

7.0 Responses to Comments Received on the Draft Environmental Assessment

The Draft EA for the lease consolidation of the HHS in Suburban Maryland was released to the public and the Notice of Availability was published in the *Washington Post* and *The Gazette* on September 22, 2010. Written comments on the Draft EA were accepted until October 25, 2010 and are addressed herein.

The following table of contents can be referenced in order to find comments from specific people/organizations and the responses to those comments. Responses to individual comment letters are provided with the letters.

WRITTEN COMMENTS

Comments from Linda Janey, J.D., Maryland Department of Planning

Comments from Steven A. Silverman, Montgomery County Economic Development

Comments from Samuel B. Moki, Prince George's County Department of Environmental Resources

Comments from Haitham A. Hijazi, Prince George's County Department of Public Works and Transportation

Comments from Fern V. Piret, The Maryland –National Capital Park and Planning Commission

Comments from Michael K. Day, Maryland Department of Planning, Maryland Historical Trust

Comments from Andrew J. Scott, Maryland Department of Transportation

Comments from Fern V. Piret, The Maryland –National Capital Park and Planning Commission

Comments from Phyllis Marcuccio, City of Rockville

Comments from Lawrence R. Liebesman, Holland & Knight

Comments from Maury Stern, Prince George's Metro Center



Martin O'Malley
Governor
Anthony G. Brown
Lt. Governor

Richard Eberhart Hall
Secretary
Matthew J. Power
Deputy Secretary

October 29, 2010

Ms. Suzanne Hill
Program Specialist, Public Buildings Service
U.S. General Services Administration
301 7th Street, S.W.
Washington, DC 20407

STATE CLEARINGHOUSE RECOMMENDATION

State Application Identifier: MD20100927-0930

Applicant: U.S. General Services Administration

Project Description: Draft Environmental Assessment and Traffic technical Report: Lease Consolidation in Suburban Maryland: consolidate leased space to improve functional efficiency: proposed five (5) locations (see MD20100625-0617)

Project Location: Montgomery and Prince George's Counties

Approving Authority: U.S. Department of Health and Human Services

Recommendation: Consistent with Qualifying Comments and Contingent Upon Certain Actions

Dear Ms. Hill:

In accordance with Presidential Executive Order 12372 and Code of Maryland Regulation 34.02.01.04-.06, the State Clearinghouse has coordinated the intergovernmental review of the referenced project. This letter, with attachments, constitutes the State process review and recommendation based upon comments received to date. This recommendation is valid for a period of three years from the date of this letter.

Review comments were requested from the Maryland Departments of Housing and Community Development, Natural Resources, Transportation, the Environment, Prince George's and Montgomery Counties, the Maryland-National Capital Park and Planning Commission in Prince George's and Montgomery Counties, the Maryland Department of Planning, including the Maryland Historical Trust. As of this date, the Maryland Departments of the Environment, Transportation, the Maryland-National Capital Park and Planning Commission in Montgomery County, and the Maryland Historical Trust have not submitted comments. It is understood that the Maryland Historical Trust will submit its response to the project's potential to affect historic and archeological properties within the timeline of its Section 106 review. **This recommendation is contingent upon the applicant considering and addressing any problems or conditions that may be identified by their review. Any comments received will be forwarded.**

The Maryland Department of Natural Resources and Montgomery County found this project to be generally consistent with their plans, programs, and objectives, but included certain qualifying comments summarized below. The Maryland Department of Natural Resources commented about rare, threatened, or endangered species within the project site; and about the need to work with the State's Federal partners to support the Maryland's Smart, Green, and Growing efforts. Montgomery County discussed issues relating to: transportation, economic development, and energy conservation. See the attached letters.

301 West Preston Street • Suite 1101 • Baltimore, Maryland 21201-2305
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Internet: Planning.Maryland.gov

Ms. Suzanne Hill
October 29, 2010
Page 2

The Maryland Department of Housing and Community Development; Prince George's County; the Maryland-National Capital Park and Planning Commission in Prince George's County; and the Maryland Department of Planning found this project to be consistent with their plans, programs, and objectives.

The Maryland Department of Housing and Community Development stated that it seeks strategic opportunities, working with partners, to provide high-quality affordable housing in sustainable communities through innovative solutions and partnerships. A decision to pursue alternatives development under a proposed action alternative plan would collocate approximately 2,900 employees near five transit areas in both Prince George's and Montgomery Counties. The Maryland Department of Housing and Community Development seeks consideration for the establishment of affordable housing near the named transit areas further complementing smart growth in Maryland.

Prince George's County discussed issues relating to: minimizing the impacts of new construction on water quality, and wildlife; LEED certification and the use of green and sustainable design technologies; multi-modal access and surrounding land uses. The Maryland-National Capital Park and Planning Commission in Prince George's County commented about past and future planning coordination with the Applicant. See the attached letters.

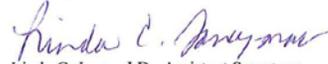
The Maryland Department of Planning determined that all of the proposed five (5) locations for the consolidation of leased space for the DHHS are located within priority funding areas.

Any statement of consideration given to the comments should be submitted to the approving authority, with a copy to the State Clearinghouse. The State Application Identifier Number must be placed on any correspondence pertaining to this project. The State Clearinghouse must be kept informed if the approving authority cannot accommodate the recommendation.

Please remember, you must comply with all applicable state and local laws and regulations. If you need assistance or have questions, contact the State Clearinghouse staff person noted above at 410-767-4490 or through e-mail at brosenbush@mdp.state.md.us. **Also please complete the attached form and return it to the State Clearinghouse as soon as the status of the project is known. Any substitutions of this form must include the State Application Identifier Number. This will ensure that our files are complete.**

Thank you for your cooperation with the MIRC process.

Sincerely,



Linda C. Janey, J.D., Assistant Secretary
for Clearinghouse and Communications

LCJ:BR

Enclosures

cc: Beth Cole - MHT
Hara Wright-Smith - DHCD
Roland Limpert - DNR
Margaret Carlisle - MDOT

Joane Mueller - MDE
Beverly Warfield - PGEO
Diane Jones - MTGM

Kate Fritz - M-NCPPCP
John Carter - M-NCPPCM

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DEPARTMENT OF ECONOMIC DEVELOPMENT

Isiah Leggett
County Executive

Steven A. Silverman
Director

October 22, 2010

MD2010 0929-0930

Ms. Suzanne Hill
NEPA Program Specialist
Public Building Service
National Capital Region
U.S. General Services Administration
301 7th Street, SW, Room 7600
Washington, D.C. 20407

Re: Draft Environmental Assessment – U.S. Department of Health and Human Services Lease Consolidation in Suburban Maryland

Dear Ms. Hill:

On behalf of Montgomery County Executive Isiah Leggett, I want to thank you for the opportunity to comment on the Draft Environmental Assessment for the lease consolidation of the U.S. Department of Health and Human Services (HHS) in Suburban Maryland. The Draft Environmental Assessment provides an analysis of the five proposed sites and the potential impact of consolidation. This analysis supports the notion that the location of HHS in Montgomery County is the most efficient option both from a fiscal and an environmental standpoint, and supports the intentions of two important Executive Orders recently issued by President Obama.

The October 2009 Executive Order 13514 and the June 2010 Memorandum on *Disposing of Unneeded Federal Real Estate – Increasing Sales Proceeds, Cutting Operating Costs, and Improving Energy Efficiency*, demonstrate a clear commitment by the Obama administration to significantly reduce greenhouse gas emissions, cut operating costs of federal agencies and eliminate wasteful spending in energy and water consumption. Executive Order 13514 requires all federal agencies to reduce direct greenhouse gas pollution 28% over 2008 levels by 2020 and to cut indirect emissions, such as those released in commuting and landfill waste, by 13% during the same period.

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Comment 1: This comment is noted.

In our opinion, the most serious adverse effects if HHS were to relocate to Prince George's County would be negative changes in traffic patterns and transportation, significant increases in commuting distances and time for the majority of the HHS employees and contractors, and a deterioration of the air quality caused by an increase in greenhouse gas emissions. Our estimates indicate that over 51% of the HHS employees currently working at the Parklawn Building reside in Montgomery County, with an additional 10% residing in Frederick County. The remaining 39% commute from D.C., Prince George's County, Howard County, Carroll County, Baltimore County, Northern Virginia, West Virginia, and Pennsylvania. These demographic numbers suggest that any changes to traffic patterns will be minimal if the HHS stays in Montgomery County.

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Comment 2: This comment is noted.

