars of the trail and stream restoration options as well as issues raised by the EA.

**1. The Street and Alley Closing & Acquisition Procedures Act Does Not Apply To The Klingle Valley Trail Project.**

The EA erroneously states: "If [a portion of Klingle Road is] converted from motorized to non-motorized use under the proposed action, this segment of roadway would have to be officially removed as a local street from the DC functional classification map using the appropriate processes under 23 CFR 470.109(a) and 470.115(a) (Federal Aid Highways re: converting a designated fed-aid highway to non-vehicular trail) and The Street & Alley Closing & Acquisition Procedures Act of 1982, D.C. Code sections 9-201.01 et. Seq. (*sic*) Section 9-202-01 (re: street closings and requirement of public hearing for such act)." EA, pp. S-2 and 5.

Whether the Street & Alley Closing Act applies to DC Council-mandated activity under the Klingle Road Sustainable Development Amendment Act of 2008 is a question of law. None of the listed preparers of the EA is employed as an attorney;<sup>2</sup> therefore, none of the listed preparers

<sup>2</sup> Michael W. Hicks, the sole staffer from the Federal Highway Administration, is identified as an Urban Environmental Engineer. The 7 staffers from DDOT are Austina Casey, Environmental Analyst; Anna Chamberlain, Transportation Planner; Clarence Dickerson, Supervisor, Civil Engineer; Faisal Hameed, Environmental Program Coordinator; Maurice Keys, Transportation Compliance Manager; Jim Sebastian, Bicycle Coordinator; and Amy Vance, Equal Opportunity Specialist. The 12 staffers from Greenhome & O'Mara are identified as planners, environmental scientists, engineers, a graphic artist, and an archaeologist. The subcontractors include a geomorphologist, water resources engineer, environmental scientist, preservation planner, and cultural resources specialist.

**Response to Comment 070-01**

Erroneously, the following information was listed in the EA, which was released in June 2010:

Klingle Road is currently listed on the Federal-aid system functional classification of streets/roadways in the District of Columbia as a local street (DDOT, 2009c). If converted from motorized to non-motorized use under the proposed action, this segment of roadway would have to be officially removed as a local street from the DC functional classification map using the appropriate processes under 23 CFR 470.109(a) and 470.115(a) (Federal Aid Highways re: converting a designated fed-aid highway to non-vehicular trail) and The Street & Alley Closing & Acquisition Procedures Act of 1982, D.C. Code Section 9-201.01 et. Seq. Section 9-202-01 (re: street closings and requirement of public hearing for such act).

Klingle Road is currently listed on the Federal-aid highway system functional classification of streets and roadways in the District of Columbia as a collector street and is eligible for Surface Transportation Program (STP) funds. Because the District is proposing to construct a multi-use trail on Klingle Road (i.e., the Klingle Valley Trail), Klingle Road will no longer be eligible for funding under the STP funding program. At the conclusion of the NEPA process regarding this EA for the Klingle Valley Trail, DDOT will propose to FHWA that the segment of Klingle Road between Porter Street, N.W. and Cortland Place, N.W. be removed from the Federal-aid highway system. However, the proposed multi-use trail is eligible for federal-aid funding under the Recreational Trails Program in accordance with SAFETEA-LU Sections 1101(a)(8) and 1109, 23 USC 104(h) & 206, and 23 CFR Part 652.

Nevertheless, removal of Klingle Road from the Federal-aid highway system, does not affect the District's ownership and jurisdiction of the Klingle Road right-of-way. Under the proposed action, DDOT will not and does not plan to officially close the barricaded segment of Klingle Road between Porter Street, N.W. and Cortland Place, N.W. pursuant to the procedure outlined in The Street & Alley Closing & Acquisition Procedures Act of 1982 (D.C.

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is qualified to make this determination, nor does the record contain any legal analysis of either statute.

The Council, by law, made the Street & Alley Closing Act inapplicable to the Klingle Valley Trail Project in the Klingle Road Sustainable Development Amendment Act of 2008, which begins with the disclaimer: “*Notwithstanding any other law*...[the provisions of this act shall govern.]” Section 6017 (emphasis added).

Even in the absence of this disclaimer, the Street & Alley Closing Act *would not apply* to this proposed action for many reasons. First, that statute, by its very terms, applies to “closing” of a street or alley. Since the statute does not define the term “closing,” the ordinary dictionary definition would apply: “to block against entry or passage (close a street).”<sup>3</sup> Obviously, the Klingle Valley Trail Project does not constitute a “closing;” to the contrary, it rebuilds and reopens a street that has been “barricaded to traffic ... due to severe deterioration of the roadway, headwalls, and underlying stormwater management systems” and “is currently impassable for vehicular traffic and is unsafe for pedestrians and cyclists due to heaved and failed pavement as well as extensive erosion beneath and adjacent to the road.” EA, p. S-1. Indeed, the EA acknowledges: “DDOT has fenced off the barricaded portion of Klingle Road to discourage public access and to attempt to prevent public exposure to substandard site conditions.” *Id.* If the proposed action were to be implemented, the road would be rebuilt and reopened – i.e., it would become accessible, passable, and safe for use by bicyclists, pedestrians, joggers, and utility and emergency vehicles.

Second, even if the Council instead had decided to “close” this portion of Klingle Road (i.e., to adopt the “green space” alternative outlined at EA, p. 41, but eliminated from consideration in this EA),<sup>4</sup> the Street & Alley Closing Act would not apply. That Act, by its terms, applies to applications to close roads filed by the Mayor only. DC Code Sections 9.202-01 et seq. and 9-202.06. The Act sets up a petition process and instructs the Executive on how to proceed with petitions. For example, it requires the Mayor to provide the Council with adequate information on which to act; it insists on

<sup>3</sup> Webster’s New Collegiate Dictionary, G & C Merriam Company, 1977, p. 210, defining “close.”

<sup>4</sup> Under the “Green Space” alternative, this portion of Klingle Road would be permanently closed and the roadbed removed, allowing the Valley to return to a natural state.

Code sections 9-201.01 et seq. (see Appendix E). DC Code section 9-202.01 states that the Mayor may close all or part of any street or alley which is determined by the DC Council to be unnecessary for street or alley purposes. The 2008 Act, passed by DC Council, did not deem Klingle Road unnecessary when it authorized the construction of a pedestrian and bicycle trail on Klingle Road between Porter Street, N.W. and Cortland Place, N.W.; therefore, Klingle Road continues to be necessary for street (i.e., public right-of-way) purposes, as defined in DC Code section 9-201.01. Additionally, DDOT will continue to operate, maintain and manage the public right-of-way for both non-motorized transportation and authorized motorized use (i.e. access for emergency, utility, and maintenance vehicles).

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a fee schedule so that applicants, rather than taxpayers, bear the costs of processing applications. The Act does not address or restrict in any way the ability of the *Council* to close roads *on its own motion*.

Third, the Council's authority to manage road traffic does not stem from the Street & Alley Closing Act, but from its inherent power as a municipal legislative body. District legislators exercised road closing authority – repeatedly — for 50 years prior to passage of the Street & Alley Closing Act: first, through Congressional delegation via the Street Readjustment Act of 1932 (the object of which was to give District officials “the same power and authority that the city councils already have in various cities of the country”<sup>5</sup>) and later through the Home Rule Act. The Council, like any other legislative body, may amend laws it has enacted.

In any case, the Klingle Road Sustainable Development Amendment Act of 2008 followed a lengthy process of analyzing the environmental, economic, social, and cultural aspects of reopening Klingle Valley. This process amply fulfilled the public notice and comment goals of the Street & Alley Closing Act. For example:

- On March 17, 2004, the FHWA and DDOT issued a Notice of Intent to prepare an EIS for reconstructing Klingle Road.
- On April 5, 2004, DDOT and FHWA held a scoping meeting with the NPS.
- On April 8, 2004, DDOT and FHWA held a scoping meeting with the DC Department of Health, WASA, NPS, Smithsonian National Zoo, Washington Gas, and Commission of Fine Arts.
- On April 27, 2004, a public scoping meeting was held at the Smithsonian National Zoological Park Visitor Center, following postcard notification to over 550 citizens and stakeholders who had previously expressed an interest in the Klingle Road project, email notice to 7 different list serves serving the surrounding community, and notices in the Washington Post, Northwest Current, Afro-American, Common Denominator, and El Tiempo Latino. Nearly 100 individuals participated and 180 people submitted electronic comments via the project website.
- On June 28, 2005, DDOT and FHWA published a Draft Environmental Impact Statement regarding Klingle Road; the DEIS was available for public comment for not less than 45 days and itself was the subject of a public hearing.

<sup>5</sup> 75 Cong. Rec. 287 (1932) (Remarks of Cong. Patmar).

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- When the public hearing record revealed that the Klingle Road project entailed hefty costs and numerous adverse environmental and other impacts, the DC Council sponsored two separate public hearings before enacting the Klingle Road Sustainable Development Amendment Act of 2008.
- On October 7, 2009, DDOT and FHWA held a public scoping meeting on the EA for the Klingle Valley Trail project following newspaper advertisements in the Washington Post, Current Newspapers, Washington Informer, City Paper, and El Tiempo as well as notices on the project website and the surrounding communities' and ANC's listservs, announcements to adjacent property owners, and individual email invitations to groups previously indicating an interest in Klingle Road.
- On December 16, 2009, DDOT and FHWA held a second public scoping meeting on the EA at the Mount Pleasant Public Library.
- On June 23, 2010, DDOT and FHWA held a public hearing at the National Zoological Park Visitor Center on the EA and proposed action. The hearing record remains open until July 6 for further public comment, including electronic comment on the project website.

At the June 23, 2010 public hearing, an attorney representing a real estate developer who apparently prefers opening Klingle Valley to massive amounts of car and truck traffic nonetheless invoked the Street & Alley Closing Act. The attorney insisted that DDOT and FHWA must commence a new and lengthy public hearing and comment process under that law, as if none of the previous public hearings and comment opportunities had already taken place. The need for public notice has been amply satisfied by the more than 15 years of extended public comment and the numerous public hearings accompanying analyses of Klingle Valley. More protracted delay would simply allow a developer and a disgruntled minority of citizens to thwart the will of the Council and to impair the overwhelming majority of citizens who want pollution from the collapsed Klingle Valley storm sewers abated and the Klingle Valley Trail Project completed expeditiously. DDOT and FHWA should not succumb to this delaying tactic nor expend further taxpayer money pursuing it, especially since delay in remedying the stormwater infrastructure risks the imposition of sizeable federal Clean Water Act penalties for continued stormwater pollution. (See discussion, *infra* at p. 19.)

**2. DDOT and FHWA Need To Address And Mitigate The Construction Impacts Of The Project On The Surrounding Community.**

The neighborhood surrounding the western terminus of Kingle Valley has suffered from two recent major construction projects: the construction of the National Cathedral underground garage and the Washington International School construction project. Problems encountered by neighbors on Kingle and Woodley Roads from both construction projects included trucks (largely bearing the names of out-of-District companies) that:

1. Failed to display the required DC yellow license tag (preventing the filing of complaints with the city specifically identifying regulatory violators).
2. Failed to clean off dirt from trucks as required before leaving the construction site.
3. Were so covered in mud their license plate numbers could not be discerned.
4. Spewed dirt and debris on nearby streets because they failed to cover truckloads of soil and debris.
5. Traveled at dangerous speeds.
6. Ignored stop signs.
7. Raced down small, narrow neighborhood streets, including streets where children play in or routinely cross the street, instead of using arterial roads (in part to avoid the traffic light at the corner of Woodley and 34<sup>th</sup> St.).
8. While awaiting loading or the start of work, idled in excess of 30 minutes at a time.
9. Nearly missed hitting a pedestrian on the narrow portion of Kingle Road between 32<sup>nd</sup> and 34<sup>th</sup> Sts.
10. Constantly ignored “no trucks” capacity signs.
11. Caused vibrations in neighborhood houses by using small local streets whose roadbeds were not constructed to endure heavy weight trucks, and
12. Delivered supplies before the allowable 7 AM construction start time.

DDOT did not address any of these problems effectively – and the problems are likely to recur because:

***Response to Comment 070-02***

Your comments have been noted and will be included in the project Administrative Record.

DDOT is responsible for the creation, implementation, and enforcement of maintenance of traffic plans and in some cases, transportation management plans (TMPs), which are prepared in accordance with the “District of Columbia Work Zone Safety and Mobility Policy” (October 2007). DDOT has considered in the EA, and will continue to consider during the design phase, potential impacts from work zone generated traffic and seek ways to minimize impacts. DDOT has not identified a maintenance of traffic plan or TMP as mitigation in EA because they are already requirements for DDOT Design and Construction projects. Project impacts identified for construction assumes that DDOT would follow its processes outlined in the design standards and the District of Columbia Work Zone Safety and Mobility Policy. TMPs have a public outreach component that helps keep the public informed of project construction related delays and changes in traffic patterns.

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1. Contractors do not want to station personnel onsite to monitor trucking subcontractor routes and behavior because of the additional personnel costs; the WIS contractor did so only when the precinct police commander personally appeared onsite.
2. The District of Columbia Metropolitan Police Department has only one trucking regulation enforcement unit, the Motor Carrier Safety Unit, in the entire District to ensure compliance with trucking regulations, such as license requirements, weight-limits, maintenance requirements, covers on loads of soil and debris, etc. Local precinct police are reluctant to call in this city-wide unit and lack equipment needed to enforce trucking regulations (e.g., they lack weighing equipment).
3. Local precinct police units enforce speed limits and stop sign requirements. However, there is only 1 full-time police officer assigned to traffic enforcement in the Klinge Valley west neighborhood. He currently works a 10 to 6 shift, which is not compatible with monitoring construction project activity, which usually starts at 7 AM.

DDOT, in conjunction with the Metropolitan Police Department, must address these problems with appropriate mitigation measures:

1. There must be a traffic management plan. Although DDOT used to require construction project contractors to submit a traffic management plan indicating routes trucks will use and project access points, it no longer routinely does this for all projects. A construction project this large in scale and 8-12 months in duration clearly requires such a plan.
2. Construction contracts should specify that contractors and subcontractors must comply with the traffic management plan and applicable trucking and traffic regulations – and include sizeable penalties, including stop work requirements, for those who fail to do so.
3. There should be a specific designated city official responsible for addressing residents' calls or emails when trucking violations occur.
4. The Metropolitan Police Department commander and lieutenant should be assigned to cover the project area and to enforce the traffic management plan and traffic regulations (e.g., stop signs, speed limits) during times that trucks are likely to move through the area.

5. The Motor Carrier Safety Unit should be assigned to inspect this site and its trucking operations regularly.

With these mitigation measures, there is a foundation for the EA statement that construction will have minor impacts on the surrounding community. Without them, there is no reasonable basis for such an assertion in the EA and every reason to believe the opposite is true.

In our comments on the scoping for this EA, FOE urged DDOT and FHWA to address potential construction-related impacts on the local community and identify appropriate mitigation measures. Since DDOT and FHWA did not respond to these comments, did not include them in their summary of issues raised at the scoping meeting, and did not even include in the record the 64-page supporting attachment to the comments outlining their evidentiary basis, we repeat them verbatim here:

“Although DDOT is not allowed to build a vehicular road in the Valley, remediating the stormwater management system and installation of the bike/pedestrian pathway will still require substantial construction activities in the Valley. Materials from the old, collapsed roadbed and storm sewer system, along with debris from erosion and storm damage, need to be removed.<sup>6</sup> Substantial excavation, regrading and stormwater facility installation will ultimately be necessary. All of this activity will, in-turn, require the use of trucks, earthmoving equipment, and the temporary increase in vehicles present in the vicinity from construction workers.

DDOT needs to examine how the truck and other vehicle traffic associated with construction activities will be managed, because the immediate community around the west end of the Valley project area is the location of many grade and secondary schools. Indeed, there are six schools with about 3,000 enrolled students within a few blocks of the western end of the Valley – and a total of 30 schools in about 1 mile. Attachment A at 19. Many students are pedestrians; others commute by groups in carpools; and, at the high school level, many students drive themselves. Id. The DEIS’s information base needs to be revised to include more accurate and complete demographic information so as to identify fully the area student population, to show actual peak traffic periods and volumes (including school start and dismissal times), and to address existing traffic congestion near critical

<sup>6</sup> Indeed, the EA acknowledges: “The existing infrastructure would be removed from the project area including pavement, concrete barriers, curb and gutter, failed stormwater drainage infrastructure, trees that present a hazard, and debris.” EA, p. S-3.

