

Appendix B

Agency Correspondence Related to Section 4(f)



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, DC 20240



OCT 16 2009

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ER 09/860

Mr. Glen Smith, Project Manager
Maryland Transportation Authority
2310 Broening Highway, Suite 125
Baltimore, Maryland 21224

Dear Mr. Smith:

This is in response to a request for the Department of the Interior's (Department) review and comment on the Draft Environmental Assessment and Section 4(f) Evaluation for the **Governor Harry W. Nice Memorial Bridge (Bridge) Improvement Project, Charles County, Maryland, and King George County, Virginia**. We offer the following comments on this project for your consideration.

The Department appreciates the level of detail presented in the draft document regarding public recreation and historic resources within the project planning area and the effect of the various project alternatives on those resources.

Three recreation facilities, Barnesfield Park, Dahlgren Wayside Park, and Potomac Gateway Visitor Center, and one historic site, the Bridge (determined eligible for the National Register of Historic Places), are identified as possibly being affected by this project. These properties are considered potential Section 4(f) properties because they may be used by various project alternatives. Dahlgren Wayside Park is important to the Department because it provides canoe- and raft-launching access to the Potomac and the Captain John Smith Chesapeake National Historic Trail.

In 1972, two adjacent parcels of the Naval Weapons Laboratory in Dahlgren, Virginia, were conveyed in perpetuity, at no cost by the Department, for public parks and public recreation purposes under the Federal Lands to Parks Program. A 160-acre parcel was conveyed in perpetuity to King George County and developed into Barnesfield Park. A 10.5-acre parcel was conveyed in perpetuity to the Virginia Department of Highways for use as a public park and for recreation purposes. This 10.5-acre parcel was later conveyed to King George County in 1984, as an addition to Barnesfield Park with the approval of the Department. In 2008, King George County's request to transfer 2 acres of land for use as a Welcome Center was approved by the Department. In 1985, King George County received a \$240,000 grant for Barnesfield Park improvements from the Land and Water Conservation Fund. The Bridge was constructed between 1938 and

1940, and determined eligible for listing on the National Register of Historic Places for its association with historic events as well as its distinctive method of construction.

Section 4(f) Comments

The Draft Environmental Assessment and Section 4(f) Evaluation for Bridge improvement identifies four potential Section 4(f) resources that may be used by various project alternatives under study, seven of which have been retained for detailed study.

The Department's review suggests that alternatives 2, 3, and 6, involving construction south of the existing Bridge, are not feasible and prudent due to security requirements of existing facilities at Naval Support Facility Dahlgren. Alternative 4 appears to minimize the project's use of the park and recreation facilities as well as impacts to the National Register-eligible Nice Bridge through rehabilitation. A *de minimis* impact determination for the use of Barnesfield Park seems appropriate due to the minimal impacts this project would have on the park, facilities, and their use. Although alternative 5 appears to define similar use of park properties, its impact on the Bridge is greater than that of alternative 4. Alternative 7 involves use of more acreage from Barnesfield Park and Dahlgren Wayside Park and includes removing the current Bridge from use. It is noted that although the Bridge may or may not be immediately scheduled for demolition, the outcome is likely to be demolition due to the continuing cost of maintaining the Bridge.

Section 6(f) Comments

Barnesfield Park is subject to Section 6(f) requirements due to a 1985 grant by the Land and Water Conservation Act of 1965(16 USC 460) as noted in the evaluation. Conversion of the use of portions of the park for this transportation project will require replacement lands of equal acreage, appraised value, and recreational usefulness as mitigation. The conversion process is to be initiated through the Virginia Department of Conservation and Recreation and requires National Park Service approval.

Mitigation Measures

Conversion from public recreation use of portions of Barnesfield Park, Dahlgren Wayside Park, and/or the Potomac Gateway Visitor Center is counter to the purposes for which these properties were transferred to the local and state governments. However, the Department will consider approval of converting sections of the three parks for the transportation project as long as the provisions of Section 4(f) are followed; the uses and impacts are minimized; and mitigation includes replacement lands of equal acreage, appraised value, and recreation usefulness. Section 4(f) Mitigation for the use of the Bridge shall be the same as that required under Section 106 of the National Historic Preservation Act and will probably include recordation of the Bridge as stipulated by the Virginia State Historic Preservation Officer.