It is highly unlikely that HHS employees living in Montgomery and Frederick Counties will take the Metro Red Line all the way into downtown Washington, D.C. to the eastern portion of the Red Line into Prince George's County. More likely, these employees will drive on I-270 and I-495 to get into

3

Comment 3: This comment is noted.

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Prince George's County, thus greatly contributing to traffic congestion and declining air quality. According to Mapquest, the New Carrollton site is approximately 23 miles away from the HHS's current location, One Largo Metro is 26 miles away, and University Town Center is 16 miles away.

We suggest that an analysis of the origin point and mode of travel for HHS employees currently working at the Parklawn site be conducted. Such an analysis will shed more light on the consequences of relocating these workers to the other potential sites, and should include an examination of increases in air emissions and commute times, which ultimately affect worker health and productivity. Further analysis should also be conducted to identify mitigation measures necessary to reach the "no significant impact" scenario in case of the HHS relocation. Section 3.15.7 describes the failure of traffic intersections for action alternatives and directs developers/owners to implement corrective measures. However, the report fails to describe the required mitigation measures and related costs.

In the June 10, 2010 Memorandum for the heads of executive departments and agencies on *Disposing of Unneeded Federal Real Estate – Increasing Sales Proceeds, Cutting Operating Costs, and Improving Energy Efficiency*, President Obama directs all federal agencies to take immediate steps to make better use of federal real property assets as measured by utilization and occupancy rates. A relocation of such a large agency as HHS will entail significant moving costs and will go against the directive of this Memorandum.

Both sites proposed in Montgomery County are located within existing communities that support Smart, Green and Growing efforts. The transit oriented developments at the Parklawn building and the King Farm sites provide convenient mass-transit access, LEED certified mixed-use space and road and Metro capacity that will barely be affected should HHS remain in the County. An additional point in favor of HHS' continuous location in Montgomery County is the proximity of many of its contractors and customers. This proximity allows HHS to function in the most efficient way possible. Any increase in distance between HHS and its contractors and customers will not only reduce the efficiency of the agency's operations, but will also add to the commuting times for HHS contractors and customers, and again, add to an increase in greenhouse gas emissions.

Montgomery County is in essence a mature central city committed to a Transit Oriented Development design. People can live, shop, stay, play, travel, and work without using their cars. Consequently, traffic trips will increase much slower than the 50% increase used by the traffic studies for Parklawn and King Farm sites.

The Draft Environmental Assessment clearly demonstrates that the relocation of the Health and Human Services outside of Montgomery County will have multiple adverse effects, while the local beneficial effects will be moderate at best and for most of the evaluated criteria – negligible. We disagree with the observation (3.13.4, p. 3-56) that bringing an additional 2,900 people to any of the sites would increase sales taxes and would increase state revenue. A shifting of economic activity from one part of the state to another will have zero net new effect on total sales tax revenue. Additionally, if the impact of the offered TIF package in Prince George's County is taken into account, the effect is a net loss to the State of Maryland. In Section 3.13.4 the Draft Environmental Assessment states that the "local and state governments would see a minor, long term, direct, and beneficial impact to tax revenue from proposed action because the developer/owner would be required to pay local and state property taxes." However, the TIF financing for the Prince George's County sites will reduce the amount of local and state revenue. The report also describes that the Parklawn Alternative will have a zero effect on property taxes. This is incorrect, since the large recapitalization of the property will lead to a larger property value, resulting in greater property taxes and thus have a beneficial effect.

While the relocation of the HHS may create additional local business activity, to survive, these new businesses will need patronage not only during work hours, but also in the evenings and on weekends. Both Montgomery County sites have established communities that provide such off-hours

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cont.

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Comment 4: This comment is noted.

Comment 5: Under the proposed action, four of the five alternatives involve construction of new office space. Relocating 2,900 employees to one of these sites would bring increased activity to area businesses which in turn would generate sales taxes. These employees are already located in the State of Maryland; however the creation of new office space would allow for the generation of new business while the back-fill of any existing locations would result in a net increase in economic activity.

MD 200927-0930

activity that coupled with the activity brought by HHS employees creates a wide array of available amenities.

5 cont.

Below are a number of comments specific to each proposed Montgomery County site.

Parklawn Building Site

The Montgomery County Planning Department strongly encourages reusing the Parklawn Building, the only existing building listed for consideration for the HHS lease consolidation. The reuse of this 1.3 million square foot office building and the surrounding vacant site would offer functional efficiency as well as make fiscal and environmental sense.

The Montgomery County Council recently approved and adopted the Twinbrook Sector Plan to create a technology node that builds on existing federal government agencies and related private research and development. Currently, the National Institutes of Health, the Department of Health and Human Services, and the Food and Drug Administration lease offices in the Twinbrook area. The Parklawn Building is located a ¼ of a mile from the Twinbrook Metro and is one of the largest office buildings in Montgomery County. Located two blocks from the Parklawn Building at the Twinbrook Metro station is an award winning, 2.2 million square foot LEED Gold mixed-use community that will provide 1,595 multi-family residential units; 220,000 square feet of ground-floor retail; 325,000 square feet of Class A commercial space, and a new urban park.

The Parklawn site would involve the renovation of an existing building. The inclusion of environmental site design (ESD) practices in this renovation provides the opportunity to enhance water quality and reduce stormwater runoff volume. Each of the other four proposed sites would require the construction of a new building, with three of these sites resulting in a significant increase in impervious surface. Redevelopment of an existing urban site to conform to current stormwater management standards rather than developing a new site is consistent with the May 12, 2009 Executive Order 13508, entitled Chesapeake Bay Restoration and Protection. This Executive Order is designed to initiate a new era of shared federal leadership for protecting and restoring the Chesapeake Bay. Section 202(c) of the Order directs the Department of Defense to lead the development of a report containing recommendations for strengthening stormwater management practices at Federal facilities and on Federal Lands within the Chesapeake Bay watershed. Section 202(c) also directs the Environmental Protection Agency to lead the development of stormwater best practices guidance. In addition, Section 502 of the Order directs the EPA to publish guidance for Federal land management in the Chesapeake Bay watershed.

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Similarly, redevelopment of an existing urban site to conform to current energy standards is consistent with the federal Energy Policy Act of 2005 (EPA 2005), which established several goals and standards to reduce energy use in existing and new federal buildings. Executive Order 13423, signed in January 2007, expanded on those goals and standards and was later reaffirmed by Congress through the Energy Independence and Security Act of 2007 (EISA 2007). EISA 2007 extends an existing federal energy reduction goal of 30% by fiscal year 2015; directs federal agencies to purchase Energy Star and Federal Energy Management Program (FEMP)-designated products; and requires new federal buildings to be built 30% below the American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE) standards or the International Energy Conservation Code (IECC). An additional advantage of renovating an existing building is that Leadership in Energy & Environmental Design (LEED) awards extra points for urban redevelopment, and the Parklawn site would be the only submission to qualify for these points.

The Parklawn site affords easy pedestrian connections to a range of amenities in an urban mixed-use setting. These opportunities will be further enhanced through the implementation of the Twinbrook Sector Plan. Other locations are near more auto-oriented mall settings (e.g. Largo – Boulevard at the Capital Center, University Town Center – the Mall at Prince Georges) or do not provide easy access to amenities (New Carrollton).

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Should any of the sites receive TIF funding, the beneficial impact would be offset somewhat by the county or municipality's financing of infrastructure improvements.

Comment 6: This comment is noted.

Our evaluation also suggests that if HHS were to move from the Parklawn building, there would be an adverse economic impact on the Twinbrook area that would be severe and long-term in nature. With the vacancy rate for Class A commercial office buildings close to 18%, the prospects for prompt re-leasing of the Parklawn Building are slim. The large size of the building would also prohibit a speedy re-leasing of the entire building to any private companies, which cannot compare in size with this federal agency.

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cont.

King Farm Site

While the relocation of the HHS to the King Farm site entails construction of a new building, the community where it will be located is a well-developed neo-traditional mixed-use community, comprised of residential, retail and commercial office space. Its close proximity to the Shady Grove Metro station and an additional shuttle service makes it easily accessible to employees located in the area. King Farm is located approximately 5 miles north of HHS' current site, which means that the changes to the commuting patterns of HHS employees will be minimal. This also means that there will be negligible air quality changes.

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Comment 7: This comment is noted.

The Draft Environmental Assessment only briefly mentions the Corridor Cities Transitway (CCT), yet it will have a major impact on the King Farm site when implemented. In fact, the first stop of the CCT will be at the location of the proposed new HHS building.

