



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

Chevy Chase, Barnaby Woods, Hawthorne

5601 Connecticut Avenue N.W. P.O. Box 6252 Washington, D.C. 20015

3G@anc.dc.gov | <http://wwwthe.Districtw.anc3g.org> | YouTube: ANC3G | Office: 202.363.5803

COMMISSIONERS

3/4G-01 - Lisa R. Gore, Chair	3/4G-02 - Bruce Sherman, Secretary	
3/4G-03 - James Nash	3/4G-04 - Michael Zeldin	3/4G-05 - Peter Lynch
3/4G-06 - Peter Gosselin, Vice Chair	3/4G-07 - Zachary Ferguson, Treasurer	

ANC 3/4G Further Resolution
Concerning the
District's Broad Branch Stormwater Retrofit Project
February 6, 2024

BACKGROUND & RATIONALE:

- 1) ANC 3/4G has been told that the Chevy Chase community currently has 54 bioretention basins, including 35 along Oregon Avenue between Military Rd. NW and Western Ave. NW.
- 2) This is the third resolution that the Commission has taken up concerning the size and location of 40 additional curb-extension bioretention basins that the District's Department of Transportation (DDOT) proposes to install in the community and the maintenance of both existing and new basins. The Commission references its overall Broad Branch Stormwater Retrofit Project resolution and its 5300 block of 28th Street NW resolution, both approved on November 27, 2023, and fully incorporates their rationale and recommendations here. Nothing in this resolution should be construed as weakening or reversing any of the points made in the previous two resolutions.
- 3) The Commission highlights several aspects of its previous resolutions:

- ANC 3/4G strongly supports the goals of improving water quality in tributary watersheds to Rock Creek and the Potomac River, and use of cost-effective stormwater green infrastructure.
 - ANC 3/4G sought to follow and contribute to the progress of the Broad Branch project by, inter alia, holding hearings with District officials about individual sites as early as mid-2022, expressing concern about maintenance of existing bioretention basins, and launching a pilot effort in conjunction with the District Department of Energy and the Environment (DOEE) and its maintenance contractors to improve existing basins.
 - While DDOT officials correctly note that work on the Broad Branch project has been underway for several years and has included a public hearing as early as August, 2022, ANC 3/4G had no inkling of the full dimensions of what the department was contemplating for this community until receiving a series of emailed DDOT notices on September 7, 2023. The notices can be found here: [NOI-23-08-IPMA](#), [NOI-23-09-IPMA](#), [NOI-23-10-IPMA](#), [NOI-23-11-IPMA](#), [NOI-23-12-IPMA](#), and [NOI-23-13-IPMA](#)
- 4) In the wake of the public notification, the Commission has received complaints from residents about four or five of the proposed 40 basins. Among the issues raised:
- At several locations, basins would entirely eliminate street frontage for adjacent residences, raising questions about how emergency vehicles, delivery trucks and others would access the home;
 - At several, basins would so narrow the roadway that residents are concerned the structures would slow emergency response times, make it difficult for opposing vehicle and bicycle traffic to operate;
 - At several, basins would eliminate spaces along heavily parked street segments;
 - The basins do not address heavy rainfall, which still must be handled by the District's existing storm drains, many of which are dysfunctional;
 - By retaining rainwater in place and encouraging it to seep into the ground, basins is likely to raise the adjacent water table and increase basement flooding in low-lying areas.
- 5) In the wake of the notification, the Commission also has received renewed complaints about effective maintenance of existing basins in the Chevy Chase community, including weeding, cleaning, and replanting. Commissioners in Single Member Districts (SMD) 01, 02, and 04 previously engaged with the Department of Energy and the Environment (DOEE) about maintenance issues and began a pilot partnership between resident volunteers and the agency to supplement, but not supplant, DOEE's maintenance work.