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school crossing zones and school drop-off/pick-up areas. Attachment A at 19-25 and 31-34. DDOT needs to make sure that any truck movement and traffic increases associated with construction activities do not create safety risks for school children in the vicinity.

DDOT also needs to address where construction workers commuting into the area of the Valley would park, as the neighborhood's parking capacity is already overwhelmed, particularly due to usage by students attending neighborhood schools and commuters parking while using mass transit in the area. The DEIS merely assumed workers would park in the surrounding neighborhood, supposedly arriving and departing after school hours. Actual school opening and closing times contradict that assumption. Attachment A at 24-25, 31-34, and 37-41. In addition, nearly all of the streets near the west end of the Valley are limited to 2 hours of non-resident parking on Monday – Friday, during the time that construction would be on-going and, in any case, these locations are already fully used by residents and students attending the local schools. There is simply not enough capacity to absorb additional parkers associated with construction."

We urge DDOT and FHWA to be more responsive going forward with respect to traffic management, trucking compliance, and parking management.

**3. The EA Consistently Understates The Value Of The Klingle Valley Trail Project.**

The EA consistently understates the benefits of trail construction and stream restoration in Klingle Valley – for example, describing many benefits as "minor" to "moderate," terms which it does not define. EA, pp. S-15-24. The EA thus perpetuates a problem we previously identified with DDOT's and FHWA's treatment of Klingle Valley.

When DDOT and FHWA first compiled a Draft Environmental Impact Statement (DEIS) for Klingle Road, FOE commented that the DEIS "presents a bland and, therefore, inherently biased introduction to both Rock Creek Park and Klingle Valley," treating Klingle Valley as nothing more than a potential roadbed. Attachment A, p. 18. We urged DDOT and FHWA to "accurately describe the ecological and historical significance" of both areas, including their historic and symbolic significance, scenic beauty, forest and recreational value, valuable plant and wildlife habitat, potential for improved water quality, and significance to fish populations. Id.

070-03

***Response to Comment 070-03***

Your comments have been noted and will be included in the project Administrative Record.

According to the Council of Environmental Quality (CEQ) guidelines (40 CFR Sections 1500-1508), "the determination of a significant impact is a function of both context and intensity". Significance of an action is analyzed within the setting of the action, or context, including regional, local, and site-specific. Intensity refers to the severity of an impact which is analyzed in terms of type, quality, and sensitivity of a particular resource. The appropriate class of environmental documentation is determined by the level of significance, which is established through impact analysis of each resource.

Additional information has been added to the introduction of the Environmental Consequences Section of the EA on page 95. The other potential benefits in your comments have been noted and considered in DDOT selection of the preferred alternative. Information on the ecological and historical significance of Klingle Valley is described in the Affected Environment section.

070-03  
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The EA still fails to do this adequately, omitting many benefits of the Klingle Valley Trail Project and understating others. For example, the EA states the project will have “no impact” on air quality or energy conservation, EA, p. S-23 and 24, whereas encouraging bicycle and pedestrian commuting would impact both positively. The EA states the only economic benefit of the project would be the “negligible benefit from potential short-term employment opportunities during construction,” EA, p. S-20, ignoring the very costly Clean Water Act fines the District would risk by avoiding federally-mandated stormwater remediation. The EA ignores the benefits of remediation as both an object and scientific lesson to the many surrounding schools, some of whose students have studied environmental degradation in Klingle Valley in their science classes. The EA states the water quality and surface water benefits would be only “moderate,” EA, p. S-15 and S-16, whereas benefits would include removing chunks of road, roadbed, and jersey barriers from the creek – pollutants EPA would view as quite significant in bulk and impact.

Finally, the Klingle Valley Trail Project has the potential to catalyze the ecosystem’s own natural recovery mechanisms, triggering the potential for fish and other species to return from other areas of the Rock Creek Park system once creek water quality improves, according to the District’s own Department of Health. See Attachment A, pp. 19 and 48. These benefits are significant, valuable, and worthy of the associated costs outlined in this EA.

**4. Permeable Pavements Are Suitable for Klingle Valley, Durable, and Far Preferable to Non-Permeable Materials.**

The Klingle Road Sustainable Development Amendment Act of 2008 specifies: “The pedestrian and bicycle trail shall be surfaced with a water-permeable material.” Section 6018(6). The EA nonetheless explores the option of using non-permeable pavements (Alternative 4). EA, p. S-5.

To support its exploration of non-permeable pavements, the EA makes the following *incorrect* assertions about permeable pavements (as compared to non-permeable ones):

1. Cold climates can influence their effectiveness, leading to cracking and heaving.
2. They require increased maintenance.
3. They are typically not used where the surrounding land exceeds a 20% slope.
4. They generally cost 10-20% more than standard asphalt, a cost that

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070-04

***Response to Comment 070-04***

Thank you for your comments; they will be included in the project Administrative Record. The information on permeable pavement is based on the literature research and references cited at the time of the development of the EA and Design Report, which is found in Appendix B of the June 2010 EA.

The Pennsylvania Stormwater Best Management Practices Manual (2005) was cited as the source for the sentence in Section 1.5.1 of the EA stating “While permeable surfaces are generally 10 to 20 percent greater in cost than standard asphalt, this cost is typically offset by the reduced need for land and infrastructure for stormwater management (DEP, 2005).” The DEP Manual was not used as the authority for the stormwater management concepts developed in the EA, and in no place in the EA does such a statement occur. The stormwater management design concepts are consistent with the District Department of the Environment Stormwater Guidebook (2009), and were developed in coordination with the DDOE Watershed Protection Division.

After consideration of the purpose of and needs for the proposed action, analysis in the EA, and public and agency comments, DDOE has identified Alternative 2 – 10-Foot Multi-Use Trail (Permeable) as the Preferred Alternative.

can be offset by reduced need for land and infrastructure for stormwater management. EA, p. 12.

The EA cites the 2005 *Draft* Pennsylvania Stormwater Best Management Practices Manual as purported authority for all four propositions (without citation to any particular page of the lengthy draft). In any event, the 2005 Draft Manual *has been replaced* by the December 30, 2006 *Final* Pennsylvania Stormwater Best Management Practice Manual (hereafter referred to as the “Final Pennsylvania Stormwater Manual”).<sup>7</sup> The latter document *flatly contradicts* all four assertions in the EA.

**a. Permeable pavements perform better than impermeable ones in cold climates.**

The Final Pennsylvania Stormwater Manual contains a ringing endorsement of permeable pavements in climates comparable to Washington, DC:

Pervious pavement is well suited for parking lots, walking paths, sidewalks, playgrounds, plazas, tennis courts, and other similar uses.... Pervious asphalt is suitable for use *in any climate where standard asphalt is appropriate*.... Studies have shown that pervious systems have been very effective in reducing contaminants such as total suspended solids, metals, and oil and grease. When designed, constructed, and maintained according to [relevant] guidelines, pervious pavement with underlying infiltration systems can dramatically reduce both the rate and volume of runoff, recharge the groundwater, and improve water quality. Final Pennsylvania Stormwater Manual, pp. 8-9 (emphasis added).

Indeed, the Final Pennsylvania Stormwater Manual emphasizes that permeable pavements have the distinct edge over non-permeable ones in cold climates:

Properly installed and maintained pervious pavement has a significant life-span, and existing systems that are more than twenty years in age continue to function. Because water drains through the surface course and into the subsurface bed, *freeze-thaw cycles do not tend to*

<sup>7</sup> [http://www.elibrary.dep.state.pa.us/dsweb/Get/Document-48477/07\\_Chapter\\_6.pdf](http://www.elibrary.dep.state.pa.us/dsweb/Get/Document-48477/07_Chapter_6.pdf)

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*adversely affect pervious pavement...* In northern climates, pervious pavements have *less of a tendency to form black ice and often require less plowing*. .... Pervious asphalt and concrete surfaces *provide better traction for walking paths in rain or snow conditions*. Id. at 8-9 (emphasis added).

In that sense, the Final Pennsylvania Stormwater Manual is in accord with the weight of the scientific and technical evidence, which amply demonstrates permeable pavements perform *better than* conventional pavements in cold climates and provide many improvements over conventional materials, including:

- longer life span (30 years vs. 15 years for porous asphalt)
- fewer cracks and potholes
- continued infiltration capacity
- faster melting of snow and ice
- reduced occurrence of freezing puddles
- reduced occurrence of black ice
- higher skid resistance
- improved pedestrian and bicyclist safety (for the foregoing reasons)
- no need for sanding – indeed, sanding should not occur!
- less sedimentation of adjacent streams (due to the absence of sanding)
- less need for costly deicing treatments
- less need for salting due to higher frictional resistance
- less chloride runoff to adjacent streams because of reduced salting to achieve equivalent friction. (This last benefit is important, since chlorides have substantial adverse environmental impacts on streams and are not filtered out by stormwater best management practices.)

(See the EPA Fact Sheets on Stormwater Best Management Practices, available online<sup>8</sup> and, for ease of reference, attached to these comments as

<sup>8</sup> The fact sheets are available online at  
<http://cfpub.epa.gov/npdes/stormwater/menuofbmps/index.cfm?action=browse&Rbutton=detail&bmp=136&minmeasure=5>;  
<http://cfpub.epa.gov/npdes/stormwater/menuofbmps/index.cfm?action=browse&Rbutton=detail&bmp=137&minmeasure=5>;  
<http://cfpub.epa.gov/npdes/stormwater/menuofbmps/index.cfm?action=browse&Rbutton=detail&bmp=135&minmeasure=5>

070-04  
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pavements, function less effectively in cold weather. In a study comparing the cold climate performance of various stormwater management techniques (measured as filter media frost penetration, hydraulic efficiency, and seasonal variations of contaminant removal efficiency), scientists found that low-impact development (LID) designs, including porous asphalt, outperformed conventional Best Management Practices, such as swales and retention ponds, in cold weather:

Performance evaluations indicate that LID designs have a high level of functionality during winter months and that frozen filter media do not reduce performance. In contrast, ... swales exhibit large variations in seasonal performance. Conceivably this might lead to the need to oversize such systems in order to meet minimum performance expectations under worse case scenarios in which reduced settling velocity must be accounted for.... These results support the use of LID systems in cold climates and should dispel the concerns of reduced winter performance for fear of filter media freezing.<sup>9</sup>

**b. Permeable pavements have not been shown to require more maintenance than non-permeable ones.**

The Final Pennsylvania Stormwater Manual recommends minimal routine maintenance practices for permeable pavements:

The primary goal of pervious pavement maintenance is to prevent the pavement surface and/or underlying infiltration bed from being clogged with fine sediments. To keep the system clean throughout the year and prolong its life span, the pavement surface should be vacuumed biannually with a commercial cleaning unit.... All inlet structures within or draining to the infiltration beds should also be cleaned out biannually. Id. at 19.

[Some jurisdictions recommend vacuuming quarterly.] Vacuuming helps prevent clogging by ensuring particles do not become entrained in the pavement surface, although it is important to note that even when clogged,

<sup>9</sup> See "Seasonal Performance Variations for Storm-Water Management Systems in Cold Climate Conditions" by Robert M. Roseen, Ph.D., P.E., M.ASCE; Thomas P. Ballestero, Ph.D., P.E., M.ASCE; James J. Houle; Pedro Avellaneda; Joshua Briggs; George Fowler; and Robert Wildey, available online at [http://www.unh.edu/erg/cstev/pubs\\_specs\\_info/jee\\_3\\_09\\_unhsc\\_cold\\_climate.pdf](http://www.unh.edu/erg/cstev/pubs_specs_info/jee_3_09_unhsc_cold_climate.pdf).

Attachment B, and the information developed by the University of New Hampshire Stormwater Center, available online at <http://www.unh.edu/erg/cstev/>.)

Permeable pavements have been successfully used in many locations with climates as cold – or even colder – than those experienced in Klinge Valley, including:

- EPA Headquarters, Washington, DC, installed a pervious concrete walkway
- Chicago, IL – the Green Alley program uses pervious concrete and permeable interlocking concrete pavement.
- Seattle, WA – the High Point residential neighborhood uses permeable interlocking concrete pavement.
- Portland, OR – residential streets use pervious concrete and permeable interlocking concrete pavement
- Elmhurst, IL – a college parking lot uses permeable interlocking concrete pavement
- Renton, WA – a parking lot uses permeable interlocking concrete pavement
- Ontario, Canada – a parking lot uses permeable interlocking concrete pavement
- Jordan Cove, CT – driveways use permeable interlocking concrete pavement
- Olympia, WA – sidewalks use pervious concrete
- Sultan, WA – a residential street and sidewalk uses pervious concrete
- State College, PA – a parking lot uses porous asphalt
- Durham, NH – a parking lot uses porous asphalt. (See the EPA Fact Sheets referenced above.)

Tellingly, if DDOT and FHWA adopt the proposed non-permeable pavement option (Alternative 4), they would rely solely on swales, instead of permeable pavement, to control stormwater. But swales, unlike permeable

070-04  
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the permeable surface does not become impermeable. In other words, it still retains some capacity for stormwater retention and pollutant removal:

Studies of the long term surface permeability of PICP and other permeable pavements have found high infiltration rates initially, a decrease, and then a leveling off with time. With initial infiltration rates of hundreds of inches per hour, the long term infiltration capacity remains high even with clogging. When substantially clogged, surface infiltration rates usually well exceed 1 inch per hour, sufficient in most circumstances to effectively manage stormwater. Permeability can be increased with vacuum sweeping or in extreme circumstances, replacing the aggregate between pavers.<sup>10</sup>

The EA estimates the cost differential of maintenance on permeable, versus impermeable, pavements would amount to only \$1900 annually. EA, Appendix B, p. 43. This is a relatively small cost given the markedly superior pollutant removal efficiencies of permeable surfaces versus swales identified in the Final Pennsylvania Stormwater Manual. (See discussion below). Even so, the Manual acknowledges that the cost of these minimal maintenance practices for permeable surfaces is offset by reduced maintenance costs during winter:

Winter maintenance for a pervious parking lot may be necessary but is usually less intensive than that required for a standard impervious surface. By its very nature, a pervious pavement system with subsurface aggregate bed has superior snow melting characteristics than standard pavement. The underlying stone bed tends to absorb and retain heat so that freezing rain and snow melt faster on pervious pavement. Therefore, ice and light snow accumulation are generally not as problematic. Final Pennsylvania Stormwater Manual, p. 19.

In addition, the Manual points out that potholes in pervious pavement are “unlikely,” eliminating yet another maintenance cost typically required of impermeable pavements. Id. at 19. When total year-round costs are factored in, including winter maintenance and post-winter pothole repairs, it cannot

<sup>10</sup> EPA Fact Sheet # 1, Attachment B, available online at <http://cfpub.epa.gov/npdes/stormwater/menuofbmps/index.cfm?action=browse&Rbutton=detail&bmp=136&minmeasure=5>. See also, EPA Fact Sheet #3, Attachment B.

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be said that permeable surfaces are generally more expensive to maintain.

**c. Permeable pavements are suitable for the sloping topography of Klingle Valley.**

The Final Pennsylvania Stormwater Manual does not contain a recommendation for slope limits on *the land surrounding* a permeable pavement. It does recommend avoiding placing the *system itself* on a slope exceeding 20%, Appendix C, p. 16, but the Klingle roadway slope, which does not exceed 8%, easily fits within this recommendation.

The Final Pennsylvania Manual also suggests a variety of techniques that can be used to improve permeable pavement performance where water infiltration is lower than desired due to volume of rainfall, type of soil, etc. For example, the stone bed can be designed with an overflow control structure so that during large storm events peak rates are controlled and at no time does the water level rise to the pavement level. Manual, p. 8. The soil subgrade base can be terraced. Id., p. 15. Geotextiles can be used to prevent movement of fines and sediment into the infiltration system. Manual, Appendix C, p. 16. Most importantly, the permeable pavement can be used *in conjunction with* a bioretention system, such as a swale. Manual, p. 15. That is the design contemplated here, which should serve to reduce both runoff volume and sediment before stormwater even reaches the permeable pavement.