After closely considering all of the factors and comparing the five proposed sites for the HHS consolidation, we believe a relocation of the HHS outside of Montgomery County presents the most costly and inefficient alternative that will result in excessive federal spending, an increase in greenhouse gas emissions, and traffic problems and longer commuting patterns for the majority of the current HHS employees. While the negative effects of such move are clear, the local benefits are relatively limited and in reality are simply a shifting of positive economic activity from one community to another.

On behalf of County Executive Leggett, thank you for the opportunity to comment on this Draft Environmental Assessment. Please contact me if you would like Montgomery County government to clarify any of the issues raised in this letter, or if you require any additional information.

Sincerely,



Steven A. Silverman
Director

cc: Congressman Chris Van Hollen
Nancy Floreen, President, Montgomery County Council

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MD20100927-0930



Charles W. Wilson
Director

THE PRINCE GEORGE'S COUNTY GOVERNMENT

Department of Environmental Resources



October 1, 2010

Ms. Suzanne Hill, NEPA Program Specialist
Portfolio Management Division
Public Building Service
National Capital Region
U.S. General Services Administration
301 7th Street, S.W.
Washington, D.C. 20407

Dear Ms. Hill,

Thank you for providing Prince George's County Department of Environmental Resources the opportunity to review the *U.S. Department of Health and Human Services Lease Consolidation in Suburban Maryland Draft Environmental Assessment*. The three sites selected for consideration in Prince George's County, New Carrollton Metro, One Largo Metro and University Town Center, are consistent with the County's planning and zoning and are projected to have minimal impact on water quality and wildlife. However, even minimal impacts will need to be addressed because of Federal and State mandated reductions in pollutants established by local Total Maximum Daily Loads (TMDL) and the Bay TMDL.

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Comment 8: This comment is noted.

Prince George's County has a *Green Building: A Livable Communities Initiative* and encourages the private sector as well as government agencies to promote construction of structures that are designed, built, renovated, operated, or reused in an environmentally friendly and resource-efficient manner. It is recommended that the facilities be constructed to be LEED Silver certified. The integration of green and sustainable technologies in the design of the building facility would further minimize potential site impacts. If this project is required to meet U.S. General Services Administration's (GSA) mandate that all GSA new construction projects and substantial renovations must achieve Silver certification, we would encourage you to construct the facilities to exceed LEED® Silver and achieve LEED® Gold.

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Comment 9: This comment is noted.

9400 Peppercorn Place – Largo, Maryland 20774
TDD: (301) 985-3894

7

Ms. Suzanne Hill
October 1, 2010
Page Two

Should you have any questions or need additional information, please feel free to contact Deborah Weller, Environmental Planner, Water Quality and Compliance Team, at (301) 883-7161.

Sincerely,

Samuel B. Moki
Associate Director
Environmental Services Group

cc: Bart Bush, Regional Commissioner
Public Buildings Service, GSA

Beverly G. Warfield, PGEO Clearinghouse Coordinator

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MD20100927-0930

RR



Jack B. Johnson
County Executive

PRINCE GEORGE'S COUNTY GOVERNMENT



Department of Public Works and Transportation
Office of the Director



October 21, 2010

Mr. Bart Bush, Regional Commissioner
Public Buildings Service
U.S. General Services Administration
301 7th Street, SW
Washington, DC 20407-0001

Re: One Largo Town Center
Re: New Carrollton Metro Station
Re: University Town Center
CR: Draft Environmental Assessment Lease Consolidation

Dear Mr. Bush:

This is in response to your September 23, 2010, letter regarding the Draft Environmental Assessment for the lease consolidation of U.S. Department of Health and Human Services in Suburban Maryland. The Department of Public Works and Transportation (DPW&T) has reviewed the referenced assessment and offers the following.

The One Largo Town Center site has direct pedestrian access to the adjacent Largo Metro Station. It also is within walking distance to the Boulevard at the Cap Center and the Woodmore Towne Center shopping centers. In addition, this site is in the proximity of the Arena Drive and I-95 interchange and has direct arterial roadway access to the Beltway.

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The New Carrollton Metro Station site has direct pedestrian access to the AMTRAK, MARC and WMATA train stations. In addition, this site is in the Prince George's termination station of the light rail Purple Line.

11

Comment 10: This comment is noted.

Comment 11: This comment is noted.

Inglewood Centre 3.
(301) 883-5600

9400 Peppercorn Place, Suite 300
FAX (301) 883-5709

Largo, Maryland 20774
TDD (301) 985-3894

Mr. Bart Bush
 October 21, 2010
 Page 2

The site located at University Town Center is within walking distance of the Prince George's Plaza Metro Station as indicated in your environmental assessment. University Town Center site is also closely situated to the Baltimore/Washington Parkway which provides vehicular access to both Maryland and Washington, DC. This site is also located a few miles from the University of Maryland. The area has proposed new development along Toledo Terrace to include apartments and retail which will supplement the Mall at Prince George's Plaza, in addition to the newly built shops and theaters located at the University Town Center development on Belcrest Road. There are also several ball fields and parks nearby in the municipalities of Riverdale Park and College Park.

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Comment 12: This comment is noted.

If you would like participation from DPW&T in this process or if you have any questions or need additional information, please contact Mr. Rey de Guzman, Chief of our Engineering and Inspection Services Division, Office of Engineering, at (301) 883-5710.

Sincerely,



Haitham A. Hijazi
 Director

HAA:RJC:dar

cc: Andre' Issayans, Deputy Director, DPW&T
 Dawit Abraham, P.E., Associate Director, OE, DPW&T
 Rey de Guzman, P.E., Chief, EISD, OE, DPW&T
 Armen Abrahamian, Chief, Traffic Safety Division, OE, DPW&T
 Russell Carroll, P.E., District Engineer, EISD, OE, DPW&T
 Elizabeth McKinney, District Engineer, EISD, OE, DPW&T

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	<p data-bbox="1129 760 1201 922">} 13</p> <p data-bbox="1255 760 1974 824">Comment 13: GSA provided a response via electronic mail on July 12, 2010.</p>
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Maryland Department of Planning
Maryland Historical Trust

Martin O'Malley
Governor

Richard Eberhart Hall
Secretary

Anthony G. Brown
Lt. Governor

Matthew J. Power
Deputy Secretary

October 29, 2010

Ms. Suzanne Hill
NEPA Program Specialist
Portfolio Management Division
Public Buildings Service
GSA National Capital Region
301 7th Street, SW
Room 7600
Washington DC 20407

Re: Draft EA and Technical Report: Lease Consolidation for the
U.S. Department of Health and Human Services (HHS) in Suburban Maryland
State Clearinghouse No. MD20100927-0930
Montgomery and Prince George's County, Maryland

Dear Ms. Hill:

Thank you for your recent letter, dated and received by the Maryland Historical Trust (Trust) on September 29, 2010, which provided the Trust with a copy of the draft Environmental Assessment and Technical Report for the above-referenced undertaking, for review and comment. The Maryland State Clearinghouse for Intergovernmental Assistance also provided the Trust with a copy of GSA's environmental documents for this project. The Trust, Maryland's State Historic Preservation Office, is reviewing the project for its effects on historic properties, pursuant to Section 106 of the National Historic Preservation Act (NHPA) of 1966, as amended. We offer the comments discussed below and await further consultation with GSA as project planning proceeds for the selected alternative.

GSA proposes to acquire space through leasing in order to consolidate four locations of the U.S. Department of Health and Human Services (HHS) in one combined location in Suburban Maryland. The leased space may be within existing or newly constructed facilities. GSA has received multiple offers for sites that may be potential locations for the leased consolidation. The EA analyzes the following alternative sites, in addition to the no action alternative: Irvington Centre at King Farm, New Carrollton Metro Station, One Largo Metro Site, Parklawn Building, and University Town Center. Depending upon the alternative selected for the consolidation, the project may have the potential to affect archeological properties and further consultation may be needed to complete the Section 106 review of the selected alternative. Trust staff carefully reviewed the information and analyses regarding cultural resources presented in the EA/Technical Report. We offer the following comments and concurrence with GSA's assessment of effects for the five build alternatives discussed in the document.

1. Irvington Centre at King Farm: Based on a review of the information provided and the Maryland Inventory of Historic Properties (MIHP) there are no known historic properties located at this location. Portions of the property were included in prior archeological studies and recent site inspection confirmed disturbance of the project area, so it is unlikely to contain National Register eligible archeological sites. We agree that archeological investigations of this parcel are not warranted. Thus, we concur with GSA that no historic properties will be affected by construction of the project at the Irvington Centre at King Farm.