- 6) Despite past DDOT efforts to explain the Broad Branch project and the District's broader bioretention basin program, it has become clear to the Commission that the public has little understanding of the goals, techniques and potential benefits of the program nor the requirements for it imposed on the District by the US Environmental Protection Agency (EPA).
- 7) In most instances where residents have complained about proposed basins, they have offered compromise proposals that would shift, shrink, or reconfigure what DDOT is seeking to install, rather than opposing the department's proposals outright
- 8) Sharon Kershbaum, DDOT's interim director, said during a February 2, 2024 walk-through of several disputed sites that the department would re-examine the department's designs in light of neighbors' feedback. In a February 6, 2024 email to a resident of the 5300 block of 28th St. NW, Kershbaum said department officials "are making significant changes to our proposed designs" and that "it shouldn't be more than a few weeks" before the agency releases the new designs.
- 9) DDOT officials said at a February 6, 2024 meeting organized by staff to Ward 3 Councilmember Matt Frumin and attended by members of ANC 3D and 3/4G that the District is under substantial pressure from the EPA to add more than 1,100 curb-extension bioretention basins citywide over the next five years, a goal that requires the department to move expeditiously to install the proposed basins in Chevy Chase. But the officials also said that under its current timetable construction of the Chevy Chase basins would not begin until the spring of 2025.
- 10) Although commissioners engaged repeatedly with residents at several of the locations where proposed basins raised concern, the Commission as a whole was under substantial pressure to deal with an unrelated community issue during the fall of 2023 and was unable to give its full attention to the bioretention basin issue.

RESOLVED:

- 11) Given that DDOT is preparing new designs for at least some disputed basins, that the department's timetable doesn't call for construction until the spring of 2025 and that ANC 3/4G was tied up with other issues for much of the period since it learned of the full dimensions of the agency's proposal, the Commission asks DDOT to extend the comment period for the Broad Branch project, now set to close February 9, 2024, until April 1, 2024.

- 12) The Commission asks that in instances where DDOT proposes site basins in front of homes the department take no more than half of the street frontage of a homeowner's legal lot and make best efforts to provide a minimum of 30 feet of unencumbered street frontage.
- 13) The Commission asks that in areas of high demand for parking from homeowners and nearby apartment dwellers DDOT ensure basins are no more than two car lengths or about 40 feet long to limit the loss of parking spaces.
- 14) The Commission asks that in areas of high parking demand DDOT expand the areas covered by the Residential Parking Permit program and the times when permits are required to reduce demand and improve chances that residents in the immediate area can find parking.
- 15) The Commission asks that, in instances where current homeowners notify DDOT that they or a family member face a medical challenge that could require they be transported by ambulance or are likely to need EMS services, DDOT consult with DC Fire and EMS officials about the adequacy of emergency access in advance of making a final determination about basin location and size.
- 16) The Commission asks that in the siting of all basins, DDOT to the maximum possible extent adjust the size and precise location of basins to address the individual needs of adjacent residents.
- 17) The Commission asks DDOT to provide individual written notification to every homeowner whose property would abut a bioretention basin in advance of making a final determination about location or size of a basin.
- 18) The Commission asks DDOT to meet with ANC 3/4G and residents from the disputed locations and to receive feedback prior to making a final determination about either current or revamped designs.
- 19) Besides notifying residents and meeting with the ANC and residents about particular sites, the Commission asks DDOT and DOEE to participate in one or more public meetings in the community to explain the regulatory framework for the District's bioretention basin programs, its goals, potential benefits, design and siting issues and the like.
- 20) As part of these public presentations, the Commission asks DOEE to assure the ANC that effective, routine maintenance will occur at all new as well as existing basins and discuss how the agency and its contractors, the Rock Creek Conservancy and Alliance for the Chesapeake Bay, are organizing the work. In addition, it asks DOEE to explain the adequacy of existing funding for maintenance, chances for additional and stable funding, and prospects for

expanding and making permanent a pilot partnership with Chevy Chase residents to supplement the agency's basin maintenance efforts.

- 21) The Commission asks DDOT to provide trend information, if available, about the effect of bioretention basins on the value of adjacent homes, both in Chevy Chase and Districtwide.
- 22) The Commission asks District officials to consider approaching EPA about modifying federal requirements for improving water quality in the Rock Creek and Potomac River watersheds to permit DDOT to negotiate reductions in bioretention basin sizes in return for individual homeowners agreeing to installation of rain barrels and other catch-and-hold arrangements on their properties to handle some of the stormwater runoff basins would otherwise handle.

APPROVED at a regular public meeting, notice of which was properly given and at which a quorum of four (4) or seven (7) members was present on February 6, 2024 by a vote of **6** yes, **0** no, **0** abstentions.



Lisa R Gore, Chair



Bruce Sherman, Secretary