Points of Contact

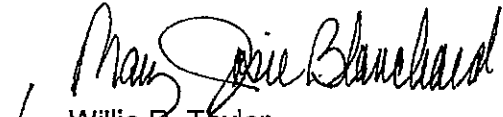
Points of Contact for the National Park Service Land and Water Conservation Fund Program and the Federal Lands to Parks Program follow. Please contact these program managers for any additional information needed.

Roy Cortez
Land and Water Conservation Program
Northeast Regional Office, National Park Service
200 Chestnut Street
Philadelphia, Pennsylvania 19106
215-597-2334

William H. Huie
Federal Lands to Parks Program
Southeast Regional Office, National Park Service
1924 Building, 100 Alabama Street, SW
Atlanta, Georgia. 30303-8701
404-507-5689

We appreciate the opportunity to provide these comments. We look forward to working with your agency on completion of planning for this important transportation project.

Sincerely,


for Willie R. Taylor
Director, Office of Environmental
Policy and Compliance



COMMONWEALTH of VIRGINIA
DEPARTMENT OF CONSERVATION AND RECREATION

203 Governor Street, Suite 326
Richmond, Virginia 23219-2010
(804) 786-2556 FAX (804) 371-7899
June 18, 2010

Erron Ramsey
Maryland Transportation Authority
Division of Capital Planning
2310 Broening Highway
Baltimore, MD 21224

RE: Maryland Transportation Authority - Governor Harry W. Nice Memorial
Bridge Improvement Project, **Modified Alternative 7**

Dear Mr. Ramsey:

The Department of Conservation and Recreations Division of Planning and Recreational Resources has reviewed the Nice Bride Improvement Project Modified Alternate 7 and finds that section VII: Mitigation Measures is well thought out. In V11.A starting on page 27-34, 16 potential replacement sites are identified, 5 of which are consistent with the *King George County Comprehensive Plan* recommendations. MTA and King George County should work together to identify the sites that are most satisfactory to King George County. When those selections are made King George County needs to contact DCR to have a site inspection of the properties to determine which are most suitable for the purposes of the LWCF. The site inspection by the LWCF administrator, SLO or ASLO is required as part of the conversion process.

We remind MTA that the Conversion of Use process of the LWCF should be initiated no less than one year prior to the desired start date for construction on the project and that King George County must be the entity that initiates the conversion with the Commonwealth. If you have any questions, please call Synthia Waymack at (804) 786-4379; email synthia.waymack@dcr.virginia.gov.

Comments made by the Division of Natural Heritage and the Division of the Chesapeake Bay Local Assistance are still appropriate. These comments were made in a letter dated November 20, 2007 addressed to Megan Blum. We continue to support coordination with the VDGIF regarding Bald Eagles.

Once the LWCF conversion process is underway, the DCR's Division of Natural Heritage should review the sites for Natural Heritage resources.

The remaining DCR divisions have no comments regarding the scope of this project. Thank you for the opportunity to comment.

Sincerely,
Roberta Rhur
Environmental Impact Review Coordinator



*Maryland Department of Planning
Maryland Historical Trust*

*Martin O'Malley
Governor*

*Anthony G. Brown
Lt. Governor*

*Richard Eberhart Hall
Secretary*

*Matthew J. Power
Deputy Secretary*

August 31, 2010

Mr. Glen Smith
Capital Planning Division
Maryland Transportation Authority
2310 Broening Highway, Suite 150
Baltimore, MD 21224

Re: US 301 / Governor Harry W. Nice Memorial Bridge Improvement Project
Section 106 Effects Determination
Charles County, Maryland

Dear Mr. Smith:

Thank you for your recent letter dated June 7, 2010 and received by the Maryland Historical Trust (Trust) on June 8, 2010. The letter provided the Maryland Transportation Authority's (MdTA) determination of effect for the above-referenced undertaking, for review and concurrence. On August 11, 2010, we received additional documentation the MdTA prepared to supplement its submittal. The Trust reviewed the information provided pursuant to Section 106 of the National Historic Preservation Act (NHPA) of 1966 and the Maryland Historical Trust Act of 1985, State Finance and Procurement Article §§ 5A-325 and 5A-326 of the Annotated Code of Maryland. We offer the following comments and concurrence with MdTA's determination of effect for the project.