**d. Permeable pavements will be less costly for the Klingle Valley Trail Project than non-permeable ones.**

The Final Pennsylvania Stormwater Manual clarifies that the slightly higher materials costs of permeable pavements are *more than offset* by lower excavation and construction costs as well as reduced stormwater management costs compared to non-permeable pavements:

The added cost of a pervious pavement/infiltration system lies in the underlying stone bed, which is generally deeper than a conventional subbase and wrapped in geotextile. However, this additional cost is often offset by the significant reduction in the required number of inlets and pipes. Also, since pervious pavement areas are often incorporated into the natural topography of a site, there generally is less earthwork and/or deep excavations involved. Furthermore, pervious pavement areas with subsurface infiltration beds often eliminate the need (and

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associated costs, space, etc.) for detention basins. When all of these factors are considered, *pervious pavement with infiltration has proven itself less expensive than the impervious pavement with associated stormwater management.* Manual, p. 20 (emphasis added).

The Final Pennsylvania Stormwater Manual also finds permeable surfaces are *more effective at pollutant removal* than impermeable surfaces accompanied by swales: specifically, they achieve a TSS reduction of 85% vs. 50%, a TP reduction of 85% vs. 50%, and NO3 removal of 30% vs. 20%. See Manual, pp. 7 and 83. And, as noted above, at least one study indicates permeable pavements perform markedly better in cold weather conditions than swales. Consequently, the cost of an impermeable surface (i.e., a “swale only” approach to stormwater management) must include the environmental impact costs of lower reductions in stormwater volumes and pollution. The EA simply ignores these costs, assuming that the environmental restoration budgets of the District Department of the Environment, the National Park Service, or both will take the financial hit.

Finally, the EA neglects to mention that stormwater control is *mandated under the federal Clean Water Act.* Municipalities are directed to “reduce the discharge of pollutants to the maximum extent practicable” and to do so “as expeditiously as practicable,” using “management practices, control techniques and systems, design and engineering methods,” among other approaches. 33 U.S.C. Section 1342(p)(3) and (4). Failure to do so risks hefty penalties, which range from \$25,000 per day per violation for negligent violations to \$50,000 per day per violation for knowing violations. 33 U.S.C. Section 1319(c). The risk of incurring such fines must be factored into the cost of using impermeable pavements, which are wholly ineffective at stormwater removal, in a valley where stormwater is so poorly controlled that the original stormwater piping infrastructure has collapsed, chunks of roadbed sit in the creek, and even jersey barriers set up to control erosion have themselves been washed into the stream.

**e. Permeable pavements have other benefits not addressed in the EA.**

As more and more jurisdictions outside the District adopt permeable pavements for stormwater management, they are finding the practice has additional off-site benefits. For example, municipal use of permeable pavements can serve as a model for local developers, reducing city-wide

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(cont.)

stormwater remediation costs. Municipal use can even expand the local market for permeable pavements, dramatically cutting material costs. Chicago, for instance, found its use cut local material costs by roughly two-thirds.<sup>11</sup> Permeable pavements may also have air quality benefits: the Chicago Department of Transportation is experimenting with a photocatalytic cement coating on porous concrete paving units that absorbs nitrous oxide air pollutants, a component of photochemical smog.<sup>12</sup> These additional benefits augment the rationale for using permeable pavements in Klinge Valley.

**5. The Goal Of Stream Restoration Should Be To Restore, To The Extent Practicable, The Entire Creek To Its Natural and Healthy Condition.**

The EA seeks comment on two restoration options. Option A would target three priority areas where infrastructure is threatened: Area #1, where bank erosion has exposed two sewer manholes; Area #2, where an active sanitary sewer pipe encased in cracked concrete is in danger of falling apart because the stream has incised below the footers; and Area #3, where a buried, undersized culvert is creating extensive sediment deposition, active aggradation, and resultant flooding. The proposed bank and bed protection will “leave the majority of the stream length in a degraded, unstable condition” and ignore “ongoing bank and hillslope stability issues along the rest of Klinge Creek.” EA, Appendix C, p. 40. Option B would entail “full stream stabilization” and bank restoration. Proposed treatments would include step-pools, riffle grade control, stream bank stabilization, bank grading, vegetative stabilization, and imbricated riprap. EA, Appendix C, p. 43.

Obviously, a fully restored stream is far preferable to a largely degraded one. Also, where human-induced interference with steam flow is sufficient to cause entire chunks of roadway and jersey barriers to collapse into a stream, the federal Clean Water Act requires restoration. See 33 U.S.C. Sections 1342 and 1344. In that sense, Option B is an improvement

<sup>11</sup> EPA Fact Sheet #2, Attachment B, also available online at <http://cfpub.epa.gov/npdes/stormwater/menuofbmps/index.cfm?action=browse&Rbutton=detail&bmp=137&minmeasure=5>

<sup>12</sup> EPA Fact Sheet # 1, Attachment B, also available online at <http://cfpub.epa.gov/npdes/stormwater/menuofbmps/index.cfm?action=browse&Rbutton=detail&bmp=136&minmeasure=5>

***Response to Comment 070-05***

Thank you for your comments, which have been considered and will be included in the project Administrative Record. In order to support a sustainable trail, DDOT has identified Option B – Full Stream Channel and Bank Stabilization as the preferred Klinge Creek Restoration Option. The Klinge Creek restoration concept proposes the use of step pool structures to stabilize the stream channel in most areas. It is a natural channel form that is found naturally in stream channels of similar slope to Klinge Creek, and provides habitat value and other ecosystem services such as oxygenation and nutrient processing.

over Option A.

What is missing, though, is a clear statement of the goal of the restoration effort. The guiding principle for restorative design should be to allow the stream to be, to the extent practicable, a natural stream – in other words, to seek its natural contour, unimpeded by human channelizing or interference. Where humans have historically – through either neglect or intent (e.g., culverts) – already channeled the stream or forced it to redirect itself, efforts need to be made to undo the interference. The emphasis, however, should be on returning to what is truly *natural* as opposed to “natural-looking.” EA, Appendix C, at 39.

070-05  
(cont.)

In addition, the goal of stormwater remediation should be to improve water quality to the healthy stream levels required by the Clean Water Act (see 33 U.S.C. Sections 1311, 1312, 1314, 1342, and 1344), not merely to the level necessary to keep manmade conveyances from being destroyed. The District’s EPA-approved water quality standards designate Kingle Creek as Special Waters of the District and prohibit any “long term adverse water quality effects.” 21 DCMR 1102.4(b). Yet EPA has designated the stream “100 percent impaired” for Aquatic Life Support, Primary Contact (Recreation) and Secondary Contact (Recreation) due to combined sewer overflow, urban runoff/storm sewers, habitat modification, and bank or shoreline modification/destabilization. DEIS, p. 3-24. The stream restoration project should remedy these impairments as required by federal law.

#### **6. DDOT and FHWA Should Not Recommend Lighting This Trail.**

070-06

The EA seeks comment on whether the trail should be lighted. The bulk of the trail will traverse National Park Service land in Rock Creek Park, where trails are usually not lit. An unlit trail, therefore, is most consistent with the location of this trail in Rock Creek Park. Moreover, an unlit trail will minimize the extent to which the trail disturbs local wildlife, including night-active wildlife such as owls, raccoons, and bats, all commonly found in Kingle Valley.

#### **7. Miscellaneous issues:**

070-07

**a. Fill material:** The EA suggest using “clean fill” to replace

#### ***Response to Comment 070-06***

Thank you for your comments, which have been considered and will be included in the project Administrative Record. Following the EA comment period, DDOT has identified Option B – Pole or Bollard Lighting as the preferred Lighting Option. DDOT plans to install low-impact pole lighting along the trail. However, the lighting will be timed to correspond with commuter use of the facility to limit the hours of illumination and minimize impacts to nocturnal wildlife.

removed roadbeds. However, some design manuals recommend that this “fill” consist of stone, not soil:

If new fill is required, it should consist of additional stone and not compacted soil....Pervious pavement and infiltration beds should not be placed on areas of recent fill or compacted fill. Any grade adjust requiring fill should be done using the stone subbase material. Final Pennsylvania Stormwater Manual, p. 7.

Once a permeable material is selected, care should be taken to ensure that proper construction techniques are employed so the permeable pavement achieves maximum effectiveness.

**b. Public access:** The EA claims Klingle was “barricaded to traffic in 1991.” EA, p. S-1. Actually, the road was barricaded to *motor vehicle* traffic in 1991 by jersey barriers that did not preclude pedestrian or cyclist access. Chain link fencing was not added until many years later and the pedestrian “No Trespassing” signs are of recent vintage – and wholly unconvincing. On the western terminus, there is a 5-6 foot gap in the chain link fencing across the pavement and no fencing on the more than 3 foot wide entrance to the right side of the pavement where the pedestrian trail begins. [See photo 1, p. 23.] On the eastern terminus, there is an almost 8 foot wide unfenced entrance to the Valley to the right of the road. [See photo 2, p. 23.] In addition, there appear to be no postings on the road crossing the valley, which itself contains hiking trails on National Park Service and other adjacent properties, providing other means of public access to the Valley. The District has cited no legal authority to bar its own citizens from access to the Valley. The only law which restricts access of any particular user to the Valley is the Klingle Road Sustainable Development Amendment Act of 2008, which states that a portion of Klingle Road “is currently closed to *motor vehicle* traffic,” and mandates that “The right-of-way shall remain closed to *motor vehicle* traffic.” Sections 6017 and 6018(4)(emphasis added).

**c. Description of Klingle Creek:** The EA acknowledges that Klingle Creek constitutes “Waters of the US”, EA, pp. S-8 and 50, and that the federal Clean Water Act, 33 U.S.C. 1362(7), states: “The term ‘navigable waters’ means the waters of the United States.” EA, p. 50. Therefore, the statement, “no navigable waters present” elsewhere in the EA (p. S-16) could generate confusion and should be deleted.

### ***Response to Comment 070-07***

Thank you for your suggestion to add clarification to miscellaneous parts of the EA. Your comments have been considered and will be included in the project Administrative Record. Appropriate fill will be identified during design of the project, and specifications will be included in the construction comments.

The type of fill will used in construction will be identified in later design of the project, and has not been included in the preliminary design. As stated, the Pennsylvania Stormwater Manual was referenced in a specific citation, and not used as the authority in developing stormwater management concepts.

Your comment on public access regarding when the road was closed to motor vehicle traffic is noted.

Lastly, the term navigable waters versus waters of the U.S. are different terms. A waterbody is a navigable water of the United States generally, when the following conditions are satisfied:

- (a) Past, present, or potential presence of interstate or foreign commerce;
- (b) Physical capabilities for use by commerce as in paragraph (a) of this section; and
- (c) Defined geographic limits of the waterbody.

Waters of the U.S. can also include wetlands and perennial and intermittent streams not defined as navigable.

Photo 1:



Photo 2:



[REDACTED]

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**From:** [REDACTED]  
**Sent:** Tuesday, July 06, 2010 2:50 PM  
**To:** KingleTrail  
**Subject:** Re: From the Kingle Trail Website

**Name:** Tony Bullock

**Email:** [REDACTED]

**Address:** [REDACTED]

**Comment:** As a long time resident in the immediate area, I strongly support the establishment of a permeable surface hiker/biker trail at the proposed location. My family and I would use it on a regular basis. The existing condition is unsafe and unsightly.

**Periodic updates:**

071-01

***Response to Comment 071-01***

Thank you for your comment. It has been noted and will be include in the project Administrative Record.

After consideration of the purpose of and needs for the proposed action, analysis in the EA, and public and agency comments, DDOT has identified Alternative 2 – 10-Foot Multi-Use Trail (Permeable) as the Preferred Alternative.

[REDACTED]

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**From:** [REDACTED]  
**Sent:** Tuesday, July 06, 2010 5:45 PM  
**To:** KlingeTrail  
**Subject:** Re: From the Klinge Trail Website

**Name:** John Campbell

**Email:** [REDACTED]

**Address:** [REDACTED]

072-01

**Comment:** Ms. Casey: Thanks to all of you at DDOT for the dedicated work you have put in on this worthy project. Those of us advocating the preservation of Klinge Valley as green space are so grateful that the long awaited Klinge Valley Trail is finally more than a dream and is really at hand. Here are some of the elements I most want to see in the development and completion of the new trail: A permeable surface, able to accommodate pedestrians, bikers, hikers, strollers and emergency vehicles. A trail 10 feet in width. A one-way (downhill) mandate for any necessary motorized utility vehicles. A few benches beside the trail, allowing people to stop, rest, read, reflect on the beauty of their surroundings. Stairs from/to Connecticut Avenue near the bridge. The trail connected to other trails and paths in the park in such a way that those of us on Klinge Ridge (2600 block of Klinge Road NW) can access and egress the city road. Trash and recycling containers at both ends of the trail, possibly under the bridge as well, if not obtrusive. No lighting. In the event that lighting is determined to be necessary to support bicycle commuters then it should be tightly limited to those times (e.g., winter) when commuting and darkness coincide. Signage at both ends of the .7-mile trail providing well-conceived and expressed information about the history of the valley, the ecosystem, the fragility of the environment with runoff into Klinge Creek into Rock Creek into the Potomac and on into Chesapeake Bay. Thank you for accepting my comments. John Campbell

**Periodic updates:** Yes

### ***Response to Comment 072-01***

Thank you for your comments. They will be included in the project Administrative Record.

After consideration of the purpose of and needs for the proposed action, analysis in the EA, and public and agency comments, DDOT has identified Alternative 2 – 10-Foot Multi-Use Trail (Permeable) as the Preferred Alternative.

DDOT has identified Option B – Pole or Bollard Lighting as the preferred Lighting Option. DDOT plans to install low-impact pole lighting along the trail. The lighting would be timed to correspond with commuter use of the facility to limit the hours of illumination and minimize impacts to nocturnal wildlife.

The preferred Access to Rock Creek Park Option, Options B and C, will provide connectivity from points west to Rock Creek Trail.

As a result of public input during project scoping, DDOT considered a connection from the multi-use trail to Connecticut Avenue. However, steep slopes would require excessive grading, well outside of the existing DDOT right-of-way, to implement this option. Therefore, this option is outside of the scope of the project, and was dismissed from detailed study.

DDOT will consider public and agency comments regarding potential amenities such as trail furniture trash cans, as design continues, and will continue to coordinate with the National Park Service and the District Historic Preservation Office regarding interpretive signage. DDOT will also consider public and agency comments regarding emergency and utility vehicle access, including the direction of access, during more detailed design.

[REDACTED]  
**From:** [REDACTED]  
**Sent:** Tuesday, July 06, 2010 4:38 PM  
**To:** KingleTrail  
**Subject:** Re: From the Kingle Trail Website

**Name:** JOANN CRANDALL

**Email:** [REDACTED]

**Address:** [REDACTED]

**Comment:** Re: Comments on Kingle Road Environmental Assessment I want to add my comments to those who have asked that Kingle Road be returned to its original function: as a road that provides East-West access across the city, enabling those of us living in Columbia Heights, Mt. Pleasant, Woodley Park, Glover Park, and Georgetown to access businesses and schools in these and other nearby communities. For many years, I relied on this road to reach my employment in Georgetown, as well as to shop in the many stores on Wisconsin and throughout the area. Today, the only way that I can get across town is on Porter Street or if going North, on Park Road/Tilden. Both of these roads have become virtual parking lots with the closing of Kingle, causing unnecessary traffic congestion and pollution, not only on those streets, but also on Connecticut Avenue. Kingle Road offered a way of getting across town without having to go onto Connecticut Avenue, which also can become a parking lot during morning and evening hours. What is so unfair about the proposed change, virtually closing Kingle (since no bicyclist would be able or willing to climb that hill) is that this is being done for the benefit of a very few who live along Kingle or nearby. Those who live along Porter or Tilden far outnumber (I would estimate by several hundred percent) those who live along Kingle. Closing the road has created unnecessary congestion and pollution for thousands of residents for the benefit of a very few, wealthy residents. I have been a member of the Sierra Club for decades and have supported their efforts to protect wilderness areas. In the present case, they are simply wrong. There is no need to keep Kingle Road closed. Bicyclists have trails throughout Rock Creek Park (including one that continues 26 miles to Mount Vernon). They do not need or would even use a trail on Kingle Road, not only because it is so steep, but also because of the isolation they would encounter if no cars were using the road. It is my understanding that preparing the road for eventual return of traffic will have to be undertaken to protect the utilities along the right-of-way as well as for erosion control. Thus, making Kingle Road a "bike path" will not be a more economical decision than reopening it as the road it was originally intended to be. Keeping the road closed will certainly be a less environmentally friendly decision, since it will result in continued growth of traffic along Porter and Tilden. I urge the City Council to reconsider its vote and restore Kingle to its original and more functional purpose as an East-West artery. JoAnn Crandall [REDACTED]

**Periodic updates:** [REDACTED]

***Response to Comment 073-01***

Thank you for your comments. They have been noted and will be included in the project Administrative Record.