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Comment 1: This comment is noted.

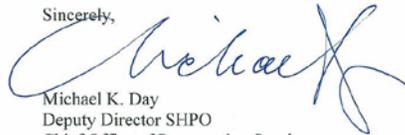
100 Community Place • Crownsville, Maryland 21032-2023
Telephone: 410.514.7600 • Fax: 410.987.4071 • Toll Free: 1.800.756.0119 • TTY Users: Maryland Relay
Internet: www.marylandhistoricaltrust.net

Suzanne Hill
Lease Consolidation for the U.S. Department of Health and Human Services
In Suburban Maryland
October 29, 2010
Page 2 of 2

- 2. New Carrollton Metro: Based on a review of the information provided and the MIHP there are no known historic properties located at this location. The property has never been surveyed to identify and examine archeological sites and the parcel has the potential to contain sites that have not yet been identified. If GSA selects this alternative, we understand that GSA will require the developer/owner to conduct Phase I archeological survey of the area, in consultation with the Trust and M-NCPPC. Further consultation with GSA and other involved parties will be needed to conclude the Section 106 review of this alternative, if selected. 2
- 3. One Largo Metro Site: Based on a review of the information provided and the MIHP there are no known historic properties located at this location. The property was included in prior archeological studies requested by M-NCPPC which confirmed extensive disturbance of the project area. We agree that archeological investigations of this parcel are not warranted. Thus, we concur with GSA that no historic properties will be affected by construction of the project at the One Largo Metro Site. 3
- 4. Parklawn Building: Based on a review of the information provided and the MIHP there are no known historic properties located at this location. Since the project entails renovation of the existing Parklawn Building, this alternative does not have the potential to impact archeological sites, given prior disturbances. We concur with GSA that no historic properties will be affected by the Parklawn Building alternative. 4
- 5. University Town Center: Based on a review of the information provided and the MIHP there are no known historic properties located at this location. The property has never been surveyed to identify and examine archeological sites and the parcel has the potential to contain sites that have not yet been identified. If GSA selects this alternative, we understand that GSA will require the developer/owner to conduct Phase I archeological survey of the area, in consultation with the Trust and M-NCPPC. Further consultation with GSA and other involved parties will be needed to conclude the Section 106 review of this alternative, if selected. 5

We look forward to working with GSA and other involved parties to successfully complete the project's historic preservation review, as needed. If you have questions or require further assistance, please contact Amanda Apple (for historic built environment) at 410-514-7630 or aapple@mdp.state.md.us or Beth Cole (for archeology) at 410-514-7631 / bcole@mdp.state.md.us. Thank you for providing us this opportunity to comment.

Sincerely,



Michael K. Day
Deputy Director SHPO
Chief Office of Preservation Services
Maryland Historical Trust

MKD/EJC/ARA/201004336

cc: Bob Rosenbush (MDP)
Scott Whipple (M-NCPPC, Montgomery County)
Howard Berger (M-NCPPC, Prince George's County)

Comment 2: This comment is noted. If the GSA selects the New Carrollton Metro site, GSA will require the developer/owner to conduct Phase I archeological investigations of the property, in consultation with the Maryland Historical Trust and the M-NCPPC. GSA will work with the Maryland Historical Trust and other interested parties to conclude the Section 106 process.

Comment 3: This comment is noted.

Comment 4: This comment is noted.

Comment 5: This comment is noted. If the GSA selects the University Town Center site, GSA will require the developer/owner to conduct Phase I archeological investigations of the property, in consultation with the Maryland Historical Trust and the M-NCPPC. GSA will work with the Maryland Historical Trust and other interested parties to conclude the Section 106 process.



Maryland Department of Transportation
The Secretary's Office

Martin O'Malley
Governor
Anthony G. Brown
Lt. Governor
Beverly K. Swaim-Staley
Secretary
Harold M. Bartlett
Deputy Secretary

October 21, 2010

Ms. Suzanne Hill, NEPA Program Specialist
Portfolio Management Division
Public Buildings Service
National Capital Region
US General Services Administration
RM 7600
301 7th Street, SW
Washington, DC 20407

Dear Ms. Hill:

The Maryland Department of Transportation (MDOT) and the Maryland State Highway Administration (SHA) thank you for the opportunity to comment on the U.S. General Services Administration's Draft Environmental Assessment (EA) for the lease consolidation of the U.S. Department of Health and Human Services (HHS) in Suburban Maryland within Montgomery and Prince George's Counties.

Federal facilities are an important part of Maryland's economy. MDOT and other state departments and agencies stand ready to assist the federal government in locating facilities such as HHS in Maryland.

We applaud the emphasis by GSA in considering sites with access to existing or planned transit stations. This is an important strategy in supporting sustainable development. Maryland promotes Transit Oriented Development – mixed-use development within ½ mile of existing or planned transit stations - to reduce sprawl and traffic congestion, and increase transit ridership. MDOT stands ready to work with GSA once a preferred location is selected.

In reference to the traffic sections in this document, we have the following comments:

The traffic impacts associated with 2,900 employees are regional in nature and it is not clear as to how the impact area and impacted intersections were identified. Particularly, the proposed sites at King Farm and One Largo are in very close proximity to the I-270/Shady Grove and I-495/MD 202 interchanges and a significant proportion of site generated traffic would use these facilities. In light of this, we recommend that a broader study area be analyzed including the following intersections:

- MD 355 @ Shady Grove Road (Kings Farm Site)
- MD 450 @ Harkins Road (New Carrollton Metro Site)
- N. Harry Truman Drive @ Largo Center Drive (One Largo Metro Site)
- MD 410 @ Toledo Terrace (The University Town Center Site)

}

My telephone number is _____
Toll Free Number 1-888-713-1414, TTY Users Call Via MD Relay
7201 Corporate Center Drive, Hanover, Maryland 21076



Comment 1: Intersections that provide primary access to the alternative sites were selected for study to determine if the proposed action would adversely affect traffic in the immediate vicinity of the sites. GSA will require the developer/owner of the selected site to prepare a traffic impact study in accordance with local requirements for site development.

Ms. Suzanne Hill
Page Two

The expected opening date of the proposed facility is 2014. The report uses information regarding the background developments to account for local growth in traffic. However, the report does not account for the regional growth from 2010 to 2014. We recommend a growth factor consistent with the regional growth of the study areas be incorporated in the analysis to reflect 2014 background conditions. This is important as traffic volumes in the overall region have started increasing, after experiencing a decrease in trends over the last couple of years due to the economy.

2

Although the CLV analysis is the adopted technique to evaluate traffic impacts by County APFO guidelines, we recommend that traffic operations be studied in a simulation context. This is a crucial element in the analysis as the proposed sites are in very close proximity to major routes, including interstates, and the traffic impacts associated with the proposed consolidation are substantial. We also recommend a thorough operational analysis of the I-270/Shady Grove and I-495/MD 202 interchanges using tools such as CORSIM/VISSIM.

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The report identifies failing intersections from a CLV perspective. It is not clear as to how these failures will be addressed in terms of improvements. Again, we recommend that a systems approach be taken in identifying improvements and mitigation strategies.

Bicycle and Pedestrian:

The Draft EA recommends future developers will be responsible to build sidewalks connecting to the existing sidewalk network. In addition, we recommend that bicycle connections are also considered. The SHA is willing to work with the developers/owners, the GSA, and the local governments to develop the best solutions.

4

General:

On pages 3-60, the description of I-270 mentions that there are four express lanes and two collector-distributor lanes in each direction. In order to avoid confusion with the proposed Express Toll Lanes, please change this to four general purpose lanes and two collector-distributor lanes.

5

Thank you again for allowing MDOT and SHA to review the Draft EA for the lease consolidation of the U.S. Department of Health and Human Services (HHS). If we may be of further assistance, please do not hesitate to contact me or Mr. Donald Halligan, Director of Planning and Capital Programming, MDOT at 410-865-1275, or via email at dhalligan@mdot.state.md.us.

Sincerely,



Mr. Andrew J. Scott
Special Assistant to the Secretary for Economic Development

cc: Mr. Donald A. Halligan, Director, Office of Planning and Capital Programming, Maryland Department of Transportation
Mr. Christopher Patusky, Director, Office of Real Estate, Maryland Department of Transportation
Mr. Neil J. Pedersen, Administrator, State Highway Administration

Comment 2: The purpose of the traffic study conducted for the Environmental Assessment was to provide a comparison of impact of the proposed action on each of the alternative sites. The developments which are approved in the area were included in the background traffic analysis. The background growth has been stagnant over the last few years and would be similar for all the sites.