Historic Built Environment: The Trust reviewed the Supplemental Section 106 Eligibility and Effects Determination for the Pasquahanza Property (MIHP No. CH-32). We concur with the MdTA that the Pasquahanza Property is eligible for listing in the National Register of Historic Places under Criterion C as an intact example of early nineteenth century residential architecture in Maryland. In addition to Pasquahanza, previous cultural resource investigations resulted in the identification of three other National Register-eligible properties within the project's area of potential effects in Maryland. These resources include the Governor Harry W. Nice Memorial Bridge (MIHP No. CH-376, which also includes the Potomac River Bridge Administration Building), Marshall's Rest (MIHP No. CH-140) and Raven's Crest (MIHP No. CH-164). Based on the effects analysis provided in your correspondence, the Trust concurs that the Governor Harry W. Nice Memorial Bridge and its associated administration building are the only historic properties adversely affected by the preferred alternative (Modified Alternate 7).

Archeology: As noted in your submittal, the project's APE in Maryland contains a prehistoric terrestrial archeological site, 18CH797. The Trust previously agreed that Phase II archeological investigation of 18CH797 is warranted in order to conclusively determine the site's eligibility for the National Register of Historic Places. In addition, underwater archeological survey of the proposed project impact areas will be needed, as planning proceeds for the undertaking. MdTA should closely coordinate the implementation and review of the underwater survey and Phase II investigations with the Trust. Since MdTA has not yet completed the full identification and evaluation of archeological resources that may be impacted by construction of the preferred alternative and any ancillary actions, planning must assume that the project has the potential to affect archeological properties.



Continuing Section 106 Consultation: Based on the submitted documentation, the Trust concurs with MdTA's determination that the proposed undertaking will have an adverse effect on historic properties. The project's full effects on historic and archeological properties cannot yet be determined, pending the results of further archeological investigations and design development. If MdTA anticipates receiving federal approval for the project prior to the completion of Section 106 consultation, then the Trust agrees that it may be appropriate to develop a Programmatic Agreement (PA) for this undertaking, in accordance with 36 CFR 800.14(b)(1)(ii). The PA should contain provisions for implementing the underwater survey efforts, completing the Phase II evaluation of 18CH797 and 44KG171, undertaking additional cultural resource investigations of areas potentially impacted by ancillary activities and subsequent coordination to resolve and appropriately treat any adverse effects on historic properties. The PA would establish a process for completing the necessary investigations, considering project effects on National Register eligible resources, and resolving any adverse effects – through consultation with all the involved parties. We look forward to further coordination with MdTA and other involved parties to successfully complete the Section 106 review and execute a suitable agreement document for this undertaking, as planning proceeds for this undertaking.

If you have questions or need further assistance, please contact Beth Cole at 410-514-7631 / bcole@mdp.state.md.us or Tim Tamburrino (for historic built environment) at 410-514-7637 or ttamburrino@mdp.state.ms.us. Thank you for providing us this opportunity to comment.