An alternative to reopen the barricaded portion of Kingle Road to motor vehicles would not fulfill the purpose and need for the proposed action, which is identified in Section 1.0 of the EA. Furthermore, a road alternative is not consistent with the District's Kingle Road Sustainable Development Act of 2008, and was eliminated from detailed study in the EA. Please see Section 2.3.5 for more details.

[REDACTED]

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**From:** [REDACTED]  
**Sent:** Tuesday, July 06, 2010 4:57 PM  
**To:** KlingeTrail  
**Subject:** Re: From the Klinge Trail Website

**Name:** Carla Flug

**Email:** [REDACTED]

**Address:** [REDACTED]

**Comment:** Since Klinge Road's closing in 1991 my family's daily car travel times at all times into and beyond Cathedral Heights, Cleveland Park, Georgetown, have been more than doubled, largely due to the increased load on Connecticut, Reno and Wisconsin, and the major east-west streets crossing these north-south routes. Traffic flow in our own Forest Hills neighborhood has doubled and, during rush hours, backs up with drivers who would otherwise have continued down Broad Branch, West Beach Drive and the half-mile portion of Klinge Road in question that needs to be repaired. The current multimillion-dollar city plan to study traffic and pedestrian accidents on Connecticut should instead be directed toward the restoration of Klinge Road which would relieve much of the problem. Although Klinge Road was blocked off 20 years ago under false pretenses of insufficient funds and has never been formally closed as required by city law, it is incomprehensible that some city officials argue for a trail that would cost the city many multiples of what road repair will. There is sufficient space along the original road site to include a bike path. During the huge snows last winter, I learned that the city cleared the Klinge Road site in question first and repeatedly so that emergency and repair vehicles could access adjacent water, sewer and electrical lines which would otherwise go unaddressed. Please end this 20-year impasse and repair Klinge Road. It is an original and critical feature of Rock Creek Park.

**Periodic updates:**

***Response to Comment 074-01***

Thank you for your comments. They have been noted and will be included in the project Administrative Record.

An alternative to reopen the barricaded portion of Klinge Road to motor vehicles would not fulfill the purpose and need for the proposed action, which is identified in Section 1.0 of the EA. Furthermore, a road alternative is not consistent with the District's Klinge Road Sustainable Development Act of 2008, and was eliminated from detailed study in the EA. Please see Section 2.3.5 for more details.

**From:** [REDACTED]  
**Sent:** Tuesday, July 06, 2010 4:13 PM  
**To:** KlingleTrail  
**Subject:** comments on Klingle Valley environmental assessment

To the D.C. Dept. of Transportation, Federal Highway Administration, and National Park Service  
([comments@klingletrail.com](mailto:comments@klingletrail.com)):

I submit these comments as a resident and native of D.C. On most days throughout the year, I take long walks, usually passing through the project site--on the Rock Creek bike path; on the crosstown sidewalk along Porter-Klingle connecting Connecticut Avenue with Adams Mill Road; and on the Connecticut Avenue bridge that crosses Klingle Valley.

I have walked the length of Klingle Valley at ground level in the past--but have not done so recently, due to the conditions and barricades there. I plan to take walks there when the Valley is opened up for that use.

075- 1. I oppose the use of motorized vehicles in Klingle Valley. Access and use must be by nonmotorized users  
01 (e.g., pedestrians and bicycles) only.

2. Any projects undertaken in the project area must be designed so as to as to preserve the natural character of the project area and surrounding lands, and minimize the footprint and impact of intrusions..

075- a. Any trail must have the narrowest possible alignment, and must not exceed the current alignment of the  
02 Rock Creek Park bike path that passes through the project area.

b. The Rock Creek bike path is not lit, and there is no need to light the Klingle path. If it is lit, the lights must be as understated as possible--small, not overly bright, and with opaque coverings to prevent upward dispersal of light.

c. Use permeable surfaces so as to protect water quality and reduce runoff.

d. Design the project so as to prevent runoff-induced erosion.

075- 3. Plant trees in any open areas. For example, the interchange connecting Klingle Road, Porter Street, and  
03 Beach Drive currently consists of treeless grass. Plant lots of shade trees that will grow to provide a canopy over this area. This will benefit users of Klingle Valley, of the Rock Creek bike path, and of the sidewalk along Porter/Klingle that connects Connecticut Avenue to Adams Mill Road.

4. Remove exotics (e.g., vines), especially those that are damaging trees. For example, many vine-covered trees are visible from the Connecticut Avenue bridge.

Thanks for considering my comments.

Sincerely,

Howard I. Fox  
Washington, DC

### ***Response to Comment 075-01***

Thank you for your comments. They have been noted and will be included in the project Administrative Record.

### ***Response to Comment 075-02***

One of the project design objectives is to minimize impacts by staying within DDOT right-of-way to the extent possible. After consideration of the purpose of and needs for the proposed action, analysis in the EA, and public and agency comments, DDOT has identified Alternative 2 – 10-Foot Multi-Use Trail (Permeable) as the Preferred Alternative.

In order to support a sustainable trail, DDOT has identified Option B – Full Stream Channel and Bank Stabilization as the preferred Klingle Creek Restoration Option.

DDOT has identified Access to Rock Creek Trail Option C-Modified as the preferred Access to Rock Creek Trail Option.

Under this option, a multi-use trail 6 to 8 feet in width would be constructed within the footprint of the existing roadway. No new impervious surface would be added

DDOT has identified Option B – Pole or Bollard Lighting as the preferred Lighting Option. DDOT plans to install low-impact pole lighting along the trail. The lighting would be timed to correspond with commuter use of the facility to limit the hours of illumination and minimize impacts to nocturnal wildlife.

### ***Response to Comment 075-03***

Following construction of the trail, additional restoration of Klingle Valley would include replanting of native tree species and vegetation. Other restoration activities such as removal of invasive species will be considered as part of the project design.

From: [REDACTED]  
Sent: Tuesday, July 06, 2010 12:51 PM  
To: KlingeTrail  
Subject: Klinge Road

076-01

Failure to repair & reopen a city street in a timely manor is a monumental, historic, and permanent embarrassment to the District of Columbia government.

To spend millions on a trail to nowhere in one of the steepest ravines in the city is further proof of the stupidity of the District Government.

Only a tiny few of the most fit bicyclists/joggers will ride/run up this steep ravine. The trail is a dead end at both ends.

Who will go up this steep trail? Will bikers, hikers, & joggers make their way over from Rock Creek Park trails to go up this steep ravine? Why? To where? Will little old church ladies use this trail as a way to get to National Cathedral? What is their Woodley Park destination?

Who will go down this steep trail? Will hundreds of bikers, hikers, joggers, and picnickers drive to, clog, and park all over the residential streets of Woodley Park to use this steep ravine as their entrance and exit to a day of activities in Rock Creek Park?

In either direction, it is a very indirect and inefficient route for any weekday bike and jogging commuters to center city.

The City is about to build a multi-million dollar private dog [REDACTED] dump for the residents of Woodley Park. Since it is "in the woods" dog owners will rarely pick up their dog waste. Rather than a proper environmentally engineered Klinge Road, Woodley Park dog [REDACTED] will further pollute Rock Creek.

Eliminating one of the few cross-town routes in the city is stupid traffic engineering. Giving the appearance of creating a private limited access "gated" community for Woodley Park is further stupid traffic engineering and smacks of elitism.

The correct term for the geology of Klinge Road area is "ravine." Using "valley" is incorrect, and again displays the ignorance of the DC Government, and/or its bias.

I am an avid environmentalist, bicyclist, jogger, hiker, and recreational user of Rock Creek Park, but I am also a city resident, and failure to repair city streets and to spend millions on a rarely used trail to nowhere is stupid city planning.

I also suspect that almost no one in the District government knows the historic causes to the damage of what was a perfectly good city street. I challenge city leaders and employees to explain how Klinge Road was damaged in the first place.

No environmental assessment should be considered except with the goal to repair and reopen Klinge Road NW. With a sidewalk, wonderful. With a trail alongside or elsewhere in the ravine, wonderful.

But please, not the Barry-Cheh Memorial Trail To Government Inefficiency & Stupidity.

### ***Response to Comment 076-01***

Thank you for your comments. They have been noted and will be included in the project Administrative Record.

An alternative to reopen the barricaded portion of Klinge Road to motor vehicles would not fulfill the purpose and need for the proposed action, which is identified in Section 1.0 of the EA. Furthermore, a road alternative is not consistent with the District's Klinge Road Sustainable Development Act of 2008, and was eliminated from detailed study in the EA. Please see Section 2.3.5 for more details.

**From:** Giordano, Cynthia A. [REDACTED]  
**Sent:** Tuesday, July 06, 2010 5:15 PM  
**To:** KlingeTrail

077-01

I represent the Tregaron Limited Partnership ("TLP") which owns Lot 849 in Square 2084 located immediately adjacent to the closed portion of Klingle Road . As indicated at the recent public hearing on the Environmental Assessment , TLP is opposed to the closing of Klingle Road and the current proposal to replace it with a recreational trail or bike path . The current EA ignores the fact the Historic Preservation Review Board and its staff brokered and approved a historic preservation plan which permits the development of 5 houses on the aforementioned TLP parcel in exchange for TLP's donation of 13 additional acres for permanent open space preservation. The Mayor's Agent for Historic Preservation specifically approved the lots because of their access from Klingle -- the board rejected an alternative scenario which provided access through the Tregaron site . ( A link to the Mayor's Agent order is attached below .) TLP proceeded to deed the 13 acres to the Tregaron Conservancy based on this approval and the City's position at the time that Klingle Road would be repaired for vehicular access. For the City to now reverse itself and essentially strip TLP's land of any economic value constitutes a taking of its property without due process.

077-02

Further , the proposed trail/bikepath is legally flawed in that the land under Klingle Road was dedicated for public highway purposes and remains a legal condition that cannot be disregarded by the City without a legal process which takes into account the legal rights of TLP as an abutting property owner. TLP intends to pursue those rights and oppose the trail/bikepath .