Comment 3: The traffic study conducted for the Environmental Assessment uses the adopted technique as required by the appropriate jurisdiction. GSA will require the developer/owner of the selected site to prepare a traffic impact study in accordance with local requirements for site development. Types of improvements which could be implemented at each location have been added to the Environmental Assessment.

Comment 4: This comment is noted.

Comment 5: The Final Environmental Assessment includes this change.



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 301-952-3594
 DO-092301

October 27, 2010

Ms. Suzanne Hill
 U.S. General Services Administration
 National Capital Region
 Office of Portfolio Management
 301 7th Street, SW, Room 7600
 Washington, D.C. 20407

**RE: Draft Environmental Assessment and Traffic
 Technical Report: Lease Consolidation in
 Suburban Maryland, Clearinghouse
 Application Number
 MD20100927-0930**

Dear Ms. Hill:

The Prince George's County Planning Department appreciates the opportunity to comment on the Draft Environmental Assessment and Traffic Technical Report for the lease consolidation in Suburban Maryland. Three of the five sites analyzed are located in Prince George's County (New Carrollton Metro Center, Largo Town Center, and University Town Center). The proposed consolidation would mean the relocation of approximately 2,900 employees, in approximately 935,400 square feet of leasable space, by 2014. Included in this letter are the various comments generated by the Planning Department in response to the Draft Environmental Assessment.

Archeology/Historic

Historic Preservation staff reviewed the Cultural Resources (Section 3.2.5, pages 3-7 to 3-15), and Archeology (Section 3.9, pages 3-35 to 3-38) sections of the above described Environmental Assessment. Several changes are recommended to the text.

Cultural Resources (Section 3.2.5):

1. **New Carrollton Metro** - The consultant should include information on the local significance and designation of the historic properties in Prince George's County listed in Table 2 on pages 3-10 and 3-12. The Wormley House (PG: 69-023-17) is a Prince George's County Historic Site. The Thomas Hunster House (PG: 69-023-27) should be added to the New Carrollton Metro table on page 3-10. The Thomas Hunster House was recently designated a county Historic Site through the *Historic Sites and Districts Plan* update. In addition, there is information on the New Carrollton and Glenarden Communities on the Historic Preservation Commission website. This information has not been forwarded to the Maryland Historical Trust, but is available online at www.mncppc.org.

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Comment 1: Table 2 will be updated to reflect additional resources provided by M-NCPPC.

Ms. Suzanne Hill
 October 27, 2010
 Page 2

- 2. **One Largo Metro** - The consultant should acknowledge that Waring’s Grove (PG: 72-4) and Ridgely Methodist Church (PG: 72-5) are Prince George’s County Historic Sites, located within one mile of One Largo Metro. 2
- 3. **University Town Center** - The consultant should acknowledge that Bloomfield (PG: 66-029-05), Morrill Hall (PG: 66-035-06), Calvert Hall (PG: 66-035-07), Hitching Post Hill (PG: 68-1), Calvert Family Cemetery (PG: 68-004-03), Wernek House (PG: 68-004-76), and Paxton House (PG: 68-076) are all Prince George’s County Historic Sites, located within one mile of the University Town Center. 3

Staff concurs with the findings and recommendations made by the consultant in the Cultural Resources (3.2.5) and Archeology (3.9) sections of the Environmental Assessment report.

Transportation

Although the existing no-action, and action alternative analysis for three sites within the Prince George’s County are based on the Critical Lane Volume (CLV) technique for signalized intersections recommended by the Guidelines, staff was not consulted on the required scoping, the appropriateness of background development, the appropriate CLV thresholds to be used (1600 vs. 1450 for Metropolitan Centers), and the approval status of each site. All three sites are located within, or are part of approved development plans with specific development allocations, which would exempt the proposed consolidation from the need to supply additional traffic analysis similar to those included in the prepared Environmental Assessment. On the other hand, the evaluation analysis for the Parklawn site takes into consideration and reduces nearly all of the resulting traffic impact of the proposed consolidation at this site by indicating that a large portion of Health and Human Services (HHS) employees are already located within several small buildings in the general area. 4

Although the analysis scope for most sites include the signalized intersections that are in the immediate vicinity of each site, the Largo One Metro site (Largo Town Center) analysis includes a relatively busy intersection that is over one mile away. However, the Largo center analysis does not include several closer intersections that are in the path to the nearest interchange with I-95/I-495 (Capital Beltway). 5

The reported future conditions for all sites do not include any reduction adjustment for transit usage. The report justifies this by indicating the current transit usage for HHS employees at the Parklawn Building, which is nearly 0.8 miles away from Twinbrook Station on the Metro’s Red Line, is approximately ten percent. Application of ten percent mode share for transit for the three sites in the county is very low since all approved development projects in these areas are using a significantly higher transit mode share over 20 percent. In addition, the New Carrollton Site is the only site that is also served by the Maryland Area Commuter Rail Service (MARC). 6

Based on these concerns, staff does not concur with summary findings and conclusions made for future conditions without and with the proposed reconsolidation for the three sites in the county.

Comment 2: Table 2 will be updated to reflect additional resources provided by M-NCPPC.

Comment 3: Table 2 will be updated to reflect additional resources provided by M-NCPPC.

Comment 4: GSA and its consultants met with staff from the MNCPPC’s Planning Department on June 7, 2010 to discuss the proposed action, the sites located within Prince George’s County, and the methodology for the transportation analysis. During this meeting GSA was referred to the County’s website to obtain information on background developments and transportation study methodology including CLVs. The information from the County’s website was used in the traffic study for the Environmental Assessment.

Comment 5: Intersections that provide primary access to the sites were selected for study to determine if the proposed action would adversely affect traffic in the immediate vicinity of the alternate sites. GSA will require the developer/owner of the selected site to prepare a traffic impact study in accordance with local requirements for site development.

Comment 6: GSA used a 10 percent transit usage, which was based on employees currently working at the Parklawn Building who are enrolled in the Smart Benefits program. No additional assumptions were used as additional information on employee practices was not available at the time of the study. GSA acknowledges that any additional transit usage would have a beneficial impact on local roadway networks.

Ms. Suzanne Hill
 October 27, 2010
 Page 3

Community Planning

There were no specific comments regarding the New Carrollton Metro Station or One Largo Metro sites. Specific comments regarding the University Town Center site are included below.

University Town Center:

The following comments are in relation to the 1998 *Approved Transit District Development Plan (TDDP)*, *Prince George's Plaza Transit District Overlay Zone*:

1. The subject property is located within Subarea 2 of the TDDP. There are no subarea specific standards or guidelines that are related to the environmental assessment. At the time of plan approval, the northeast portion of the property was zoned O-S. Standard P48 on page 100 of the TDDP provides that "the area zoned Open-Space, O-S, shall remain undisturbed as a tree preservation area. The site has since been rezoned wholly to Mixed Use-Transportation Oriented, M-X-T, rendering this standard obsolete."
2. Refer to Environment Chapter pages 66-74 of TDDP for all pertinent environmental data and standards.
3. Refer to Stormwater Management section pages 68-69 for mandatory development requirements.
4. Page 71, Standard S33 provides that "afforestation of at least 10 percent of the gross tract shall be required on all properties within the Prince George's Plaza Transit District currently exempt from the Woodland Conservation and Tree Preservation Ordinance. Afforestation shall occur on-site or within the Anacostia Watershed in Prince George's County, with priority given to riparian zones and non tidal wetlands, particularly within the Northwest Branch sub-watershed."
5. A portion of the property lies within the **one hundred-year Flood Plain**.
 - a. Page 73, one hundred-year Flood Plain Mandatory Development Requirements
 - i) P28 – Any new development or reconstruction of existing development shall be in conformance with the Prince George's County Floodplain Ordinance.
 - ii) P29 – No development within the ten-year floodplain shall be permitted without the express written consent of the Prince George's County Department of Environmental Resources.
 - iii) P30 – If the development is undergoing subdivision, approval of a variation request shall be obtained for proposed impacts to the floodplain.
6. A portion of the property contains **Non tidal Wetlands**.
 - a. Page 73, Non tidal Wetlands Mandatory Development Requirements
 - i) P31 – If impacts to non-tidal wetlands are proposed, a Maryland Corps of Engineers Joint Permit Application (33 Code of Federal Regulations 320 – 330) shall be required and, where required, issuance of the permit.
 - ii) P32 – If impacts to non-tidal wetlands are proposed, a State Water Quality Certification pursuant to the Section 401 of the Clean Water Act shall be required from the Maryland Department of the Environment.
7. Refer to Transportation and Parking Section pages 44-64 of TDDP.