Sincerely,



J. Rodney Little
Director / State Historic Preservation Officer

JRL / EJC/TJT/201002902

cc: Melissa Williams (MdTA)
Nick Blendy (FHWA)
Marc Holma (VDHR)
Steve Harman (USACE)
Cathy Thompson (Charles County Department of Planning and Growth Management)
Keith Colston (MCIA)



COMMONWEALTH of VIRGINIA

Department of Historic Resources

2801 Kensington Avenue, Richmond, Virginia 23221

Douglas W. Domenech
Secretary of Natural Resources

Kathleen S. Kilpatrick
Director

Tel: (804) 367-2323
Fax: (804) 367-2391
TDD: (804) 367-2386
www.dhr.virginia.gov

21 June 2010

Ms Erron Ramsey
Maryland Transportation Authority
2310 Broening Highway
Suite 150
Baltimore, Maryland 21224

Re: The Governor Harry W. Nice Memorial Bridge Improvement Project, Section 106 Determination Letter, King George County, Virginia
DHR File # 2006-1393

Dear Ms Ramsey:

The Department of Historic Resources (DHR) has received your letter of 7 June 2010 regarding the above referenced project. In your correspondence you requested our concurrence on the determination that the preferred alternative (Alternate 7) for the replacement of the Governor Harry W. Nice Memorial Bridge will have an adverse effect on archaeological Site 44KG0171, a property that the Maryland Transportation Authority (MTA) presumes to be eligible for listing in the National Register of Historic Places.

As stated in our letter of 17 June 2010 regarding the MTA's request for the DHR's comments on the Draft Preferred Alternative/Conceptual Mitigation Document, we believe that it may be premature to begin a discussion of effect and development of a Memorandum of Agreement (MOA). This conclusion is based on our reading of the previous document sent to us for our review which appeared to leave many unanswered questions that require definitive answers before an MOA is written. For example, on page 21 of the Draft Preferred Alternative/Conceptual Mitigation Document it is stated that all three archaeological sites identified, two in Maryland and one in Virginia are assumed to be eligible for listing in the National Register of Historic Places, and that all three sites will be impacted by the current undertaking. However, the report goes on to state that the sites were only surveyed at the Phase IB level (which is not a survey stage recognized in Virginia) and that "the extent and significance of these archaeological deposits is currently unknown." Further, the report recommends that underwater archaeological investigation will be conducted prior to construction and that "the APE could potentially be expanded as a result of the following construction activities: clearing for construction staging areas, dredge material dewatering and disposal, barge berthing area, temporary construction haul roads, and utility relocation" (Page 21). From this it appears that identification of historic properties pursuant to 36 CFR Part 800.4(b) is not complete nor is the earlier process of defining the Area of Potential Effects (APE) as is described in 36 CFR Part 800.4(a)(1).

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10 Courthouse Ave.
Petersburg, VA 23803
Tel: (804) 862-6416
Fax: (804) 862-6196

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2801 Kensington Office
Richmond, VA 23221
Tel: (804) 367-2323
Fax: (804) 367-2391

Tidewater Region Office
14415 Old Courthouse Way
2nd Floor
Newport News, VA 23608
Tel: (757) 886-2807
Fax: (757) 886-2808

Roanoke Region Office
1030 Penmar Avenue, SE
Roanoke, VA 24013
Tel: (540) 857-7585
Fax: (540) 857-7588

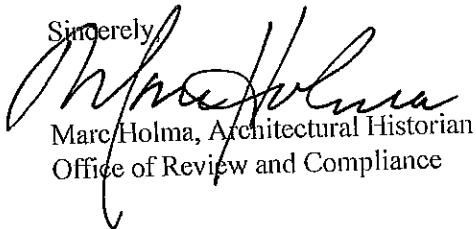
Northern Region
Preservation Office
P.O. Box 519
Stephens City, VA 22655
Tel: (540) 868-7029
Fax: (540) 868-7033

The DHR is additionally concerned that, according to the earlier report, a Phase II archaeological investigation is proposed as mitigation for the anticipated adverse effects of the undertaking. In Virginia Phase II survey is used to determine the National Register eligibility of a property and to define its boundaries. This level of investigation is intended as part of the identification process and, therefore, is inappropriate to offer as mitigation. Phase III data recovery is usually the level of survey included in project agreements as mitigation.

As we commented in our 17 June letter, the DHR recommends definitively defining the project APE now rather than waiting to determine if an expansion is necessary based on further archaeological survey. This will require expanding the APE to include those locations where the survey may be needed at a future date. If, as it sounds, identification of historic properties is not fully complete and, therefore, the full effects of the undertaking on historic properties cannot at this time be known, we suggest that a Programmatic Agreement (PA) is more appropriate than an MOA.