<http://www.ll.georgetown.edu/histpres/decisions/hpa04-145.html>

"Saul Ewing LLP <saul.com>" made the following annotations:

~~~~~  
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~~~~~

### *Response to Comment 077-01*

Thank you for your comments. They have been noted and will be included in the project Administrative Record.

An alternative to reopen the barricaded portion of Klingle Road to motor vehicles would not fulfill the purpose and need for the proposed action, which is identified in Section 1.0 of the EA. Furthermore, a road alternative is not consistent with the District's Klingle Road Sustainable Development Act of 2008, and was eliminated from detailed study in the EA. Please see Section 2.3.5 for more details. DDOT has considered the potential impacts of the Klingle Valley Trail project with regards to approval of the subdivision of Tregaron per the DC Historic Preservation Office 2006 Decision and Order (Subdivision of Tregaron Estate – Eight Residential Lots and Initial Rehabilitation Plan of Conservancy). A discussion of potential impacts is provided in the Cultural Resources Section (4.2.1) and Land Use Section (4.3.1). A number of commentators on the June 2010 EA noted the 2006 approval by the DC Historic Preservation Review Board (DC HPO) of an application for subdivision of one acre of the historic Tregaron Property in exchange for the Tregaron Limited Partnership's donation of 13 acres for permanent open space preservation on the historic property (Decision and Order (Subdivision of Tregaron Estate – Eight Residential Lots and Initial Rehabilitation Plan of Conservancy – March, 2006). According to the commentators, the proposed trail would prohibit vehicular access from five homes to Klingle Road, essentially nullifying the DC HPO's approval. The DC HPO's order allowed for the subdivision; however, it clearly acknowledges that five of the eight subdivided properties proposed frontage would be on "that portion of Klingle Road which is currently closed to traffic" (DC HPO, 2006).

As required under Section 106 of the National Historic Preservation Act, FHWA and DDOT consulted with the DC HPO and prepared

an Assessment of Effects on Historic Resources report. Throughout FHWA and DDOT's consultations with DC HPO, DC HPO did not raise the approval for the subdivision in the Decision and Order as an issue whereby the proposed trail would affect the Tregaron Limited Partnership's activities. Notably, DC HPO has stated:

"The 'HPRB order' . . . is more accurately a concept approval and acceptance of the three-party property agreement between Washington International School, the Tregaron Conservancy, and the Tregaron Limited Partnership regarding the ownership and future treatment of the Tregaron landmark. This agreement does not have any impact or relevance to the Klingle Road project . . . In fact, there is no right to built [sic] the houses; they were always a highly speculative proposition."

Furthermore in an email response to a citizen's inquiry regarding this issue, the DC HPO stated:

"The five houses on the closed portion of Klingle were speculative and specifically approved for those sites. They were proposed by the developer with full knowledge that Klingle was closed at the time and without any guarantee that it would be reopened. There was no contingency for relocating those five house lots to other portions of the site, and the remainder of the land has already been transferred to and is owned by the Conservancy. I don't think the failure of the developer to be able to build the five houses would affect the settlement agreement between the Tregaron Limited Partnership, the Washington International School and the Conservancy."

The complete Assessment of Effects on Historic Resources report and the DC HPO concurrence letter is presented in Appendix B of this EA. The two emails in their entirety are available in the project Administrative Record.

***Response to Comment 077-02***

Erroneously, the following information was listed in the EA, which was released in June 2010:

Klingle Road is currently listed on the Federal-aid system functional classification of streets/roadways in the District of Columbia as a local street (DDOT, 2009c). If converted from motorized to non-motorized use under the proposed action, this segment of roadway would have to be officially removed as a local street from the DC functional classification map using the appropriate processes under 23 CFR 470.109(a) and

470.115(a) (Federal Aid Highways re: converting a designated fed-aid highway to non-vehicular trail) and The Street & Alley Closing & Acquisition Procedures Act of 1982. D.C. Code Section 9-201.01 et. Seq. Section 9-202-01 (re: street closings and requirement of public hearing for such act).

Klinge Road is currently listed on the Federal-aid highway system functional classification of streets and roadways in the District of Columbia as a collector street and is eligible for Surface Transportation Program (STP) funds. Because the District is proposing to construct a multi-use trail on Klinge Road (i.e., the Klinge Valley Trail), Klinge Road will no longer be eligible for funding under the STP funding program. At the conclusion of the NEPA process regarding this EA for the Klinge Valley Trail, DDOT will propose to FHWA that the segment of Klinge Road between Porter Street, N.W. and Cortland Place, N.W. be removed from the Federal-aid highway system. However, the proposed multi-use trail is eligible for federal-aid funding under the Recreational Trails Program in accordance with SAFETEA-LU Sections 1101(a)(8) and 1109, 23 USC 104(h) & 206, and 23 CFR Part 652.

Nevertheless, removal of Klinge Road from the Federal-aid highway system, does not affect the District's ownership and jurisdiction of the Klinge Road right-of-way. Under the proposed action, DDOT will not and does not plan to officially close the barricaded segment of Klinge Road between Porter Street, N.W. and Cortland Place, N.W. pursuant to the procedure outlined in The Street & Alley Closing & Acquisition Procedures Act of 1982 (D.C. Code sections 9-201.01 et seq. (see Appendix E). DC Code section 9-202.01 states that the Mayor may close all or part of any street or alley which is determined by the DC Council to be unnecessary for street or alley purposes. The 2008 Act, passed by DC Council, did not deem Klinge Road unnecessary when it authorized the construction of a pedestrian and bicycle trail on Klinge Road between Porter Street, N.W. and Cortland Place, N.W.; therefore,

Klinge Road continues to be necessary for street (i.e., public right-of-way) purposes, as defined in DC Code section 9-201.01. Additionally, DDOT will continue to operate, maintain and manage the public right-of-way for both non-motorized transportation and authorized motorized use (i.e. access for emergency, utility, and maintenance vehicles).

[REDACTED]  
[REDACTED]  
**From:** [REDACTED]  
**Sent:** Tuesday, July 06, 2010 3:30 PM  
**To:** KingleTrail  
**Subject:** Re: From the Kingle Trail Website

**Name:** Olivia Hilton

**Email:** [REDACTED]

**Address:** [REDACTED]

078-0 **Comment:** I would like to see recycling and trash bins placed at either end of the .7 mile stretch of trail and possibly just under the Connecticut Avenue bridge on the trail as well. I would also like to see a couple of benches placed at the side of the trail -- for people to rest, to stop and reflect for a moment on their beautiful surroundings, perhaps to go read for a while, etc. Maybe even a wooden picnic table, if there's room. I would also like to see interesting, informational signage. One sign could discuss the history of the trail --from a 19th century logging trail, to the paved road with the advent of the automobile in the District in the early 20th century, to the hiker/biker trail for the 21st century capital city. I would also like to see a sign about the ecosystem there, about water runoff and its dangers, about the flora and fauna that can be seen in the valley, etc. Thank you, Olivia Hilton, Cathedral Heights

**Periodic updates:**

***Response to Comment 078-01***

Potential amenities such as trail furniture, trash receptacles, and specific interpretive signage are not discussed in detail in the EA. However, as design continues, DDOT will consider public and agency comments, and will continue to coordinate with the National Park Service and the District Historic Preservation Office when incorporating amenities into more detailed design plans.

**From:** Joseph Keyerleber  
**Sent:** Tuesday, July 06, 2010 12:40 PM  
**To:** KlingeTrail; Jim Graham  
**Cc:**  
**Subject:** Comments on Klinge Road EA

Here are my comments regarding the Klinge Road Environmental Assessment:

079-01

East-west access across Rock Creek Park is severely limited. The only real functioning cross streets in the District are Porter Street and Park Road/Tilden Street. Both of these dump all drivers and their vehicles onto the congestion of Connecticut Avenue. This is inconvenient for everyone and creates unnecessary air pollution as vehicles are forced to idle through cycles of gridlock on Connecticut Ave. I feel sorry for the residents along Porter Street and Tilden Street. But those are not the only problems. The lack of east-west access hinders ambulances taking patients to Sibley Hospital, Washington Hospital Center, and other area hospitals. Fire trucks and police cars face delays if they have to cross Rock Creek Park. When the two existing cross-park roads are closed for repairs or bad weather, the situation is even worse. And all of this is without mention of the transport and logistic problems that would occur in a natural or man-made citywide disaster.

For over 100 years Klinge Road functioned as an alternative for getting across the park. It was a time saver because it passes underneath Connecticut Avenue and reduces the number of vehicles on Connecticut. It was also a lovely and pleasant respite in the city, which anyone in a car could enjoy. You did not have to be a bicyclist or a hiker to appreciate this wonderful, historic road. The elderly and infirm could pass through Klinge Valley as easily as the young and athletic.

079-02

It was dismaying to me to see how Councilmember Mary Cheh somehow convinced the city council to reverse their vote to repair Klinge Road for vehicular traffic and restore it to its traditional use. Bogus environmental claims were made to gain support for closing the road from groups such as the Sierra Club. In reality, Klinge Road benefits the environment by reducing congestion and air pollution on other roads around the park. In terms of their own mission statement, the Sierra Club should support fixing this road and opening it up, or at least stay on the sidelines. Rock Creek Park is a huge urban wilderness providing limitless opportunities for bicyclists, hikers, and others. In previous hearings bicyclists have testified they would not use a trail on Klinge Road because the hill is too steep or because they would feel too isolated if no vehicles were passing through. The proposed closing of Klinge Road appears to benefit only the nearby homeowners, some of whom would prefer to have their own little park, at the expense of all the city residents who may need or want to cross through Rock Creek Park in an efficient manner.

079-03

I request that any work planned for this stretch of road include preparing the roadbed for the eventual return of vehicular traffic. My understanding is that such work will have to be performed anyway for erosion control and preservation of utilities' infrastructure along the right of way. The city council has the power to reverse their vote on Klinge Road at any time. There are many reasons why they should. Therefore, any work performed should be consistent with restoring this road to its normal, traditional, historical role as a useful connection between the eastern and western sectors of the city.

Sincerely,

Joseph Keyerleber

### ***Response to Comment 079-01***

Thank you for your comments. They have been noted and will be included in the project Administrative Record.

An alternative to reopen the barricaded portion of Klinge Road to motor vehicles would not fulfill the purpose and need for the proposed action, which is identified in Section 1.0 of the EA. Furthermore, a road alternative is not consistent with the District's Klinge Road Sustainable Development Act of 2008, and was eliminated from detailed study in Section 2.3.5 of the EA.

### ***Response to Comment 079-02***

Additional information on traffic was collected as part of the evaluation for the Environmental Assessment and is presented in Section 2.4.2 Road Network. An alternative to reopen the barricaded portion of Klinge Road to motor vehicles was eliminated from detailed study (see Section 2.3.5 of the EA) because it would not fulfill the purpose and need for the proposed action, which is identified in Section 1.0 of the EA. Please see Section 4.4.2 Roadway Network and Traffic for a description of impacts resulting from the construction of a multi-use trail and Section 4.5 Air Quality for air quality impacts.

### ***Response to Comment 079-03***

DDOT plans to maintain the existing transportation right-of-way; however, the subbase for a permeable trail will be much different than that of a roadway.

[REDACTED]

---

**From:** [REDACTED]  
**Sent:** Tuesday, July 06, 2010 4:49 PM  
**To:** KlingeTrail  
**Subject:** Re: From the Klinge Trail Website

**Name:** Sharon Kissel

**Email:** [REDACTED]

**Address:** [REDACTED]

**Comment:** I feel strongly that Klinge Rd. should NOT be turned into a bike/jogging path. It is against the principles of the history of the park, and it serves only an elitist population of the city. The road should be reopened to vehicular traffic.

**Periodic updates:** Yes

080-01

***Response to Comment 080-01***

Thank you for your comments. They have been noted and will be included in the project Administrative Record.

The Klinge Valley Trail would be a public trail open to all residents of the District and DDOT would continue to maintain the right of way as a transportation corridor which is consistent with its historical use. Please see Section 3.2.3 Cultural Landscape for more information.

An alternative to reopen the barricaded portion of Klinge Road to motor vehicles would not fulfill the purpose and need for the proposed action, which is identified in Section 1.0 of the EA. Furthermore, a road alternative is not consistent with the District's Klinge Road Sustainable Development Act of 2008, and was eliminated from detailed study in Section 2.3.5 of the EA.

[Redacted]

**From:** [Redacted]  
**Sent:** Tuesday, July 06, 2010 4:47 PM  
**To:** KingleTrail  
**Subject:** Kingle Valley Trail Environmental Assessment  
**Attachments:** FORCE Comments on Kingle EA.pdf

Dear Ms. Casey,

Attached please find a copy of our comments on the Kingle Environmental Assessment. I also submitted these comments through the Kingle website, but thought you might also like the letterhead version.

Please let me know if you have any questions.

Sincerely yours,  
Beth Mullin

--  
Beth Mullin  
Executive Director  
FORCE -- Friends of Rock Creek's Environment

[Redacted]



July 6, 2010

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**Elissa Totin**

**Executive Director**

Beth Mullin  
*beth@friendsofrockcreek.org*

**FORCE**  
PO Box 42680  
Washington, DC 20015  
(202) 237-8866  
*friendsofrockcreek.org*

**MISSION**  
081-01  
FORCE works to promote a healthy and sustainable Rock Creek Watershed through conservation, education, and restoration.

Ms. Austina Casey  
Project Development, Environment, & Sustainability Division  
Planning, Policy, & Sustainability Administration  
District Department of Transportation  
2000 14th Street, NW, 7th Floor  
Washington, DC 20009

Re: Klingle Valley Trail Environmental Assessment

Dear Ms. Casey,

Thank you for the opportunity to provide comments on the Environmental Assessment (EA) dated June 2010 for the creation of a Klingle Valley Trail.

Friends of Rock Creek's Environment (FORCE) is a nonprofit group working to promote a healthy and sustainable Rock Creek watershed through education, advocacy, and on-the-ground action. Stormwater is the leading cause of pollution and erosion in Rock Creek and its tributaries, and therefore reducing the volume of polluted stormwater entering Rock Creek is FORCE's top priority. As an important DC tributary of Rock Creek, Klingle Creek is of interest to FORCE and its members.

FORCE views the creation of a Klingle Valley Trail as a crucial opportunity to provide for stormwater management and restoration of Klingle Creek, and believes that the project itself and the EA should reflect this. The Federal Highway Administration (FHWA) and District Department of Transportation (DDOT) initiated the EA in response to the DC Council's Klingle Road Sustainable Development Amendment Act of 2008, which was codified under the Fiscal Year 2009 Budget Support Act of 2008. This legislation called for "environmental remediation of Klingle Valley" and stated that "(e)xisting storm water and sewage pipes shall be repaired, if necessary, to reduce or eliminate the runoff or discharge of stormwater or sewage water into Klingle Valley."

081-01 The EA does not adequately address environmental remediation of Klingle Valley, which is necessary for long-term viability of the trail. The EA examined stormwater coming from the surrounding hillsides and the path itself, but fails to explore fully the possible actions that could "reduce or eliminate the runoff" from upstream sources. Development and

**Response to Comment 081-01**

The EA takes a watershed approach and analyzes the entire watershed, and has and will continue to work closely with the National Park Service and District Department of the Environment. Stormwater improvement opportunities are limited because of the steep topography, urban nature of surrounding properties, parkland, cultural landscapes, proximity to bedrock, and other limitations. DDOT has not identified an improvement or series of improvements that would have a measurable effect on flows coming into Klingle Creek that would have benefits or changes to the proposed design, that would justify the natural and cultural resources impacts, costs, and property impacts.

The Klingle Creek restoration concept proposes the use of step pool structures to stabilize the stream channel in most areas. Although step pools are made of rocks, it is a natural channel form that is found naturally in stream channels of similar slope to Klingle Creek, and provides habitat value and other ecosystem services such as oxygenation and nutrient processing.

The DDOT consultant working on the Klingle Valley Trail project, Coastal Resources, Inc. developed the stream restoration concept for the Turkey Branch restoration. They are knowledgeable of the project and offer that some aspects of the Turkey Branch project limit a similar approach from being used at Klingle Creek. Specifically:

**Available space for stormwater quantity management.** The Turkey Branch project included retrofit and expansion of a pre-existing stormwater management pond over 3 acres in size, and the creation of two new stormwater management wet ponds approximately 1.3 acres and 3 acres. The space required to effectively reduce stormwater quantities in the Klingle Creek watershed is addressed in the EA, and documented as not available because of the topography and development in the watershed.

hydrological changes throughout the Klingle Valley subwatershed contribute to the stream degradation and erosion that undermined the stream valley infrastructure in the first place. This is the perfect time for a more comprehensive approach to Klingle stormwater management that would protect both the creek and the trail.

