



Government of the District of Columbia
ADVISORY NEIGHBORHOOD COMMISSION 3/4G

CHEVY CHASE, BARNABY WOODS, HAWTHORNE

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3/4 G-07 - Christopher Fromboluti, Vice-Chair

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October 25, 2018

Director Jeffrey Marootian
District Department of Transportation
55 M Street, SE, Suite 400
Washington, DC 20003

Re: Oregon Avenue Watershed Green Streets Project

Dear Director Marootian,

For the past 20 months, ANC 3/4G has urged DDOT to engage individually with the residents in the Barnaby Woods and Knollwood neighborhoods about the proposed installation of 29 bioretention cells. Each prospective location has its own unique safety, traffic, and environmental characteristics that cannot be adequately evaluated without input from residents who know their environs best. From the beginning, the ANC has also raised concerns about the effectiveness of the planned bioretention cells to capture and retain stormwater and how the cells would be maintained.

Regrettably, DDOT has now completed its "final" design without vital community consultation and without providing a credible scientific justification or maintenance plan for these cells. We support the laudable goal of reducing stormwater runoff. There is no evidence, however, that this program will produce significant long-term benefits, and it will likely have material adverse consequences for particular home owners. We request that DDOT halt its plans and initiate a one-on-one dialogue with those who will be directly affected. It would be unwise and unfair to foist these permanent, intrusive

structures on a community that did not have a reasonable opportunity to raise their concerns or to offer alternatives.

The ANC has monitored the progress of this program since DDOT's first public meeting on February 7, 2017. Despite the ANC's repeated urging, DDOT has not engaged meaningfully with the community. Notices were haphazard and incomplete, meetings were held when many residents could not attend (e.g., during August when families were away or on Yom Kippur), and when residents raised concerns, DDOT did not respond. From August 2017 to August 2018, DDOT was totally silent but then announced that it was proceeding imminently with construction based on a design that was now fixed in stone. Residents reasonably expect better from the government that serves them.

The ANC reviewed the history of the project with DDOT and residents at its October 22, 2018 meeting, and I've attached an excerpt from the minutes of that meeting so that you can understand the seriousness of our concerns. (A video of this segment of the meeting is available on the ANC's YouTube channel at <https://youtu.be/rG0Q4-ob1jo?t=5117>.) Based on that discussion, the Commission voted 5 to 0 (a quorum being 4) to ask you to halt any further action on this project until DDOT: (1) meets individually with each affected resident at the location of the proposed bioretention cell to discuss any potential concerns; (2) provides a written safety and traffic analysis for each cell location, including the impact on access by emergency vehicles and on pedestrians; (3) provides an analysis of the number of parking spaces that will be eliminated by the proposed cells and the consequences for parking availability in the vicinity; (4) conducts a study of potential alternatives to the proposed in-street bioretention cells, including examination of different locations; (5) provides evidence that, over the long term, these bioretention cells will capture and retain stormwater as designed; and (6) produces written maintenance procedures with a budget and a source of funding for the expected life of the cells.

Thank you for your continued attention to our concerns.

Sincerely,



Randy Speck
Chair, ANC 3/4G

cc: Mayor Muriel Bowser
Councilmember Brandon Todd
Councilmember Mary Cheh

**Excerpt from ANC 3/4G's
October 22, 2018 Meeting
Regarding Oregon Avenue Watershed
Green Streets Project**

Presentation by Julie Pike on DDOT's planned Oregon Avenue Watershed Green Streets Project (video at 1:25, available at <https://youtu.be/rG0Q4-ob1jo?t=5117>)

Commissioner Speck summarized the ANC's interactions with DDOT on this proposed project over the past 20 months. DDOT held an initial public meeting on February 7, 2017. It said it was planning about 30 bioretention cells in the area roughly bordered by Oregon Avenue, Chestnut Street, Western Avenue, Utah Avenue, and St. John's High School. It presented 70 potential sites. At that time Commissioner Speck told DDOT's Paul Hoffman that it would be essential for DDOT to work individually with each affected resident before it finalizes the plans for these bioretention cells.

DDOT then made a presentation to the ANC on February 27, 2017, and promised future community meetings as plans developed. The ANC asked particularly for DDOT's experience with installing permeable pavement in several alleys, which did not seem to work effectively. The Commission emphasized that it needed to understand how well existing installations have performed before beginning another costly project.

DDOT held a second public meeting on May 25, 2017, and said that the number of sites had been narrowed to 36. It provided maps and drawings of specific locations and asked for comments about the impact on parking and trees. It requested comments by June 9, 2017. Commissioner Clayman attended that meeting and emphasized that individual residents should be contacted and given a chance to provide comments.