If you have any questions regarding our comments, please call me at (804) 367-2323, Ext. 114.

Sincerely,



Marc Holma, Architectural Historian
Office of Review and Compliance

CHARLES COUNTY GOVERNMENT
Planning and Growth Management

MELVIN C. BEALL, JR., P.E., *Director*



June 6, 2008

Ms. Megan Blum
Environmental Manager
Division of Capital Planning
Maryland Transportation Authority
2310 Broening Highway
Suite 150
Baltimore, MD 21224

Dear Ms. Blum,

Our office received your May 5th, 2008 letter and materials regarding the Nice Bridge Improvement Project. We would like to thank you for the opportunity to review and comment on this project.

We have reviewed Volume I and II of the Maryland Historical Resources Survey and Determination of Eligibility Report and concur with the determinations of eligibility for the historic resources mentioned in the report. However, Pasquahanza (CH-32), one of the four previously identified properties has not been evaluated for eligibility for listing on the National Register of Historic Places. Charles County Planning Staff feels that this site may be eligible for listing on the National Register of Historic Places. Therefore, we would like to request that this site be formally evaluated to determine if it is eligible for listing on the National Register.

Thank you again for the opportunity to review and comment on this project. We look forward to working with you to ensure that Charles County historic resources are minimally impacted by this project.

Sincerely,

Cathy Hardy
Community Planning Program Manager

cc: Beth Cole, Maryland Historical Trust

SAY NO TO DRUGS

Post Office Box 2150 * La Plata, Maryland 20646

Administration: (301) 645-0627 * Capital Services: (301) 645-0621 * Development Services (301) 645-0618 / (301) 870-3937

Permits: (301) 645-0692 / (301) 870-3935 * Planning: (301) 645-0689 / (301) 645-0540 / (301) 870-3896

TDD Transfer Number for the Hearing Impaired: 1-800-735-2258

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Chief of Staff

County Commissioners of Charles County

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September 17, 2009

Mr. Glen Smith
Project Manager
Gov. Harry W. Nice Bridge Improvement Project
Maryland Transportation Authority
Division of Capital Planning
2310 Broening Highway, Suite 125
Baltimore, Maryland 21224

Re: Public Hearing Testimony, September 17, 2009

Dear Mr. Smith:

The County Commissioners of Charles County, Maryland unanimously support the replacement and expansion of the Governor Harry W. Nice Bridge to provide a greatly needed capacity improvement for the region. The expansion of this bridge will alleviate the bottle-neck currently created by the four-lane approaches in both Maryland and Virginia tapering to two lanes. This expansion is needed on several accounts. With Charles County being located only 20 miles from the District of Columbia, US 301 would serve as a primary evacuation route for citizens as well as a primary access route for emergency support personnel and first responders to an incident. Second, the convergence of the 4-lanes of traffic into two lanes creates miles of crawling vehicle congestion and travel delays. Finally, the existing bridge is severely antiquated, with substandard travel lane widths, the lack of adequate shoulders for emergency pull-offs, the lack of bicycle and pedestrian accommodations, and the inability to maintain two lanes of travel in the event of accidents and during the performance of maintenance activities.

When the existing bridge was built in 1940, the approaching roads on each side were both two-lane roads. As both roads have been expanded over the last 69 years, the bridge has remained the same creating great issues for area travelers, including daily commuters to points north and



CHARLES COUNTY MARYLAND
Where Eagles Fly

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south. As traffic volumes have substantially increased over the last 20 years, there have been no bridge capacity improvements to accommodate this increase, resulting in back-ups that have extended over a mile in length. During the housing boom from 2002 to 2006, northern King George County experienced a substantial wave of residential development that commutes over the bridge daily to get to jobs in the Metropolitan Washington area. Much like the trends seen in other Washington D.C. suburbs, the commuting population continues to travel from points further from their destination, increasing traffic volumes being carried over this bridge.