081-01

FORCE believes that the FHA and DDOT should work closely with the District Department of the Environment, DC Water, the National Park Service, and others to address upstream sources of stormwater now. Increasing infiltration of stormwater throughout the Klingle drainage would help reduce damaging stormwater flows and increase base flow during dry periods. Relieving stormwater stress on the stream would also allow for more natural stream channel restoration techniques to be used that could help create habitat and reconnect the stream to its floodplain rather than focusing on “hardening” the stream to protect infrastructure.

One of Rock Creek’s upstream tributaries, the Turkey Branch tributary near Glenmont, MD, provides an example of how a trail (the Matthew Henson Trail), stream restoration, and watershed protection go hand in hand. The Turkey Branch project includes features such as a storm drain outfall step pool, stone toe protection, stormwater management pools, grading and planting, a cross vane, bioretention gardens along the trail, low impact development projects at the Aspen Hill Library, and a targeted neighborhood rainwater infiltration program. More information is available at [montgomerycountymd.gov/dep](http://montgomerycountymd.gov/dep) and other online sources.

As for the alternatives addressed by the EA, FORCE strongly prefers the options that we believe would help restore the ecological integrity of Klingle Valley, while also increasing access to the beauty of Rock Creek Park. Specifically, FORCE supports:

081-02

➤ **Alternative 4 – 10-Foot Multi-Use Trail** – FORCE believes that this is the most sustainable option. We are concerned that the permeable pavement options are not appropriate for a trail in the steep, narrow, wooded Klingle Valley. We fear that over time leaf litter and debris will clog the permeable pavement and that there will not be sufficient maintenance to retain the pavement’s infiltration capacity. A narrow, impervious trail that slopes toward bioretention swales is a “greener” option than Alternative 2 and would in the long term more successfully infiltrate and treat stormwater from the trail and adjacent hillsides.

081-03

➤ **Lighting Option A– No Lighting** – We believe that lighting the trail is unnecessary, as no other trail in Rock Creek Park is lit at night. Furthermore, lighting the trail will negatively impact nocturnal wildlife in the corridor. If it is found that lighting must be installed, the lights should be on timers so that the trail is lit just during the “rush hours” of bike commuting – not all night.

081-04

➤ **Access to Rock Creek Trail Option B – Shared Use Connection** – This option represents a balance between no connection and paving new areas that are currently vegetated. FORCE believes that although a shared use trail does create a potential conflict between walkers, bikers and car traffic, this hazard is minimal because of the small amount of traffic using the road.

**Stream slope.** The stream slope for the restoration reach of Turkey Branch between Georgia Avenue and Viers Mill Road is less than 1%. The stream slope of Klingle Creek within the proposed restoration area ranges from 3 to 8%. This significant slope difference means that Turkey Branch is naturally a different channel type than Klingle Creek, and many restoration techniques used at Turkey Branch would not be appropriate for Klingle Creek.

***Response to Comment 081-02***

After consideration of the purpose of and needs for the proposed action, analysis in the EA, and public and agency comments, DDOT has identified Alternative 2 – 10-Foot Multi-Use Trail (Permeable) as the Preferred Alternative. The alternative has been modified to slope toward the drainage swale, which will include check dams for water quality.

***Response to Comment 081-03***

DDOT has identified Option B – Pole or Bollard Lighting as the preferred Lighting Option. DDOT plans to install low-impact pole lighting along the trail. The lighting would be timed to correspond with commuter use of the facility to limit the hours of illumination and minimize impacts to nocturnal wildlife.

***Response to Comment 081-04***

DDOT has identified Access to Rock Creek Trail Option C- Modified as the preferred Access to Rock Creek Trail Option. Under this option, a multi-use trail 6 to 8 feet in width would be constructed within the footprint of the existing roadway. No new impervious surface would be added.

081-05

➤ **Klinge Creek Restoration** – Restoring the tributaries to Rock Creek is essential for the long-term health of the Rock Creek main stem. Once a trail is installed in Klinge Valley, it is unlikely that further restoration work will be undertaken because the machinery needed would negatively impact the trail. For this reason, we believe that if the District and the Federal Government are going to work in the valley, they should do as much creek restoration work as possible at the same time. We recommend trail design and restoration options that maximize opportunities for stormwater infiltration and natural channel design, use the minimum necessary armoring of infrastructure, and provide comprehensive stormwater reduction efforts.

FORCE hopes that as this project moves forward, the District and Federal governments will take a holistic approach, creating not just a trail and stormwater conveyance that minimize impact on the built infrastructure, but a watershed approach to restore the stream valley.

Sincerely,



Beth Mullin  
Executive Director

***Response to Comment 081-05***

The Preferred Alternative for the multi-use trail, Klinge Creek Restoration, and stormwater management concepts will be further developed as design continues, and will be constructed concurrently.

The sequencing of construction activities would consider how to minimize the limits of disturbance and duration of construction. DDOT has chosen the Klinge Creek Restoration Option B – Full Channel and Bank Stabilization, which is a more comprehensive approach. It would minimize the need for additional future stream restoration projects in Klinge Valley. The removal of pervious infrastructure, use of permeable materials, and construction of a bioswale will allow for stormwater infiltration. DDOT plans to incorporate natural stream channel design techniques.

[Redacted]

**From:** [Redacted]  
**Sent:** Tuesday, July 06, 2010 3:50 PM  
**To:** KingleTrail  
**Subject:** Re: From the Kingle Trail Website

**Name:** Andrew Stevenson  
**Email:** [Redacted]  
**Address:** [Redacted]

082-01

**Comment:** Kingle Road is a DC street which provides an important connective link between two important parts of the City. For all of decades it has served this vital function there was no more demonstrable adverse environmental impact caused by this road than by any other DC street. There is a legal process for closing streets which has not been followed in this case, and the adverse urban and social impact should be obvious.  
**Periodic updates:**

***Response to Comment 082-01***

Thank you for your comments. They have been noted and will be included in the project Administrative Record.

[REDACTED]

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**From:** [REDACTED]  
**Sent:** Tuesday, July 06, 2010 2:26 PM  
**To:** KlingeTrail  
**Subject:** Re: From the Klinge Trail Website

**Name:** Lisa Swanson  
**Email:** [REDACTED]  
**Address:** [REDACTED]

083  
-01

**Comment:** Thanks for what looks to be a thorough review. Please proceed with the plans for an unlighted, 10-foot wide path with a permeable surface. The access from the Rock Creek path need not be fancy, but signage indicating the route would show the way. Most important is that the streambed itself be altered to create the healthiest flow into Rock Creek (including during earthmoving and construction). Minimize tree loss. Proceed rapidly to avoid more cost increases!  
**Periodic updates:**

### ***Response to Comment 083-01***

Thank you for your comments. They have been noted and will be included in the project Administrative Record.

After consideration of the purpose of and needs for the proposed action, analysis in the EA, and public and agency comments, DDOT has identified Alternative 2 – 10-Foot Multi-Use Trail (Permeable) as the Preferred Alternative.

In order to support a sustainable trail, DDOT has identified Option B – Full Stream Channel and Bank Stabilization as the preferred Klinge Creek Restoration Option.

DDOT has identified Access to Rock Creek Trail Option C-Modified as the preferred Access to Rock Creek Trail Option. Under this option, a multi-use trail 6 to 8 feet in width would be constructed within the footprint of the existing roadway. The trail would be separated from the existing vehicular travel lane via curb. The existing 20-foot wide vehicle travel lane will be redesigned to 12 to 14-feet wide. No new impervious surface would be added. Prior to any land disturbance activities: tree protection measures, protective fencing, and other best management practices (BMPs) would be installed to minimize impacts.

[Redacted]

**From:** [Redacted]  
**Sent:** Tuesday, July 06, 2010 6:04 PM  
**To:** KingleTrail  
**Subject:** Re: From the Kingle Trail Website

**Name:** William R Wurtz

**Email:** [Redacted]

084

**Address:** [Redacted]

-01

**Comment:** Please make Kingle Valley into a bicycle trail!

**Periodic updates:** Yes

***Response to Comment 084-01***

Thank you for your comment. It has been noted and will be included in the project Administrative Record.

November 17, 2010

The Honorable Victor M. Mendez  
Administrator, Federal Highway Administration  
U.S Department of Transportation  
1200 New Jersey Avenue, SE  
Washington, D.C. 20590

Dear Administrator Mendez,

I am writing to seek your assurance that the Federal Highway Administration will continue to require the District of Columbia to comply with 23 CFR 470.109(a) and 479.115(a) and the D.C. Street & Alley Closing & Acquisition Procedures Act of 1982 should it wish to convert Klingle Road from motorized to non-motorized use.

The Coalition to Repair and Reopen Klingle Road, which I chair, has raised legal, policy, and cost issues that were not considered in a DC budget amendment closing a segment of Klingle Road, NW to motor vehicle traffic and replacing the closed segment with a hike/bike trail. FHWA and DDOT partially responded to our concerns in the June 2010 draft Klingle Valley Trail Environmental Assessment, stating on page 5, that -

085-01

*"Klingle Road is currently listed on the Federal-aid system functional classification of streets/roadways in the District of Columbia as a local street (DDOT, 2009c). If converted from motorized to non-motorized use under the proposed action, this segment of roadway would have to be officially removed as a local street from the DC functional classification map using the appropriate processes under 23 CFR 470.109(a) and 470.115(a)( Federal Aid Highways re: converting a designated fed-aid highway to non-vehicular trail) and the Street & Alley Closing & Acquisition Procedures Act of 1982, D.C. Code sections 9-201.01 et Seq. Section 9-202-01 (re: street closings and requirements for public hearing for such act)."*

Among flaws in the D.C. legislation, closing Klingle Road to motor vehicle traffic and replacing it with a very limited use hike/bike trail is a failure to consider the easement under which the District of Columbia is entitled to use Klingle Road forever " for the purpose of a public highway." Enacted without benefit of a public hearing, that legislation will lead to the land on which Klingle Road is situated reverting to abutting landowners. Complying with the Street & Alley Closing Act will allow the D.C. Council to fully consider these implications.

Regrettably, FHWA and DDOT staff are now stating that the June 2010 doesn't mean what it says and are preparing a final EA that will eliminate the requirement for compliance with the Street & Alley Closing Act. Accordingly, we respectfully ask that you assure that the final EA include that compliance requirement.



**Response to Comment 085-01**

Thank you for your comment. It has been noted and will be included in the project Administrative Record.

Erroneously, the following information was listed in the EA, which was released in June 2010:

Klingle Road is currently listed on the Federal-aid system functional classification of streets/roadways in the District of Columbia as a local street (DDOT, 2009c). If converted from motorized to non-motorized use under the proposed action, this segment of roadway would have to be officially removed as a local street from the DC functional classification map using the appropriate processes under 23 CFR 470.109(a) and 470.115(a) (Federal Aid Highways re: converting a designated fed-aid highway to non-vehicular trail) and The Street & Alley Closing & Acquisition Procedures Act of 1982. D.C. Code Section 9-201.01 et. Seq. Section 9-202-01 (re: street closings and requirement of public hearing for such act).

Klingle Road is currently listed on the Federal-aid highway system functional classification of streets and roadways in the District of Columbia as a collector street and is eligible for Surface Transportation Program (STP) funds. Because the District is proposing to construct a multi-use trail on Klingle Road (i.e., the Klingle Valley Trail), Klingle Road will no longer be eligible for funding under the STP funding program. At the conclusion of the NEPA process regarding this EA for the Klingle Valley Trail, DDOT will propose to FHWA that the segment of Klingle Road between Porter Street, N.W. and Cortland Place, N.W. be removed from the Federal-aid highway system. However, the proposed multi-use trail is eligible for federal-aid funding under the Recreational Trails Program in accordance with SAFETEA-LU Sections 1101(a)(8) and 1109, 23 USC 104(h) & 206, and 23 CFR Part 652.

Nevertheless, removal of Klingle Road from the Federal-aid highway system, does not affect the District's ownership and jurisdiction of the Klingle Road right-of-way. Under the proposed action, DDOT will not and does not plan to officially close the barricaded segment of Klingle Road between Porter Street, N.W.

Repair Klingle Road

The Coalition to Repair and Reopen  
Klingle Road, Washington, DC

Register Your  
Support!

If you would like further information or have any questions, please do not hesitate to contact me. I look forward to hearing from you in this matter.

Sincerely,



Laurie Collins  
202.986.5710 v  
202.403.3555 f

Copies:

Thomas P. Holian III, Acting General Counsel, FHWA  
Delegate Eleanor Holmes Norton  
Mayor Adrian Fenty  
City Administrator, Neil Albert  
DDOT Director, Gabe Klein

[www.repairklingleroad.org](http://www.repairklingleroad.org) email: [support@repairklingleroad.org](mailto:support@repairklingleroad.org)



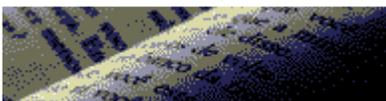
and Cortland Place, N.W. pursuant to the procedure outlined in The Street & Alley Closing & Acquisition Procedures Act of 1982 (D.C. Code sections 9-201.01 et seq. (see Appendix E). DC Code section 9-202.01 states that the Mayor may close all or part of any street or alley which is determined by the DC Council to be unnecessary for street or alley purposes. The 2008 Act, passed by DC Council, did not deem Klingle Road unnecessary when it authorized the construction of a pedestrian and bicycle trail on Klingle Road between Porter Street, N.W. and Cortland Place, N.W.; therefore, Klingle Road continues to be necessary for street (i.e., public right-of-way) purposes, as defined in DC Code section 9-201.01. Additionally, DDOT will continue to operate, maintain and manage the public right-of-way for both non-motorized transportation and authorized motorized use (i.e. access for emergency, utility, and maintenance vehicles).

APPENDIX  
**E**

STREET & ALLEY CLOSING & ACQUISITION PROCEDURES ACT OF 1982







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DC ST D. I, T. 9, Subt. I, Ch. 2, Refs & Annos

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Division I. Government of District.

Title 9. Transportation Systems. (Refs & Annos)

Subtitle I. Highways, Bridges, Streets, and Alleys.

Chapter 2. Street and Alley Closing and Acquisition Procedures.

DC CODE D. I, T. 9, Subt. I, Ch. 2, Refs & Annos

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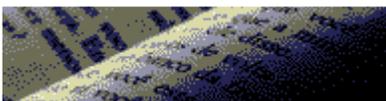
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### DC ST § 9-201.01

Formerly cited as DC ST 1981 § 7-411

DC ST § 9-201.01

Formerly cited as DC ST 1981 § 7-411

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Division I. Government of District.

Title 9. Transportation Systems. (Refs & Annos)

Subtitle I. Highways, Bridges, Streets, and Alleys.

Chapter 2. Street and Alley Closing and Acquisition Procedures. (Refs & Annos)

Unit A. Street and Alley Closings.

Subchapter I. Definitions.

➔ **§ 9-201.01. Definitions.**

For purposes of this chapter the term:

- (1) "Alley" means any public alley, as recorded in the records of the Office of the Surveyor, from its intersection with a street or another alley to its next intersection with a street or alley, or where it dead-ends.
- (2) "Council" means the Council of the District of Columbia.
- (2A) "DDOT" means the District Department of Transportation.
- (3) "District" means the District of Columbia government.
- (4) "Highway plan" means the plan of the permanent system of highways developed pursuant to § 9-103.01 et seq.
- (5) "Mayor" means the Mayor of the District of Columbia, or the Mayor's designated representative.
- (6) "Owner" means the owner(s) of record as shown on the records in the Department of Finance and Revenue.
- (7) "Street" means any public right-of-way, recorded as a street, road, or highway in the records of the Office of the Surveyor.
- (8) "Surveyor" means the Surveyor of the District of Columbia.

CREDIT(S)

(Mar. 10, 1983, D.C. Law 4-201, § 101, 30 DCR 148; Apr. 18, 1996, D.C. Law 11-110, § 18, 43 DCR 530; Oct. 22, 2008, D.C. Law 17-246, § 2(a), 55 DCR 9010.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 7-411.

Effect of Amendments

D.C. Law 17-246 added par. (2A).

Legislative History of Laws

Law 4-201, the "Street and Alley Closing and Acquisition Procedures Act of 1982," was introduced in Council and assigned Bill No. 4-341, which was referred to the Committee on Transportation and Environmental Affairs. The Bill was adopted on first and second readings on November 16, 1982, and December 14, 1982, respectively. Signed by the Mayor on December 28, 1982, it was assigned Act No. 4-285 and transmitted to both Houses of Congress for its review.

Law 11-110, the "Technical Amendments Act of 1996," was introduced in Council and assigned Bill No. 11-485, which was referred to the Committee of the Whole. The Bill was adopted on first and second readings on December 5, 1995, and January 4, 1996, respectively. Signed by the Mayor on January 26, 1996, it was assigned Act No. 11-199 and transmitted to both Houses of Congress for its review. D.C. Law 11-110 became effective on April 18, 1996.

Law 17-246, the "Street and Alley Closing and Acquisition Procedures Amendment Act of 2008", was introduced in Council and assigned Bill No. 17-479 which was referred to the Committee on the Whole. The Bill was adopted on first and second readings on July 1, 2008, and July 15, 2008, respectively. Signed by the Mayor on July 28, 2008, it was assigned Act No. 17-473 and transmitted to both Houses of Congress for its review. D.C. Law 17-246 became effective on October 22, 2008.