On July 28, 2017, DDOT wrote the ANC that it had conducted two public meetings and was moving to the final design phase. It expected to complete design by October 30, 2017. On August 1, 2017, a resident complained to the ANC that she had received confusing information from DDOT and that residents were given inadequate time to respond, particularly since some were out of town on summer vacation. She said that there had been no community process and no notice of these plans.

The ANC heard nothing further from DDOT for a year. On August 6, 2018, DDOT informed Commissioners that it planned to start construction in the Fall of 2018 on 29 bioretention cells and one permeable pavement alley. In response, the ANC wrote DDOT Director Marootian that it was not sufficient for DDOT merely to meet perfunctorily with the ANC and residents after design decisions had already been made. DDOT needed to

meet individually with those residents who live in close proximity to the 29 planned bioretention cells to discuss alternatives and ways to mitigate impacts on them. Again, the ANC emphasized that DDOT had not explained how the bioretention cells will be maintained, who will be responsible for maintenance, and what steps DDOT will take to ensure that the cells perform as intended. We reiterated our concern that experience with poorly maintained permeable alleys gives us no confidence about the long-term viability of these structures. The Commission urged DDOT to stop any further construction preparations and to renew its community outreach.

In response, DDOT held another community meeting on September 18, 2018 (the start of Yom Kippur, which precluded some residents' attendance). Many of the residents who attended this meeting were never previously consulted about their concerns with the proposed bioretention cells near them. Again, the ANC asked DDOT to provide further evidence that these cells will be maintained and will perform as intended and designed. DDOT agreed to make another presentation to the ANC.

Given this history, Commissioner Speck asked for the following information from DDOT: (1) what is the budget for maintenance of the proposed cells, what will be the maintenance procedure, and how will it be funded; (2) what evidence is there that, over the long term, these bioretention cells will capture and retain stormwater as designed; (3) what other stormwater capture alternatives are available to achieve the same objectives; (4) has DDOT met with each resident at the site to consider the impacts of the proposed bioretention cells on those individual residents; (5) has DDOT considered the impact of each proposed cell on parking, traffic safety, and access by fire and emergency vehicles, (6) is DDOT willing to make any changes to its design or is it already fixed in stone; and (7) would DDOT be undertaking this project if federal funding were not available?

Julie Pike, a DDOT civil engineer, responded that this is a target watershed for reducing stormwater runoff into the Anacostia and Potomac Rivers. EPA issues permits for stormwater runoff and requires some mitigation steps to reduce it. This project is funded 50% by EPA and 50% by the District's Department of Energy and the Environment. DOEE has oversight of the project. Ms. Pike said that there were a number of design meetings with the community (though many in the audience disputed that claim). She said that DDOT has analyzed truck movements and traffic operations and has signed off on the final designs.

She said that maintenance would be coordinated by the Urban Forestry Administration. She said that the proposed bioretention cells are not the first in the District, but there are "several hundred" across the District, some of which were installed as far back as 2009. None has ever failed, she said. Some have stopped performing up to design

specifications, but DOEE provides the oversight to make sure that they are functioning. Maintenance will be paid for from the Urban Forestry Administration's operating funds. Maintenance will be conducted twice a year to remove weeds, trash, and sediment. DPW maintains the permeable pavements installed in alleys. She said that the permeable pavement is easy to rehabilitate with power washing.

Commissioner Maydak said that the alleys in her single member district that were installed five years ago have never been cleaned and are not capturing stormwater as they were designed to. No maintenance has been scheduled. Ms. Pike said that they are working "daily" with DPW to do maintenance. She said that "there is money for construction, but not for maintenance." DDOT encourages residents to maintain the bioretention cells as well. Commissioner Maydak asked whether any warranties would be voided if residents performed their own maintenance, and Ms. Pike said that the warranties are typically only for one year.

Commissioner Speck asked whether the design for the 29 bioretention cells is written in stone and cannot be changed. Ms. Pike said that "to change anything at this stage would require more funding." She said that they have looked at alternatives, and the proposed bioretention cells are the best tools available.

Commissioner Maydak asked how many parking spaces would be taken with each bioretention cell. Ms. Pike did not know, but residents said that the cells could be between 55 and 70 feet long.

Commissioner Clayman asked whether DDOT had spoken to every resident directly affected, as the ANC had requested. He acknowledged that DDOT had made some effort, but, as demonstrated by the residents at the meeting, DDOT clearly had not reached everyone. Ms. Pike said that DDOT's outreach was a meeting with residents on August 24, 2017. She said that DDOT had looked at the traffic concerns raised and concluded that they were not a problem for installation of the proposed bioretention cells.