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Comment 7: This comment is noted.

Comment 8: This comment is noted.

Comment 9: This comment is noted.

Comment 10: This comment is noted.

Comment 11: This comment is noted. Section 1.7 of the Solicitation for Offers states, "An award will not be made for a property located within a base flood plain or wetland unless the Government has determined that there is no practicable alternative." The Offeror has provided sufficient evidence to GSA that none of the offered property is located within a base flood plain and is outside of the Prince George's County regulated floodplain.

Comment 12: This comment is noted. Section 1.7 of the Solicitation for Offers states, "An award will not be made for a property located within a base flood plain or wetland unless the Government has determined that there is no practicable alternative." The Offeror has provided sufficient evidence to GSA that none of the offered property is located within a base flood plain and is outside of the Prince George's County regulated floodplain.

Comment 13: This comment is noted.

Ms. Suzanne Hill
October 27, 2010
Page 4

Thank you again for allowing us the opportunity to comment on this Draft Environmental Assessment and Traffic Technical Report. If you should have any additional questions or need additional information, please contact Kate Fritz in the Special Projects Section at 301- 952-5402, or at Katharine.Fritz@ppd.mncppc.org.

Sincerely,



Fern V. Piret
Planning Director

- c: Vanessa Akins, Chief, Community Planning North Division
Kipling Reynolds, Acting Chief, Countywide Planning Division
Kate Fritz, Senior Planner, Countywide Planning Division
Robert Duffy, Supervisor, Community Planning North Division
Eric Foster, Supervisor, Countywide Planning Division
Howard Berger, Acting Supervisor, Countywide Planning Division
Maria Martin, Supervisor, Countywide Planning Division
Sonja Ewing, Planner Coordinator, Community Planning North Division
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October 19, 2010

Ms. Suzanne Hill, NEPA Program Specialist
Portfolio Management Division - Public Building Service
National Capital Region - U.S. General Services Administration
301 7th Street, SW - Room 7600
Washington, DC 20407

RE: Draft Environmental Assessment for the U.S. Department of Health and Human Services (HHS) Lease Consolidation in Suburban Maryland

Dear Ms. Hill:

Thank you for the opportunity to comment on the environmental assessment prepared for the proposed consolidation of the U.S. Department of Health and Human Services. The City of Rockville is pleased that the General Services Administration is considering a location in Rockville for this facility.

The Irvington Centre is in Rockville's King Farm community. King Farm is a mixed-use development established in 1997. The neighborhood features a variety of amenities such as parks, retail and restaurant establishments, a hotel and a broad range of housing options. The development contains two sites reserved for the future development of a public elementary and middle school. Property for the future elementary school is set aside within the 12-acre King Farm Park; and the Middle School site is proposed for a portion of the 24-acre Mattie Stepanek Park.

The residential units in King Farm include apartments, condominiums, townhomes and single-family homes. King Farm also hosts Montgomery County's first workforce housing project, designed to provide affordable housing for households earning up to 120% of the County's median income. It is a very walkable neighborhood with opportunities to live, work, and shop within the neighborhood.

King Farm is located just over one mile from the Shady Grove Metro Station and public bus transportation provided by WMATA and Montgomery County. A shuttle runs on regular intervals from King Farm to the Metro Station. The neighborhood is adjacent to Interstate 270, MD Route 355 and Shady Grove Road. The Intercounty Connector is within one mile of the neighborhood. The future route of the Corridor Cities Transitway runs through the King Farm community to the Shady Grove Metro Station, providing yet another future transportation option for individuals working and living in the neighborhood.

The Health and Human Services facility is compatible with the King Farm site. It offers many advantages, including two buildings that have already been approved. The Rockville Mayor and Council support the relocation of the Health and Human Services facility to the King Farm site.



MAYOR
Phyllis Mareuccio

COUNCIL
John B. Britton
Piotr Gajewski
Bridget Donnell Newton
Mark Pieszchala

CITY MANAGER
Scott Ullery

CITY CLERK
Glanda P. Evans

CITY ATTORNEY
Debra Yerg Daniel

1

Comment 1: This comment is noted.

Ms. Suzanne Hill, NEPA Program Specialist
 10/19/10
 Page 2

Staff members from several City departments have reviewed the Draft Environmental Assessment and offer the following comments:

General

At the beginning of the document on page 2-4, the Irvington Centre at King Farm site is incorrectly identified as located in Gaithersburg, Maryland. The King Farm development is located entirely within the corporate limits of the City of Rockville.

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Comment 2: The EA has been corrected to state the King Farm development is located within the City of Rockville.

Please also note that the Parklawn building has a Rockville mailing address, but is not located within the corporate limits of the City of Rockville.

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Comment 3: This comment is noted.

3.12 Land Use Planning and Zoning

The zoning of the Irvington Centre site (900 and 901 King Farm Boulevard) is "Planned Development – King Farm." The subject sites have the requisite zoning and land use designation in place to allow the proposed DHHS lease consolidation. Additionally the approved development plan for King Farm allocated more than a sufficient amount of office square footage to accommodate this proposal.

} 4

Comment 4: This comment is noted. The EA has been updated to reflect that a site plan amendment would need to be obtained for the King Farm site to accommodate the proposed HHS consolidation. Both the offeror and City of Rockville have provided GSA sufficient evidence that a site plan amendment would be readily obtained for the site and that the offer can meet the minimum requirements of the Solicitation of Offers. In addition, the proposed use is within the conforming use of the space.

The 900 and 901 King Farm Boulevard sites currently have site plan approval, however an amendment is required to accommodate the proposed DHHS design details. The amendment process will involve review and action by the City's Planning Commission.

In 2009 the City adopted a new Zoning Ordinance creating zoning districts, and review procedures, to promote the type of mixed-use development reflected in the King Farm neighborhood. Additionally, a revision was made to the City's Building Code, adopted in 2010, encouraging more environmentally sensitive "green" development.

The King Farm is a new urbanist development that serves as a model for any other federally encouraged anti-sprawl development. In 2004, Rockville received a "Smart Development Award" under the Maryland Department of Planning's Vision Awards program for being a smart growth development. King Farm was also featured as a mobile workshop in the National American Planning Association conference in 2004.

3.2.10 Community Facilities

The Draft Environmental Assessment specifically notes the 30,000-acre Montgomery County park system consisting of community parks, trails, historic sites, and nature centers. The Assessment does not mention the City of Rockville park, recreation and open space resources that serve the King Farm neighborhood and are available to individuals living and working in the neighborhood. There are three City owned and

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Comment 5: This comment is noted.

Ms. Suzanne Hill, NEPA Program Specialist
 10/19/10
 Page 3

maintained active parks totaling 45.89 acres with the following amenities:

- Play equipment
- Softball/Baseball fields
- Lighted tennis courts
- Lighted basketball courts
- Fitness cluster
- Walking / jogging paths
- Mattie J.T. Stepanek Peace Garden
- Public art installations
- Bankshot basketball
- Dog park
- Picnic shelter
- Picnic tables and grills
- Garden plots
- Off street parking

The King Farm development is also served by City regional facilities in close proximity including the RedGate Golf Course and the Rockville Swim and Fitness Center. Additional City recreational recreation amenities are just outside the King Farm neighborhood and easily accessible from the Irvington Centre site. They include a hiker/biker trail ten miles length located approximately three quarters of a mile from the site and the Thomas Farm community center located within one and a half miles of the site.

The King Farm community is also home to passive stream valley parkland (45 acres). These parks are all within one mile of the Irvington Centre site.

3.6 Stormwater Resources

To protect the City's three watersheds and to avoid local flooding, Rockville has adopted a comprehensive stormwater program that includes the consideration of environmental site design approaches on all proposed redevelopment projects; restoration of degraded portions of our watersheds; soil and erosion controls on all new construction sites; a comprehensive maintenance program to extend the useful life of the City's storm drain system infrastructure; significant resident involvement in stream monitoring and litter clean up; and periodic assessments to track water quality and habitat trends over time. The program is funded, in part, through a stormwater utility fee based on the amount of impervious surface on each property in the City. The fee is partially offset by credits for on-site stormwater expenses incurred by non-residential landowners or their commercial and institutional tenants.