#### References in Text

Pursuant to the Office of the Chief Financial Officer's "Notice of Public Interest" published in the April 18, 1997, issue of the District of Columbia Register (44 DCR 2345) the Office of Tax and Revenue assumed all of the duties and functions previously performed by the Department of Finance and Revenue, as set forth in Commissioner's Order 69-96, dated March 7, 1969. This action was made effective January 22, 1997, *nunc pro tunc*.

DC CODE § 9-201.01

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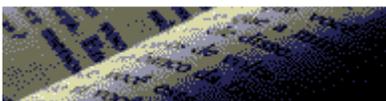


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### DC ST § 9-202.01

Formerly cited as DC ST 1981 § 7-421

DC ST § 9-202.01

Formerly cited as DC ST 1981 § 7-421

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Title 9. Transportation Systems. (Refs & Annos)

Subtitle I. Highways, Bridges, Streets, and Alleys.

Chapter 2. Street and Alley Closing and Acquisition Procedures. (Refs & Annos)

Unit A. Street and Alley Closings.

Subchapter II. Street and Alley Closing Procedures.

➔ **§ 9-202.01. Authority of the Council.**

The Mayor may close all or part of any street or alley which is determined by the Council to be unnecessary for street or alley purposes, upon approval of a proposed resolution submitted by the Mayor to the Council for its review.

CREDIT(S)

(Mar. 10, 1983, D.C. Law 4-201, § 201, 30 DCR 148; Apr. 29, 1998, D.C. Law 12-86, § 504(a), 45 DCR 1172.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 7-421.

Emergency Act Amendments

For temporary order to close public alleys in Square 51, see § 2 of the Closing of Public Alleys in Square 51, S.O. 98-145, Emergency Act of 1998 (D.C. Act 12- 597, January 20, 1999, 45 DCR 1142).

Legislative History of Laws

For legislative history of D.C. Law 4-201, see Historical and Statutory Notes following § 9-201.01.

Law 12-86, the "Omnibus Regulatory Reform Amendment Act of 1998," was introduced in Council and assigned Bill No. 12-458, which was referred to the Committee on Public Works and the Environment and the Committee on Consumer and Regulatory Affairs. The Bill was adopted on first and second readings on December 19, 1997, and January 6, 1998, respectively. Signed by the Mayor on January 28, 1998, it was assigned Act No. 12-256 and transmitted to both Houses of Congress for its review. D.C. Law 12-86 became effective on April 29, 1998.

Miscellaneous Notes

Opposition to partial closure of Pennsylvania Avenue, N.W.: Pursuant to Resolution 6-136, the "Opposition to the Partial Closure of Pennsylvania Avenue, N.W., Resolution of 1985," effective May 14, 1985, the Council emphatically opposes any proposal which includes the closure of Pennsylvania Avenue, N.W., between 15th and 17th Streets, N.W.

Authority to enact closing acts reaffirmed: Section 133 of § 101(d) of Pub. L. 99-591, the D.C. Appropriation Act, 1987, provided that the Congress of the United States reaffirms the authority of the Council of the District of

Columbia, as authorized by § 7-421, to enact the Closing of a Portion of 8th Street, Northwest, and Public Alleys in Square 403 Act of 1984 (D.C. Law 5- 148), and the Closing of a Portion of 8th Street, Northwest, and Public Alleys and Square 403 Emergency Act of 1984 (D.C. Act 5-206).

Alley closings: Council regularly adopts alley closings which take effect after signature by the Mayor and 30-day Congressional review in accordance with § 1-206.02(c)(1) and publication in either the District of Columbia Register, the District of Columbia Statutes-at-Large, or the District of Columbia Municipal Regulations. The alley closings are noted in the D.C. Laws Not Codified Table located in the tables volume.

Closing of Glover Archbold Parkway: Section 2 of D.C. Law 9-51 ordered, on a temporary basis, the closing of Glover Archbold Parkway, N.W., between Upton Street, N.W., and Van Ness Street, N.W. Section 3 of D.C. Law 9-51 provided, on a temporary basis, for the establishment of a street easement to be known as 40th Place, N.W., in Square 1789 and adjacent to Glover Archbold Parkway, N.W., S.O. 99-117 in Ward 3. Section 4 of D.C. Law 9-51 provided a map of the closing of Glover Archbold Parkway, N.W., and the establishment of 40th Place, N.W. Section 5(b) of D.C. Law 9-51 provided that the act shall expire on the 225th day of its having taken effect.

Temporary closing of public alleys in Square 51: Section 2(a) of D.C. Law 12- 280 provides for the temporary closing of the public alleys in Square 51, as shown on the Surveyor's plat filed under S.O. 98-145, with title to the land to vest as shown on the Surveyor's plat. Section 6(b) of D.C. Law 12-280 provides that the act shall expire after 225 days of its having taken effect.

Closing of public alley in Square 371: Section 2 of D.C. Law 12-267 provides that the Council of the District of Columbia found the public alley in Square 371, as shown on the Surveyor's plat filed under S.O. 96-202, unnecessary for alley purposes, and ordered it closed, with title to the land to revert as shown on the Surveyor's plan.

Section 2 of D.C. Law 13-124 provides:

"Pursuant to section 201 of the Street and Alley Closing and Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law 4-201; D.C. Code § 9-202.01), the Council of the District of Columbia finds that the public alley in Square 6159, as shown on the Surveyor's plat filed under S.O. 98-125, is unnecessary for alley purposes and orders it closed, with title to the land to vest as shown on the Surveyor's plat. Prior to the issuance of a building permit for the development of Lots 126, 123, and 812 in Square 6159, which is facilitated by the alley closing that is the subject of this act, the applicant shall certify to the District that the applicant's building plans satisfy the conditions required by the Department of Public works as set forth in the official file on S.O. 98-125."

Section 2 of D.C. Law 13-240 provides:

"(a) Pursuant to section 201 of the Street and Alley Closing and Acquisition Procedures Act of 1982 the Council of the District of Columbia finds that the public alley in Square 4335, as shown on the Surveyor's plat filed under S.O. 98-245, is unnecessary for alley purposes and orders it closed, with title to vest as shown on the Surveyor's plat.

"(b) The approval of the Council of the District of Columbia of the closing of this alley is contingent upon the applicant satisfying the conditions required by the Department of Public Works as set forth in the official file on S.O. 98-245.

"(c) The approval of the Council of this closing is further contingent upon the recording, in the Recorder of Deeds Division of the District of Columbia Office of Tax and Revenue, of a covenant between the applicant and Verizon Atlantic and the applicant and PEPCO, granting each an easement for access and egress."

Section 2 of D.C. Law 14-37 provides:

"(a) Pursuant to section 201 the Alley Closing and Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law 4-201; D.C. Official Code § 9- 202.01), the Council of the District of Columbia finds that the public alley in Square 192, as shown on the Surveyor's plat filed under S.O. 93-89, is unnecessary for alley purposes and orders it closed, with title to the land to vest as shown on the Surveyor's plat.

"(b) The Council's order to close the alley is contingent upon:

"(1) The establishment of easements and satisfaction of other conditions required by the Department of Public Works, the District of Columbia Water and Sewer Authority, and public utilities as set forth in the official file on S.O. 93-89; and

"(2) The owner of Lots 61, 62, 37, 38, 39, and 21 ('community garden lots'), or any subsequently consolidated lot which includes the community garden lots, retaining the community garden lots for the purpose of a community garden for a period of not less than five years after the effective date of this act [October 13, 2001]."

Section 2 of D.C. Law 15-243 provides:

"Pursuant to section 201 of the Street and Alley Closing and Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law 4-201; D.C. Official Code § 9-202.01), the Council finds that the portion of the of the intersection of Minnesota Avenue and East Capitol Street, N.E., adjacent to Square 5047, as shown on the surveyor's plat filed under S. O. 02-3743, is unnecessary for street purposes and orders it closed, with title to the land to vest as shown on the surveyor's plat. The approval of the Council of this closing is contingent upon the satisfaction of all conditions set forth in the official file of S.O. 02-3743."

Section 2 of D.C. Law 15-254 provides:

"Pursuant to section 201 of the Street and Alley Closing and Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law 4-201; D.C. Official Code § 9-202.01), the Council finds that the public alleys in Square 2674, as shown on the Surveyor's plat filed under S.O. 01-2426, are unnecessary for alley purposes and orders them closed, with title to the land to vest as shown on the Surveyor's plat. The approval of the Council of this closing is contingent upon satisfaction of all conditions set forth in the official file on S.O. 01-2426."

Section 2 of D.C. Law 15-306 provides:

"Sec. 2. (a) Pursuant to section 201 of the Street and Alley Closing and Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law 4-201; D.C. Official Code § 9-202.01), the Council finds that the portion of a public alley in Square 317, as shown on the Surveyor's plat filed under S.O. 04-7832, is unnecessary for alley purposes and orders it closed, with title to the land to vest as shown on the Surveyor's plat.

"(b) The approval of the Council of this closing is contingent upon the satisfaction of the:

"(1) Conditions of the District of Columbia Office of Planning as set forth in the Office's memorandum, dated October 15, 2004, to the Surveyor and all other conditions set forth in the official file of S.O. 04-7832;

"(2) Provision, by the Applicant, of:

"(A) Commercial trash storage and disposal services within its proposed building for use by the buildings on Lots 22 and 835 in Square 317 and at no cost to the owners of Lots 22 and 835;

"(B) Automatic panic bar egress at the exit points of the proposed 10-foot wide, east-west pedestrian easement ("easement") to be provided through the Applicant's proposed building for persons exiting from the buildings located on Lots 22 and 835 in Square 317;

"(C) Automated access from 11th Street at the entry to the easement to the occupants of the building located on Lots 22 and 835 in Square 317;

"(D) A Commercial video screening and access mechanism at the entry to the easement from 11th Street to the occupants of the building on Lot 835 in Square 317;

"(E) Key access to the easement to the District of Columbia Fire and Emergency Medical Services Department; and

"(F) A building design for the proposed building that includes a garage ventilation discharge with an elevation at a minimum of 6 feet, 6 inches above grade and an exhaust velocity that will exchange the air in the garage no less than 7 times per hour; and

"(3) Incorporation of the conditions described in paragraphs (1) and (2) of this subsection in a recorded covenant."

DC CODE § 9-202.01

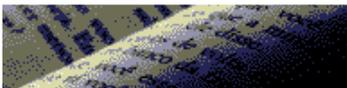
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Chapter 2. Street and Alley Closing and Acquisition Procedures. (Refs &amp; Annos)

Unit A. Street and Alley Closings.

Subchapter II. Street and Alley Closing Procedures.

**➔ § 9-202.03. Exceptions from requirement of referral of application to National Capital Planning Commission.**

Section 9-202.02(3) shall not apply to any application to close all or part of an alley in the circumstances enumerated in § 9-202.05(2), (4)(A), (5), or (6).

CREDIT(S)

(Mar. 10, 1983, D.C. Law 4-201, § 203, 30 DCR 148.)

#### HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 7-423.

Legislative History of Laws

For legislative history of D.C. Law 4-201, see Historical and Statutory Notes following § 9-201.01.

DC CODE § 9-202.03

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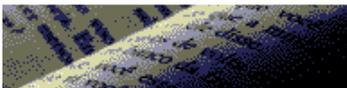
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Formerly cited as DC ST 1981 § 7-424

DC ST § 9-202.04

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Chapter 2. Street and Alley Closing and Acquisition Procedures. (Refs &amp; Annos)

Unit A. Street and Alley Closings.

Subchapter II. Street and Alley Closing Procedures.

**➡ § 9-202.04. Public hearing required.**

Except as provided in § 9-202.05, the Council shall hold a public hearing on all applications to close all or part of a street or alley.

CREDIT(S)

(Mar. 10, 1983, D.C. Law 4-201, § 204, 30 DCR 148.)

#### HISTORICAL AND STATUTORY NOTES

##### Prior Codifications

1981 Ed., § 7-424.

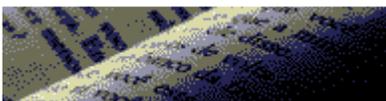
##### Legislative History of Laws

For legislative history of D.C. Law 4-201, see Historical and Statutory Notes following § 9-201.01.

DC CODE § 9-202.04

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Formerly cited as DC ST 1981 § 7-425

DC ST § 9-202.05

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Chapter 2. Street and Alley Closing and Acquisition Procedures. (Refs & Annos)

Unit A. Street and Alley Closings.

Subchapter II. Street and Alley Closing Procedures.

➔ **§ 9-202.05. Inapplicability of § 9-202.04.**

Section 9-202.04 shall not apply to any application to close:

- (1) All or part of any alley when the application has been supported in writing by all of the owners of all the property in the square;
- (2) All or part of any alley where the width of the alley is 10 feet or less, and the application has been supported in writing by all of the owners of all the property abutting the entire alley;
- (3) All or part of any dead-end or unimproved street or alley when the application has been supported in writing by all of the record owners of all the property on both sides of the block(s) of the street which abuts the block(s) of that street to be closed or which abuts the entire alley;
- (4) All or any part of any alley when the application has been supported in writing by all of the record owners of all the property abutting the entire alley, and when land in the same square is concurrently provided for alley purposes either by:
  - (A) Dedication; or
  - (B) Easement;
- (5) All or part of any alley when:
  - (A) The closing is supported in writing by all of the owners of the property in 2/3 of the square;
  - (B) The alley, all or part of which is to be closed, is located entirely within 2/3 of the square owned by the persons supporting the closing; and
  - (C) The owners propose to develop the entire area of the square which they own; and
- (6) All or part of any alley when the District or the United States holds title to all the property abutting the alley, all or part of which is to be closed.

CREDIT(S)

(Mar. 10, 1983, D.C. Law 4-201, § 205, 30 DCR 148; Mar. 14, 1985, D.C. Law 5-159, § 9, 32 DCR 30.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 7-425.

Legislative History of Laws

For legislative history of D.C. Law 4-201, see Historical and Statutory Notes following § 9-201.01.

Law 5-159, the "End of Session Technical Amendments Act of 1984," was introduced in Council and assigned Bill No.

5-540, which was referred to the Committee of the Whole. The Bill was adopted on first and second readings on November 20, 1984, and December 4, 1984, respectively. Signed by the Mayor on December 10, 1984, it was assigned Act No. 5-224 and transmitted to both Houses of Congress for its review.

DC CODE § 9-202.05

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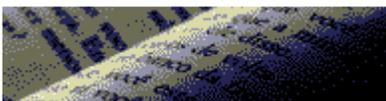


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Formerly cited as DC ST 1981 § 7-426

DC ST § 9-202.06

Formerly cited as DC ST 1981 § 7-426

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Title 9. Transportation Systems. (Refs & Annos)

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Chapter 2. Street and Alley Closing and Acquisition Procedures. (Refs & Annos)

Unit A. Street and Alley Closings.

Subchapter II. Street and Alley Closing Procedures.

**➔ § 9-202.06. Duties of applicant; Mayor to make available signs and prescribe format for written notice.**

(a) At least 15 days and no more than 60 days prior to the date of any public hearing to consider an application to close all or part of a street or alley, the applicant shall:

(1) Give written notice of the date, time, and location of the public hearing to all of the owners of all the property on both sides of the block(s) of the street which abuts the block(s) of that street to be closed or which abuts that entire alley; and

(2) Post a sign which indicates the date, time, and location of the public hearing at each end of the block(s) of that street to be closed, or at each entrance from a street to any alley in the square.

(b) At least 15 days and no more than 6 months prior to final consideration by the Council of a proposed resolution to close all or part of a street or alley which has not been the subject of a public hearing, the applicant shall:

(1) Give written notice of the Council's intent to consider the proposed resolution to all of the owners of all the property on both sides of the block(s) of the street or which abuts that alley; and

(2) Post a sign which indicates the Council's intent to consider the proposed resolution at each end of the block(s) of that street to be closed, or at each entrance from a street to any alley in the square.

(c) The applicant shall certify to the Council that the notice required in subsection (a) or (b) of this section has been given. A post office receipt of proof of mailing of the notice to the property owner's last known address and a photograph of each posted sign shall be sufficient proof that the required notice was given.

(d) The Mayor shall make available the signs and shall prescribe by rule a format for the written notice to be given pursuant to this section.

#### CREDIT(S)

(Mar. 10, 1983, D.C. Law 4-201, § 206, 30 DCR 148; Apr. 30, 1988, D.C. Law 7-104, § 30, 35 DCR 147; Sept. 21, 1988, D.C. Law 7-144, § 3(b), 35 DCR 5405; Apr. 29, 1998, D.C. Law 12-86, § 504(b), 45 DCR 1172; Apr. 20, 1999, D.C. Law 12-264, § 20, 46 DCR 2118.)

#### HISTORICAL AND STATUTORY NOTES

##### Prior Codifications

1981 Ed., § 7-426.

## Legislative History of Laws

For legislative history of D.C. Law 4-201, see Historical and Statutory Notes following § 9-201.01.

Law 7-104, the "Technical Amendments Act of 1987," was introduced in Council and assigned Bill No. 7-346, which was referred to the Committee of the Whole. The Bill was adopted on first and second readings on November 24, 1987, and December 8, 1987, respectively. Signed by the Mayor on December 22, 1987, it was assigned Act No. 7-124 and transmitted to both Houses of Congress for its review.

For legislative history of D.C. Law 7-144, see Historical and Statutory Notes following § 9-202.02.

For legislative history of D.C. Law 12-86, see Historical and Statutory Notes following § 9-202.01.

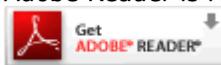
Law 12-264, the "Technical Amendments Act of 1998," was introduced in Council and assigned Bill No. 12-804, which was referred to the Committee of the Whole. The Bill was adopted on first and second readings on November 10, 1998, and December 1, 1998, respectively. Signed by the Mayor on January 7, 1999, it was assigned Act No. 12-626 and transmitted to both Houses of Congress for its review. D.C. Law 12-264 became effective on April 20, 1999.

DC CODE § 9-202.06

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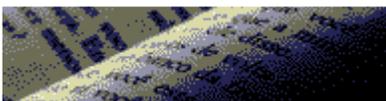


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### DC ST § 9-202.07

Formerly cited as DC ST 1981 § 7-427

DC ST § 9-202.07

Formerly cited as DC ST 1981 § 7-427

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Division I. Government of District.

Title 9. Transportation Systems. (Refs & Annos)

Subtitle I. Highways, Bridges, Streets, and Alleys.