Based on the Environmental Assessment and 4(f) documents presented by the Maryland Transportation Authority, impacts by any of the alternatives are minimal to Charles County. The County Commissioners appreciate the history and architecture of the existing Harry W. Nice Bridge, however, we recommend an alternative that replaces the existing structure in order to provide our citizens with a bridge that affords state-of-the-art safety in its design and lasting integrity in its construction. We believe replacement of the existing bridge will be a more prudent investment in limited state funds than to invest in a substandard facility that continues to need more frequent maintenance and significant rehabilitation. We understand the concern of impacts is greater to our neighbors in King George County, Virginia, both to the Dahlgren Naval Base as well as the adjacent Park Lands. While Charles County does not have a preference of a four lane Alternative to recommend based on impacts to our County, we recommend that the Authority select a four lane alternative that satisfies the parties affected on the Virginia side.

Following the selection of a four lane Alternative and the completion of the final environmental document for the project, it is paramount that the State allocate the necessary funds to move this project to final engineering design and construction. While we wish to share our sincere appreciation for the Authority's efforts to bring this project forward and complete the planning phase of this much needed project, it would be a wasted effort to place this work on the shelf and lose the investment and momentum generated by this progress. The Commissioners understand that competition for these funds is significant, including the recent addition of the Inter-County Connector (ICC) in Montgomery County. However, there is no single more significant piece of roadway infrastructure in Charles County for interstate travel, commerce, and safety than this bridge replacement. Aside from routine maintenance of the Nice Bridge, there has been no significant additional investment by the Maryland Transportation Authority in Charles County since 1940. To that point, we strongly urge the Authority to fund the next phases of this project and complete this crucial piece of interstate infrastructure improvement.

Should you have any questions please contact Mr. Jason Groth, Chief of Resource and Infrastructure Management by calling (301) 396-5814 or by email to grothj@charlescounty.org.

Very truly,

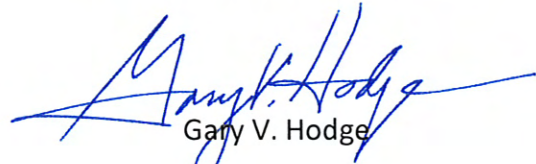
COUNTY COMMISSIONERS OF
CHARLES COUNTY, MARYLAND


Wayne Cooper, *President*


Edith J. Patterson, *Vice President*


Samuel N. Graves, Jr.


Reuben B. Collins, II


Gary V. Hodge

cc: Dr. Rebecca Bridgett, County Administrator
Mr. Roy Hancock, Assistant County Administrator
Mr. Chuck Beall, Director of Planning & Growth Management
Mr. Steven Ball, Planning Director
Mr. Jason Groth, Chief of Resource & Infrastructure Mgmt



CEDELL BROOKS, JR.
Shiloh Election District

JOSEPH W. GRZEIKA
James Madison Election District

JOHN P. LoBUGLIO
James Monroe Election District

JAMES F. MULLEN
Dahlgren Election District

DALE W. SISSON, JR.
At-Large Election District

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10459 Courthouse Drive, Suite 200
King George, VA 22485
Telephone: (540)775-9181
FAX: (540)775-5248
Website: www.king-george.va.us

At its meeting of Tuesday, November 2, 2010, the King George County Board of Supervisors adopted the following resolution on a motion by Joseph W. Grzeika, seconded by John P. LoBuglio, and carried unanimously:

RESOLUTION OF THE KING GEORGE COUNTY BOARD OF SUPERVISORS

WHEREAS, on September 16, 2008 the King George County Board of Supervisors adopted a joint resolution with the Charles County Commissioners which resolved, among other actions, that the Maryland Transportation Authority expedite the selection of a 4-lane "alternate", consistent with the southbound and northbound approaches of the U.S. 301 highway to the Harry W. Nice Memorial Bridge; and,

WHEREAS, on September 17 and 24, 2009 the Maryland Transportation Authority conducted public hearings in Newburg, Maryland and Dahlgren, Virginia, respectively, on the results of detailed studies for six build alternates for the Nice Bridge Improvement Project, each of which provided 4-travel lanes on a U.S. 301 highway crossing of the Potomac River; and,