The current site plan already approved determined that the already constructed Piccard Pond is adequate to provide stormwater management for the two approved buildings on the site. If the Irvington Centre at King Farm site is selected, a site plan analysis will be conducted, as noted under Land Use Planning and Zoning on page 2 of this letter. As part of the site plan analysis, a confirmation that the Piccard Pond is designed to manage the expected impervious area from the DHHS project will be required. If there is a variation of more than 20% in increased impervious area between the Planned Development approval and the proposed project, the applicant may be responsible for follow-up engineering analysis and any retrofit to ensure the new complex provides adequate stormwater management treatment. If the engineering analysis demonstrates

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cont.

Comment 6: This comment is noted.

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Suzanne Hill, NEPA Program Specialist
 10/19/10
 Page 6

that Piccard Pond does not adequately treat stormwater for the new footprint, the following action may be required:

- Retrofit of the Piccard Pond
- Addition of enough environmental site design practices onsite to make up the difference.

Therefore, the King Farm site already has a constructed stormwater facility that met the requirements of the already approved project. The developer will only have to verify the adequacy with the new design and make any necessary modifications instead of starting the stormwater process from the beginning.

3.8 Vegetation & Wildlife

- 1) Sheet 3-32 - mentions trees on the Irvington Centre – King Farm site. There are no sparse trees as stated, only grass and street trees.
- 2) A Forest Conservation Plan / Tree Save Plan will be required because the site is adjacent to a forest conservation area.

3.15 Traffic and Transportation

Since the King Farm is built in close proximity to the Shady Grove Metro station, and is served by a Metro shuttle service that operates throughout the entire neighborhood, there is a reduction in single occupancy vehicle use at the King Farm development.

The following is a listing of traffic and transportation comments:

- 1) Section 3.15.2: The 1,500 critical lane volume (CLV) threshold for Irvington Centre is incorrect. The correct capacities of the four intersections listed in the Draft Environmental Assessment are as follows:
 - King Farm Boulevard/Piccard Drive – 1,600
 - Shady Grove Road/Choke Cherry Road – 1,550
 - Piccard Drive/Redland Boulevard (not "Road") – 1,400
 - King Farm Boulevard/Frederick Road (MD 355) – 1,550
- 2) Section 3.15.1: The description of King Farm Boulevard correctly notes that there is a parking lane in each direction on the boulevard. The description should clarify that the lane is currently restricted to two-hour parking between the hours of 10 AM and 2 PM, Monday through Friday.
- 3) Section 3.15.3, Table 14: The Draft Assessment shows two intersections, King Farm Boulevard/Frederick Road (MD 355) and Shady Grove Road/Choke Cherry Road, operating at an unacceptable level of service during the evening peak hours when using 1,500 for the CLV. However, the City allows a CLV of 1,550 for both intersections. Therefore these intersections would operate at an acceptable level of service during the evening peak hours.

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Comment 7: This comment is noted.

Comment 8: The EA has been updated to reflect that a Forest Conservation Plan/Tree Save Plan would be required for the King Farm site.

Comment 9: Tables 8 and 14 have been updated in the EA. The capacities provided by the City of Rockville were used to determine acceptable or unacceptable levels of service.

Comment 10: The EA and Traffic Technical Report have been updated to reflect that King Farm Boulevard is currently restricted to two-hour parking between the hours of 10 AM and 2 PM, Monday through Friday.

Comment 11: Table 14 has been updated to reflect this.

Suzanne Hill, NEPA Program Specialist
10/19/10
Page 5

4) Section 3.18.2: Table 19 indicates that the Upper Rock Development will include 750 garden rise apartments. The correct figure is 744 apartments. The table excludes the office and retail uses planned for the Upper Rock Development. Table 19 should include 7,250 square feet of office and retail space.

12

5) Other nearby intersections, such as West Gude Drive/Piccard Drive, Gaither Road/Redland Boulevard, Gaither Road/King Farm Boulevard and West Gude Drive/Gaither Road were not included in the analysis and could be impacted.

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3.16 Utilities

As referenced in Section 3.2.9 of the Draft Environmental Assessment ("Public Health and Safety"), fire and public safety services are adequate to serve the anticipated development. Therefore, the City concurs with the assumption that there are no anticipated impacts upon these services.

14

The Washington Suburban Sanitary Commission (WSSC) provides water and sewer service to the site. The City suggests that the applicant obtain confirmation from WSSC on the adequacy of the water and sewer infrastructure to serve the proposed development.

Thank you for the opportunity to comment on the environmental assessment for this important development. We look forward to continuing to work with you on the site selection process. Should you have any questions, or require additional information, please contact Bobby Ray, AICP, Principal Planner in the Department of Community Planning and Development Services. He can be reached at 240/314-8228 or via email at bray@rockvillemd.gov.

Sincerely,

Phyllis Marcuccio, Mayor

John B. Britton, Councilmember

Piotr Gajewski, Councilmember

Bridget Newton, Councilmember

Mark Pierzchala, Councilmember

cc: Scott Ullery, City Manager
Jenny Kimball, Assistant City Manager
Burt Hall, Department of Recreation and Parks
Susan Swift, Director-Department of Community Planning & Development Services
Craig Simoneau, Director - Department of Public Works

Comment 12: Table 19 has been updated to reflect the changes provided by the City of Rockville. No additional traffic analysis was conducted.

Comment 13: Intersections that provide primary access to the alternative sites were selected for study to determine if the proposed action would adversely affect traffic in the immediate vicinity of the sites. GSA will require the developer/owner of the selected site to prepare a traffic impact study in accordance with local requirements for site development.

Comment 14: This comment is noted. The developer is required by GSA to provide a site that can adequately provide water and sewer to the site selected.

Holland & Knight

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October 25, 2010

Ms. Suzanne Hill, NEPA Program Specialist
 Portfolio Management Divisions
 Public Building Service - GSA
 301 Street, SW Room 7600
 Washington DC 20407

Re: Comments on Draft Environmental Assessment (the "Draft EA") for the Lease Consolidation of the U.S. Department of Health and Human Services ("HHS") in Suburban Maryland

Dear Ms Hill:

I- Introduction

On behalf of our client, One Largo Metro LLC, an offeror participating in the HHS lease consolidation solicitation, we are submitting comments on GSA's draft Environmental assessment under the National Environmental Policy Act of 1969 ("NEPA") 42 USC 4321 *et seq.* ("Draft EA"). We understand that GSA is requiring each offeror to provide a basis for GSA to determine that award of a lease involving the offered building will result in either a Categorical Exclusion or a Finding of No Significant Impact ("FONSI"), thereby obviating the need for GSA to prepare an Environmental Impact Statement ("EIS") under NEPA. While we submit that the Draft EA provides sufficient basis for GSA to issue a FONSI under NEPA and its implementing regulations, we first wish to point out serious flaws in the Draft EA's assumptions and analysis. It is important that GSA correct these flaws since One Largo Metro would be severely prejudiced should the Source Selection Board rely on any of the flawed assumptions or analysis.

II- Critique of the Draft EA's Transportation Analysis

A- The Draft EA's Assumptions and Analysis are Flawed in the Following Ways:

(1) The Draft EA fails to give sufficient weight to One Largo Metro's (the "One Largo Metro Site")'s superior metro access which is significant since the "Access to Metrorail" subfactor is the most important technical subfactor in GSA's selection criteria under the HHS lease consolidation's Solicitation for Offers No. 08-011 (the "SFO"). For example, the Draft EA

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Comment 1: This comment is noted. All sites are within close proximity to local transit and all sites conform with the minimum requirements of the SFO. Currently, the King Farm site provides a shuttle service from the site to the Shady Grove Metrorail Station.

Atlanta | Bethesda | Boston | Chicago | Fort Lauderdale | Jacksonville | Lakeland | Los Angeles | Miami | New York
 Northern Virginia | Orlando | Portland | San Francisco | Tallahassee | Tampa | Washington, D.C. | West Palm Beach

Ms. Suzanne Hill
 October 25, 2010
 Page 2

essentially treats the One Largo Metro Site, which is approximately 488 walkable linear feet from the Largo Town Center Metrorail Station (Draft EA at 3-77) as essentially equal to the King Farm site for this critical subfactor. Yet, King Farm is more than a mile from the Shady Grove Metrorail station (Draft EA at 3-76) and, according to our transportation consultant, no transit ridership would occur there without Transit Demand Measures (TDM). (see attached report from Transportation Consultant Nancy Randall of Wells and Associates. (the "Randall Report" at p.1, attached hereto as Exhibit A).