Chapter 2. Street and Alley Closing and Acquisition Procedures. (Refs & Annos)

Unit A. Street and Alley Closings.

Subchapter II. Street and Alley Closing Procedures.

**→ § 9-202.07. Publication of notice of hearing; written notice to involved advisory neighborhood commission.**

(a) At least 15 days prior to a public hearing to consider an application to close all or part of a street or alley, the Council shall publish notice of the public hearing in the D.C. Register and shall give written notice of the public hearing to the advisory neighborhood commission(s) in whose commission area the street and alley to be closed is located.

(b) At least 15 days and no more than 6 months prior to final consideration by the Council of proposed legislation to close all or part of a street or alley which has not been the subject of a public hearing, the Council shall give written notice of the Council's intent to consider the proposed legislation to the advisory neighborhood commission(s) in whose commission area the street and alley to be closed is located.

#### CREDIT(S)

(Mar. 10, 1983, D.C. Law 4-201, § 207, 30 DCR 148; May 10, 1988, D.C. Law 7-106, § 2(c), 35 DCR 2170.)

#### HISTORICAL AND STATUTORY NOTES

##### Prior Codifications

1981 Ed., § 7-427.

##### Legislative History of Laws

For legislative history of D.C. Law 4-201, see Historical and Statutory Notes following § 9-201.01.

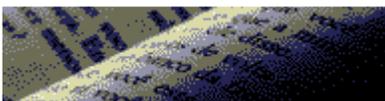
For legislative history of D.C. Law 7-106, see Historical and Statutory Notes following § 9-203.06.

DC CODE § 9-202.07

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### DC ST § 9-202.08

Formerly cited as DC ST 1981 § 7-428

DC ST § 9-202.08

Formerly cited as DC ST 1981 § 7-428

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Chapter 2. Street and Alley Closing and Acquisition Procedures. (Refs & Annos)

Unit A. Street and Alley Closings.

Subchapter II. Street and Alley Closing Procedures.

➔ **§ 9-202.08. Disposition of property; use of money received therefrom.**

Where title to the street or alley, of which all or part is to be closed, can reasonably be determined to be held by the United States or the District, the Council may dispose of the property to the best advantage of the District and may assess the fair market value of the land and the value of the District's improvements on the land to the person(s) to whom the title to the land is to vest. Any money received for land where the title was held by the United States shall be deposited in the Treasury of the United States to the credit of the United States. Any money received for land where title was held by the District shall be credited to the General Fund of the District.

CREDIT(S)

(Mar. 10, 1983, D.C. Law 4-201, § 208, 30 DCR 148.)

#### HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 7-428.

Legislative History of Laws

For legislative history of D.C. Law 4-201, see Historical and Statutory Notes following § 9-201.01.

DC CODE § 9-202.08

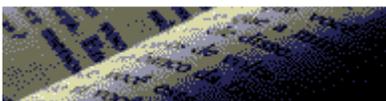
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### DC ST § 9-202.09

Formerly cited as DC ST 1981 § 7-429

DC ST § 9-202.09

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Title 9. Transportation Systems. (Refs & Annos)

Subtitle I. Highways, Bridges, Streets, and Alleys.

Chapter 2. Street and Alley Closing and Acquisition Procedures. (Refs & Annos)

Unit A. Street and Alley Closings.

Subchapter II. Street and Alley Closing Procedures.

➡ **§ 9-202.09. Approval subject to contingencies; relocation assistance.**

(a) The Council may make the approval of a closing of all or part of a street or alley contingent upon any or all of the following:

- (1) The dedication of any other land for street or alley purposes;
- (2) The granting to the District of specific easements for public purposes; or
- (3) Any other condition that the Council considers necessary.

(b)(1) If the closing of all or part of a street or alley is associated with the demolition, substantial rehabilitation, or discontinuance of an existing building and results in the displacement of existing retail tenants, then the applicant shall certify to the District, prior to the issuance of a building permit for the development facilitated by the alley closing, that the applicant has either:

(A) Offered each eligible retail tenant a preferential opportunity to return to the new or rehabilitated building upon completion; or

(B) Provided each eligible retail tenant a relocation payment, the amount of which shall be calculated by multiplying the assessed value of the existing building by the proportion of square footage within the building that was occupied by the retail tenant, but in no event shall this relocation payment be required to exceed \$25,000.

(2) If the applicant offers the preferential opportunity to return referred to in subparagraph (1)(A) of this subsection and if the eligible retail tenant accepts the offer, then the applicant shall not be required to provide the eligible retail tenant with the relocation payment referred to in subparagraph (1)(B) of this subsection. If the applicant offers the preferential opportunity to return referred to in subparagraph (1)(A) of this subsection and if the eligible retail tenant declines or does not respond to the offer, then the applicant shall provide the eligible retail tenant with the relocation payment referred to in subparagraph (1)(B) of this subsection. If the applicant chooses not to offer the preferential opportunity to return referred to in subparagraph (1)(A) of this subsection, then the applicant shall provide the eligible retail tenant with the relocation payment referred to in subparagraph (1)(B) of this subsection.

(3) The preferential opportunity to return referred to in subparagraph (1) (A) of this subsection includes at least a written offer to return to space to be leased in the new or rehabilitated building upon completion.

(4) The relocation assistance required by this section referred to in paragraph (1) of this subsection shall be designed for the benefit of eligible retail tenants who are displaced by a development associated with a street or alley closing, and both the eligible retail tenants and the Corporation Counsel, on behalf of the District of Columbia, shall have the right to sue in the Superior Court of the District of Columbia to enforce the relocation assistance required by this section. A copy of the relocation assistance required by this section shall be sent by the applicant to all retail tenants who may be displaced by a development associated with the application, and the applicant shall use best efforts to notify retail tenants of the relocation assistance required by this section.

(5) Prior to consideration by a committee of the Council of an application to close all or part of a street or alley, the

Mayor shall provide the Council with information regarding:

- (A) The effect of the street or alley closing upon any existing retail tenants in buildings associated with the street or alley closing; and
- (B) The assessed value of the street or alley to be closed and the assessed values of land and of buildings associated with the street or alley closing.

(c) In order to be eligible for the relocation assistance provided in subsection (b) of this section, a retail tenant:

- (1) Shall be a nonresidential tenant offering goods or nonprofessional services;
- (2) Shall have been a tenant of the existing building for a minimum of 3 years prior to the date of introduction of proposed legislation to close all or a part of a street or alley associated with the demolition, substantial rehabilitation, or discontinuance of the existing building;
- (3) Shall have had an annual gross revenue, from all business locations within the District of Columbia, that totaled not more than \$5,000,000 in the year preceding the date of displacement;
- (4) Shall not have an ownership interest in the property to be developed; and
- (5) Shall relocate within the District of Columbia.

(d) A retail tenant shall refund any relocation payment provided under this section if the retail tenant relocates outside the District of Columbia within a period of 3 years.

(e) The provisions of subsections (b) and (c) of this section shall not apply to applications by the Washington Metropolitan Area Transit Authority for closing all or part of a street or alley for the sole purpose of construction of transit facilities.

(f) An applicant who obtains a street or alley closing or a zoning density increase and who is required to construct or rehabilitate affordable housing pursuant to section 308b of the Comprehensive Plan (10 DCMR) shall not be issued a building permit for the applicant's commercial development until the applicant certifies to the District either that a building permit has been issued for the required amount of affordable housing, or that the applicant has contributed sufficient funds to a housing provider to construct or rehabilitate the required amount of affordable housing.

#### CREDIT(S)

(Mar. 10, 1983, D.C. Law 4-201, § 209, 30 DCR 148; Aug. 7, 1986, D.C. Law 6-133, § 2, 33 DCR 3625; Oct. 6, 1994, D.C. Law 10-193, § 3(c), 41 DCR 5536; Apr. 27, 1999, D.C. Law 12-275, § 4, 46 DCR 1441.)

#### HISTORICAL AND STATUTORY NOTES

##### Prior Codifications

1981 Ed., § 7-429.

##### Legislative History of Laws

For legislative history of D.C. Law 4-201, see Historical and Statutory Notes following § 9-201.01.

Law 6-133, the "Street and Alley Closing and Acquisition Procedures Act of 1982 Relocation Assistance Amendment Act of 1986," was introduced in Council and assigned Bill No. 6-330, which was referred to the Committee of the Whole. The Bill was adopted on first and second readings on May 13, 1986 and May 27, 1986, respectively. Signed by the Mayor on June 6, 1986, it was assigned Act No. 6-171 and transmitted to both Houses of Congress for its review.

Law 10-193, the "Comprehensive Plan Amendments Act of 1994," was introduced in Council and assigned Bill No. 10-212, which was referred to the Committee of the Whole. The Bill was adopted on first and second readings on June 7, 1994, and June 21, 1994, respectively. Signed by the Mayor on August 8, 1994, it was assigned Act No. 10-323 and transmitted to both Houses of Congress for its review. D.C. Law 10-193 became effective on October 6, 1994.

Law 12-275, the "Comprehensive Plan Amendment Act of 1998," was introduced in Council and assigned Bill No. 12-99. The Bill was adopted on first and second readings on December 1, 1998, and December 15, 1998, respectively. Signed by the Mayor on December 31, 1998, it was assigned Act No. 12-609 and transmitted to both Houses of Congress for its review. D.C. Law 12-275 became effective on April 27, 1999.

##### Effective Dates

Section 4(b) of D.C. Law 10-193 provided that no District element of the Comprehensive Plan for the National Capital shall take effect until it has been reviewed by the National Capital Planning Commission as provided in § 2-1002(a) and § 1-204.23.

Section 7(b) of D.C. Law 12-275 provided that no District element of the Comprehensive Plan for the National Capital shall take effect until it has been reviewed by the National Capital Planning Commission as provided in § 2-1002(a) and § 1-204.23.

#### References in Text

Section 308b of the Comprehensive Plan (10 DCMR) referred to in (f) is codified as § 308b of Title 10 of the D.C. Municipal Regulations.

DC CODE § 9-202.09

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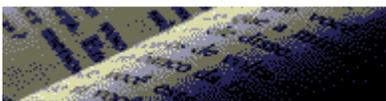


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Chapter 2. Street and Alley Closing and Acquisition Procedures. (Refs & Annos)

Unit A. Street and Alley Closings.

Subchapter II. Street and Alley Closing Procedures.

➔ **§ 9-202.10. Required notice of approval to affected property owners.**

Except in the circumstances enumerated in § 9-202.05(1) through (6), following enactment of legislation ordering the closing of all or part of a street or alley, the Mayor shall give written notice to the owners of the property on both sides of the block(s) of the street to be closed or which abuts that entire alley, that the legislation has been approved by the Council and signed by the Mayor. This notice shall also indicate that any written objection by an interested party aggrieved by the closing must state how the person is aggrieved by the closing and must be filed with the Mayor within 30 days of the mailing of the notice.

CREDIT(S)

(Mar. 10, 1983, D.C. Law 4-201, § 210, 30 DCR 148.)

#### HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 7-430.

Legislative History of Laws

For legislative history of D.C. Law 4-201, see Historical and Statutory Notes following § 9-201.01.

DC CODE § 9-202.10

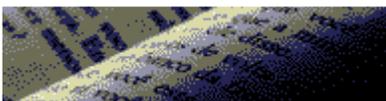
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Chapter 2. Street and Alley Closing and Acquisition Procedures. (Refs & Annos)

Unit A. Street and Alley Closings.

Subchapter II. Street and Alley Closing Procedures.

➡ **§ 9-202.11. Judicial proceeding upon filing of objection; damages.**

When an objection is filed with the Mayor as provided for in § 9-202.10, the Mayor shall institute a proceeding in rem in the Superior Court of the District of Columbia for the closing of the street or alley, or part thereof, and for the ascertainment of damages and the assessment of benefits resulting from the closing. The proceedings shall be conducted in the same manner as proceedings for the condemnation of land for streets and alleys pursuant to Chapter 13 of Title 16. Any damages awarded by the Court shall cover the administrative costs of the proceedings and shall be paid by the applicant for the closing, the applicant having the right, within a reasonable time to be fixed by the Court in its order confirming the verdict, to abandon the proposed closing without being liable for damages ordered by the Court. If no damages are awarded by the Court, the person who filed the objection shall pay the administrative costs of the in rem proceeding.

CREDIT(S)

(Mar. 10, 1983, D.C. Law 4-201, § 211, 30 DCR 148.)

#### HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 7-431.

Legislative History of Laws

For legislative history of D.C. Law 4-201, see Historical and Statutory Notes following § 9-201.01.

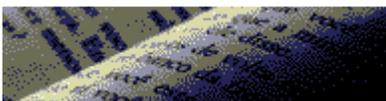
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Chapter 2. Street and Alley Closing and Acquisition Procedures. (Refs & Annos)

Unit A. Street and Alley Closings.

Subchapter II. Street and Alley Closing Procedures.

➡ **§ 9-202.12. Recordation of closing act and Surveyor's plat; effects of recordation.**

Following the effective date of an act ordering the closing of a street or alley, and following the finding by the Surveyor of compliance with any conditions required in the street or alley closing act pursuant to § 9- 202.09 and following the payment of any damages awarded pursuant to § 9- 202.11, the Surveyor shall record a copy of the street or alley closing act and the Surveyor's plat in the Office of the Surveyor. Upon the recordation of the Surveyor's plat, the street or alley, or part thereof, will be deemed closed and the title to the land shall revert to or be vested in fee simple to the record owners as shown on the plat. This land shall thereafter be assessable in all respects as all other real property in the District of Columbia. The right of the public to use the street or alley, and any proprietary interest of the United States or the District in the street or alley, or part thereof, shall cease, unless a temporary continued use is required by the Mayor. Upon the recordation in the Office of the Surveyor of a closing plat showing any easement or dedication of land for public purposes that has been established or accepted in an act closing a street or alley, or part thereof, the land encompassed by the easement or dedication shall thereafter be available for that public use.

CREDIT(S)

(Mar. 10, 1983, D.C. Law 4-201, § 212, 30 DCR 148.)

#### HISTORICAL AND STATUTORY NOTES

##### Prior Codifications

1981 Ed., § 7-432.

##### Legislative History of Laws

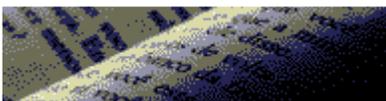
For legislative history of D.C. Law 4-201, see Historical and Statutory Notes following § 9-201.01.

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### DC ST § 9-202.13

Formerly cited as DC ST 1981 § 7-433

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Chapter 2. Street and Alley Closing and Acquisition Procedures. (Refs & Annos)

Unit A. Street and Alley Closings.

Subchapter II. Street and Alley Closing Procedures.

➡ **§ 9-202.13. Disposition of closing act and plat.**

Upon the recordation of the plat, the Surveyor shall send a copy of the act and the plat to the applicant and to the Director of the Department of Finance and Revenue.

CREDIT(S)

(Mar. 10, 1983, D.C. Law 4-201, § 213, 30 DCR 148.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 7-433.

Legislative History of Laws

For legislative history of D.C. Law 4-201, see Historical and Statutory Notes following § 9-201.01.

References in Text

Pursuant to the Office of the Chief Financial Officer's "Notice of Public Interest" published in the April 18, 1997, issue of the District of Columbia Register (44 DCR 2345) the Office of Tax and Revenue assumed all of the duties and functions previously performed by the Department of Finance and Revenue, as set forth in Commissioner's Order 69-96, dated March 7, 1969. This action was made effective January 22, 1997, *nunc pro tunc*.

DC CODE § 9-202.13

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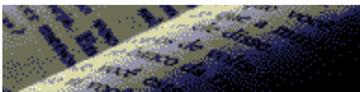
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Formerly cited as DC ST 1981 § 7-434

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Chapter 2. Street and Alley Closing and Acquisition Procedures. (Refs &amp; Annos)

Unit A. Street and Alley Closings.

Subchapter II. Street and Alley Closing Procedures.

➔ **§ 9-202.14. Fee schedule.**

The Mayor shall establish a fee schedule to recover the costs associated with the consideration of an application to close all or part of a street or alley.

CREDIT(S)

(Mar. 10, 1983, D.C. Law 4-201, § 214, 30 DCR 148.)

#### HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 7-434.

Legislative History of Laws

For legislative history of D.C. Law 4-201, see Historical and Statutory Notes following § 9-201.01.

DC CODE § 9-202.14

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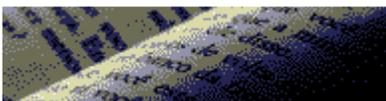
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Chapter 2. Street and Alley Closing and Acquisition Procedures. (Refs & Annos)

Unit A. Street and Alley Closings.

Subchapter II. Street and Alley Closing Procedures.

➔ **§ 9-202.15. Mayor to issue procedures for review by agencies and public utilities.**

Within 6 months of April 29, 1998, the Mayor shall issue procedures to require that all administrative reviews by affected agencies and by the public utilities of all applications to close all or part of a street or public alley, including agency and utility procedures both prior to Council review and after enactment of the resolution, will be completed within a total period of no greater than 180 days from the date of application. This 180 day period shall not include the days that the resolution is pending in the Council.

CREDIT(S)

(Mar. 10, 1983, D.C. Law 4-201, § 215, 30 DCR 148; Apr. 29, 1998, D.C. Law 12-86, § 504(c), 45 DCR 1172.)

#### HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 7-435.

Legislative History of Laws

For legislative history of D.C. Law 4-201, see Historical and Statutory Notes following § 9-201.01.

For legislative history of D.C. Law 12-86, see Historical and Statutory Notes following § 9-202.01.

DC CODE § 9-202.15

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