WHEREAS, at the September 24, 2009 public hearing for the project, members of the King George County Board of Supervisors provided testimony that the Board recommends and supports either of the of the new four-lane options and understands the practicality and the impacts on the southerly side of the U.S. 301 highway; and,

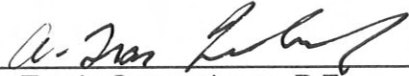
WHEREAS, upon consideration of comments from the public, elected officials, environmental agencies, and affected property owners received during the public hearing comment period, the Maryland Transportation Authority identified Modified Alternate 7 as the Preferred Alternate for the project; and,

WHEREAS, Modified Alternate 7 consists of the installation of a new four-lane bridge north of the existing bridge, which would provide four 12-foot travel lanes, two in each direction; two 4-foot median shoulders; two 12-foot outside shoulders; a median barrier to separate opposing traffic flow; a single, barrier separated, two-way, 10-foot wide bicycle/pedestrian path along the south side of the new bridge; and removal of the existing bridge; and,

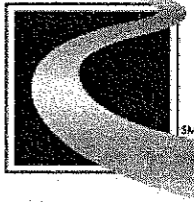
WHEREAS, on September 29, 2010 the Federal Highway Administration concurred with the Maryland Transportation Authority on the material presented in the Preferred Alternate and Conceptual Mitigation Package for the project, which identified Modified Alternate 7 as the Preferred Alternate and described conceptual mitigation approaches to the environmental impacts resulting from the Preferred Alternate.

NOW THEREFORE BE IT RESOLVED, the King George County Board of Supervisors does hereby agree and support the Maryland Transportation Authority's identified Preferred Alternate, Modified Alternate 7, for the Nice Bridge Improvement Project.

A copy teste:



A. Travis Quesenberry, P.E.
County Administrator



**Maryland
Transportation
Authority**

Martin O'Malley
Governor

Anthony Brown
Lt. Governor

Beverly K. Swaim-Staley
Chairman

Peter J. Basso
Rev. Dr. William C. Calhoun, Sr.
Mary Beyer Halsey
Louise P. Hoblitzell
Richard C. Mike Lewin
A. Bradley Mims
Michael J. Whitson
Walter E. Woodford, Jr., P.E.

Randolph P. Brown, P.E.
Acting Executive Secretary

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1-866-713-1596

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www.mdta.maryland.gov



July 1, 2011

Mr. Travis Quesenberry
King George County
County Administrator
10459 Courthouse Drive, Suite 200
King George, VA 22485

**SUBJECT: Governor Harry W. Nice Memorial Bridge Improvement
Project Impact to Barnesfield Park**

Dear Mr. Quesenberry:

The Maryland Transportation Authority (MDTA), in cooperation with the Federal Highway Administration (FHWA) and the Virginia Department of Transportation (VDOT), is completing environmental and engineering studies to improve the Governor Harry W. Nice Memorial Bridge (Nice Bridge) crossing over the Potomac River as well as the US 301 approach roadways in Charles County, Maryland and King George County, Virginia (see **Attachment A**). Modified Alternate 7, the Preferred Alternate for the improvement project, would increase the capacity of the Potomac River crossing from the existing two vehicle lanes to four vehicle lanes and add a barrier-separated bicycle/pedestrian path. The Preferred Alternate would impact two parks in King George County: Dahlgren Wayside Park and Barnesfield Park (see **Attachment B**). In July 2009, MDTA prepared an Environmental Assessment and Draft Section 4(f) Evaluation which describes the effects of the Nice Bridge improvement project to these parks.

The purpose of this letter is to request concurrence from King George County that the Nice Bridge project would not adversely affect the activities, features and attributes that make the Barnesfield Park property eligible for protection under Section 4(f) of the US Department of Transportation Act. If King George County concurs with this determination, it is MDTA's intent to request a Section 4(f) *de minimis* finding for project impacts to this park from FHWA per 23 CFR 774.3(b).