Commissioner Speck asked whether the ANC was notified of those meetings on August 24, 2017, and Ms. Pike said that she was not involved in the project at that time and does not know whether the ANC received notice. Commissioner Speck said that he could not find any such notice.

Commissioner Fromboluti asked whether this was a "done deal," and if it is so difficult to make changes now, why are we meeting? Ms. Pike said that it was "not necessarily all or nothing," but they are looking toward construction. There would have to be a "compelling reason" to make any changes. She said that they have not identified any reason that would preclude moving forward.

Commissioner Maydak said that a meeting in August was a bad time to expect to get community participation. She said that the ANC has repeatedly told District agencies that too many residents are away during August to expect to get meaningful participation. DDOT needed to have further outreach.

Phyllis Levin, a resident at 6120 29th Street, said that she did meet with DDOT in August 2017, and provided her concerns. (This was a meeting at her house, not a community meeting.) She said that no one from DDOT got back to her about her concerns. She said that there are two cells, one in front of a neighbor's house. She is willing to work on a compromise, but DDOT has been unwilling to make any modifications to its design.

Tom Patton, a resident at 3201 Aberfoyle Place NW, spoke on behalf of himself and his neighbors at the intersection of Aberfoyle Place and 32nd Street. He said that they were unaware of these plans until they heard about the September 18, 2018 meeting. They have a number of concerns relating to safety, the lack of a scientific basis for the proposed cells, health, economics, and the process that lacked adequate community input. Mr. Patton said that trucks cannot get by on Aberfoyle Place now when there are cars parked on either side, and it would be even more difficult if the four bioretention cells are installed at this intersection. With respect to the lack of a scientific basis for these designs, he said that the original 225 locations were reduced to 70 and then to 29, but the current plans appear to have chosen the least logical locations. In their neighborhood, runoff is primarily into the streams in Barnaby Woods, not into the storm sewers. He also noted that DDOT's process was flawed because many residents did not receive notice until the design was already final.

Carolyn Cook, a former ANC commissioner and resident at 6521 Barnaby Street, NW (Barnaby Street and Worthington Street), also said that DDOT's process was flawed. The first she learned of this project was in July 2017, and she requested an on-site meeting to discuss her concerns. There was no response from DDOT. She asked that DDOT chalk out the locations and dimensions of the cells on the street, but they did not. She said that there is little water going into the storm sewers at this location. This was also a poor location for the cells because of the acute angle of the intersection so that the proposed cells will impede traffic. DDOT would not even accept her pictures of the location. She contrasted DC Water, which met with residents and was quite helpful.

Elizabeth Richards, a resident at 3245 Worthington, said that there is a proposed cell across the street from her house. The notice of DDOT's proposal was "abysmal." A paper flyer was left down the street with the newspapers that advised residents to contact DDOT, but it had no contact information identifying who or how to contact them. She

said she was never notified of an August 2017 meeting. The proposed cell would remove a lane of traffic and make it impossible for cars or trucks to get by. The cell would also take parking in an area that is already short of parking. She does not believe that this is the best technique for handling stormwater. She said that the utter lack of notice was an insult to residents.

A resident at 6666 32nd Street, suggested that DDOT look at the bioretention cell already installed near the tennis courts at Lafayette Park, which he said was a blight and a disgrace. He called on the ANC to ask Councilmember Todd to stop this project until there is a fully funded outside contract to ensure maintenance of the cells.

Michael Flynn, a resident at 6440 Barnaby Street, NW, said that there were proposed cells on the front and side of his house. If installed, they would be “devastating to parking.” He is cognizant of the environmental needs and is willing to compromise, but five cells within nine houses is overkill. He is concerned about the impact of the cells on property values.

Jane Asher, a resident at 6443 Barnaby Street, is concerned about traffic that will have to go around the proposed cells. There are many children in the neighborhood going to or from school, and the cells will pose a safety problem, especially where there are no sidewalks. The community had no notice of these plans; no one had any idea what was going on.

Marie Cook, a resident at 6521 Barnaby Street, NW, also said that there had been no notice, and these installations would be devastating to her home’s value.

Based on this discussion, Commissioner Speck moved that the Commission advise DDOT Director Marootian, Councilmember Todd, and the Mayor that this project has been badly managed, and the community was not adequately involved in the planning. The proposed design raises a multitude of questions related to safety, parking, traffic, and maintenance. Moreover, DDOT has not demonstrated that these plans are the most efficient approach or that there are no other reasonable alternatives. The project should be halted until these issues are adequately addressed. The Commission approved the motion by a vote of 5 to 0.