As described in the Draft Section 4(f) Evaluation, the Preferred Alternate would impact approximately 2.2 acres of the 146.5-acre Barnesfield Park adjacent to the north side of US 301. The Preferred Alternate would require acquisition of a small parking area west of the Potomac Gateway Welcome Center and a sliver of land adjacent to US 301 that extends to the Barnesfield Road park entrance road (see **Attachment B**). The project would not affect park recreational activities or facilities that support recreation such as ball fields, restroom facilities, or concessions. The project would not inhibit or constrain access to the park.

Mitigation for impacts to Barnesfield Park as a result of the Nice Bridge Improvement Project would be addressed in accordance with the Memorandum of Agreement (MOA), finalized in June 2011 among MDTA, FHWA, VDOT, the National Park Service (NPS), Virginia Tourism Corporation (VTC), Virginia Department of Conservation and Recreation (VDCR), and King George County (see attached). The MOA details the selection and acquisition processes to provide replacement parkland, as well as proposed park enhancement and landscaping that will

be provided for the area of Barnesfield Park adjacent to the relocated US 301 approach roadway. Per the MOA, parkland would be replaced in accordance with Section 6(f) of the Land and Water Conservation Fund (LWCF) Act.

If you concur with this assessment, please sign below and return this letter no later than July 20, 2011 via e-mail to gsmith2@mdta.state.md.us. Please call me at 410-537-5665 if you have any questions or need additional information.

Sincerely,



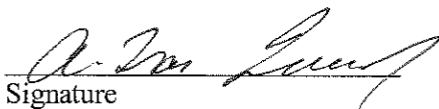
Glen Smith
Project Manager
Maryland Transportation Authority

Attachments: Attachment A – Project Location Map and Plans of the Preferred Alternate
Attachment B – Virginia Parklands Map
Parks Memorandum of Agreement (9 copies)

cc: Mr. Tim Smith, Virginia Department of Parks and Recreation

CONCURRENCE:

King George County concurs that the use of land from Barnesfield Park for the MDTA Nice Bridge Improvement Project will not adversely affect the activities, features, and attributes of the park. This concurrence does not constitute an endorsement of the project or conveyance of any temporary or permanent interests in or access to parklands. This concurrence is provided with the understanding that 1) further project design information is to be provided to King George County by MDTA during project design per the Memorandum of Agreement finalized in June 2011 by MDTA, FHWA, VDOT, NPS, VTC, VDCR and King George County, and 2) further consultation with King George County will be undertaken by MDTA to ensure prior to granting of any temporary or permanent property interests that harm to the park property by the project will be minimized and the conditions upon which this concurrence is based have not changed.

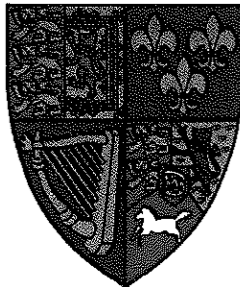

Signature

7/20/11
Date

A. Travis Phares
Printed Name

County Administrator
Title

King George County, Virginia



COUNTY ADMINISTRATOR

10459 Courthouse Drive, Suite 200
King George, Va. 22485
Telephone: (540) 775-9181
Fax: (540) 775-5248

**A. TRAVIS QUESENBERY, P.E.
COUNTY ADMINISTRATOR**

July 20, 2011

Mr. Glen Smith, Project Manager
Maryland Transportation Authority
2310 Broening Highway, Suite 150
Baltimore, Md. 21224

Re: Governor Harry W. Nice Bridge Improvement Project
Project Impact to Barnesfield Park

Dear Mr. Smith,

At its meeting on July 19, 2011 the King George County Board of Supervisors authorized me to sign the letter concurring that the use of land from Barnesfield Park for the MDTA Nice Bridge Improvement Project will not adversely affect the activities, features, and attributes of the park.

Please do not hesitate to contact me if you have any questions.

Sincerely,

A handwritten signature in cursive script, appearing to read "A. Travis Quesenberry".

A. Travis Quesenberry, P.E.
County Administrator