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(2) The Draft EA's traffic analysis relies on incorrect assumptions and has a number of serious calculation errors and omissions that resulted in the Draft EA's incorrect finding that the One Largo Metro Site's development would result in 4 failed intersections. (Draft EA 3-71). In fact, a correct traffic analysis demonstrates that the One Largo Metro site would only result in one failed intersection--- and then by only 5 Critical Lane Vehicles ("CLV") over the Prince Georges County standard.

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(3) The Draft EA fails to note that, in contrast to the One Largo Metro site, the King Farm site has only received detailed site plan approval for approximately 605,000 square feet (pers. comm. from One Largo Metro Center LLC). Therefore the King Farm site does not even have site plan approval for the required square footage sufficient to meet the minimum SFO requirements for the HHS facility (784,982 ANSI/BOMA Office Area Square Feet) and would have to submit a new plan and conduct a new traffic study based on meeting the requirements of the SFO.

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(4) The attached Randall Report also identifies a number of incorrect assumptions regarding jurisdictional requirements, number of study intersections, trip generation rates, trip distribution, vested approvals and the impact of a site's proximity to metro.

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B- Discussion

As noted above, metro access is the most important technical subfactor under the SFO. Paragraph 2.1 of the SFO. Yet, the Draft EA's alternatives analysis does not identify access to metro as a distinct factor, lumping it in with "Traffic & Transportation" which is then treated of equal importance as other factors such as waste management, environmental justice and utilities. (Draft EA 2-11 to 2-14). The result is that the alternatives analysis, which is essential to the NEPA process¹, obscures the most important subfactor of metrorail access in GSA's evaluation process.

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Further, the Draft EA seems to indicate that proximity to metro is more equal among the five sites than is the case. Rather, the One Largo Metro Site is only 488 walkable feet to the metro (Draft EA 3-77) and is clearly superior to Parklawn (2300 walkable feet) (Draft EA 3-77), New

¹ The CEQ regulations require that an Environmental assessment include a "broad discussion...of alternatives" as required by section 102 (2)(E) of NEPA 40 CFR 1508.9 (3). NEPA documents must present accurate and complete information to decision makers to allow informed decisions [and that] an agency may not rely on incorrect data and assumptions. "See Daniel R. Mandelker, NEPA Law and Litigation (2nd ed., 2009) at section 10:33.1

Comment 2: . Intersections that provide primary access to the alternative sites were selected for study to determine if the proposed action would adversely affect traffic in the immediate vicinity of the sites. GSA will require the developer/owner of the selected site to prepare a traffic impact study in accordance with local requirements for site development.

Comment 3: The traffic study conducted for the EA was based upon the Solicitation for Offers requirement of 935,401 rentable square feet of space. The EA has been updated to reflect that a site plan amendment would need to be obtained for the King Farm site to accommodate the proposed HHS consolidation. Both the offeror and City of Rockville have provided GSA sufficient evidence that a site plan amendment would be readily obtained for the site and that the offer can meet the minimum requirements of the SFO. In addition, the proposed use is within the conforming use of the space.

Comment 4: This comment is noted.

Comment 5: In order for GSA to comply with National Environmental Policy Act (NEPA), GSA must disclose the potential environmental impacts that the lease consolidation of the HHS in Suburban Maryland may have on the human environment, including, impacts to natural resources such as air and water quality, social resources such as community services and facilities, and cultural resources such as historic buildings. Therefore, in this EA, GSA is not evaluating the proposed sites based upon the technical evaluation criteria found in the Solicitation for Offers, but rather GSA is evaluating each site equally to determine the impact to the environment. Any evaluation of the technical evaluation criteria is done in accordance with the Solicitation for Offers.

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Carrollton (934 walkable feet)(Draft EA 3-77) King Farm (6,350 l.f according to the Department of Homeland Security's ADA Compliance and Accessibility Route Map -- more than a mile and half drive) and University Town Center (2,296 walkable feet) (Draft EA 3-77). In fact, the alternatives analysis notes that for the King Farm site, "A shuttle service would [need to] be provided to bring employees to and from the Shady Grove Metrorail Station." Draft EA at 2-4. Thus, as the Randall Report notes, there would be no transit ridership at King Farm without TDM measures, Randall Report at p.1. Therefore, if the proper weight and discussion of access to metro had been addressed in the Draft EA, the One Largo Metro Center Site would have stood out as most preferable under this critical evaluation factor.

The Randall Report's traffic analysis not only points out flaws in the assumptions and analysis relating to the other four sites, it focuses on major errors in the Draft EA's analysis of the One Largo Metro site. These major errors caused the Level of Service (LOS) under the existing and future conditions to be overstated. Indeed, because of these major errors, the Draft EA concluded that selecting the One Largo Metro Site would result in LOS projections of LOS F for one intersection in the AM peak hour and LOS E at two intersections (in the PM peak hour) and LOS F at one intersection in the PM peak hour. (4 failed intersections). But Randall notes that the existing volumes provided in the technical appendix were not properly entered into the analysis worksheets at the intersection of MD 202/Lottsford Rd. Randall. Her report then notes that modifying the distribution to reflect previous approvals, changing the trip generation rate to single tenant office, adjusting the trip generation for metro use and correcting the input and calculation errors results in only one intersection that fails to meet the Prince Georges County (PG County)"standard. That occurs only during the AM peak period and results in only a 5 CLV exceedence of the County standard.

Finally, the King Farm's traffic analysis is fundamentally flawed because it is based on an approved site plan that does not meet the minimum square footage for the HHS facility under the SFO (784,982 ANSI/BOMA Office Area Square Feet). The City of Rockville has only granted The King Farm site detailed plan approval for two specific office buildings that total approximately 605,000 SF. [pers. communication from One Metro Center LLC]. Therefore, King Farm site does not have local approvals for the required square footage under the SFO. Thus, it appears that King Farm would need to submit a new plan for approval by the City and conduct a new traffic study for a plan that would, at a minimum, accommodate the required SFO square footage for the HHS facility.

III- GSA May Select the Largo Site Based on a Finding of No Significant Impact (FONSI) Under NEPA

A - NEPA Regulations and Guidance

The Council on Environmental Quality's (CEQ) NEPA regulations, as implemented in the PBS NEPA Desk Guide, sets forth criteria for determining whether the effects of a proposed federal action will cause "significant impacts either individually or cumulatively". See 40 CFR 1508.27

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Comment 6: This comment is noted.

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and PBS NEPA Guide at 3.1- 3.2.3. In addition, the CEQ NEPA regulations "identify mitigation in the NEPA process as measures to avoid, minimize rectify, reduce or compensate for environmental impacts.² CEQs' 1981 "40 questions" document makes clear that mitigation measures may be relied on by an agency in making a finding of no significant impact.³ The Federal Courts have largely affirmed this principle, especially courts in the Fourth Circuit covering Maryland.⁴ The PBS NEPA Desk Guide references the CEQ criteria for a "mitigated FONSI" U.S. General Services Administration PBS NEPA Desk guide 6.6 to 6.7, 6-10 (Oct. 1999).

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B- Analysis of the PBS NEPA Guide's " Significance" Criteria as Applied to the One Largo Metro Site

The PBS NEPA Desk Guide requires an analysis of both the context and the intensity of the proposed action in determining if a proposed action by PBS will result in significant effects requiring an EIS. Below is our analysis of these factors with respect to the One Largo Metro Center Site.

Context: The PBS NEPA Desk Guide requires evaluation of the action in several contexts impacting as society as a whole (human, national, the affected region and the affected interests."). In these contexts, the Largo Site will not result in significant effects. To begin with, the site best achieves the Purpose and Need stated in the Draft EA by "consolidating HHS components located in various locations into one location in order to provide space that would efficiently and effectively support the agency's mission." Draft EA at 1-3. As noted in the background document submitted with its NEPA study (Exhibit B). One Largo Metro LLC has obtained all planning and zoning approvals over 1 Million square feet of office use at the site that more than meets the SFO's requirements, in marked contrast to the King Farm site. Further, the roadway and mass transit improvements necessary to provide transportation adequacy for the site have been constructed. As part of thee approvals, P.G.County has found that the existing transportation facilities are adequate to serve the proposed development.

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Comment 7: This comment is noted.

² See 40 CFR 1508.20

³ Question # 40 from 1981 CEQ's " Forty Most Asked Questions" See 46 Fed. Reg. 18026 (1981).

⁴ In Ohio Valley Environmental Coalition v. Aracoma Coal Company, 556 F.3d 177 (4th Cir. 2009), the appellant argued that the proposed mitigation measures were insufficient to justify the issuance of a FONSI in lieu of a full EIS pursuant to NEPA. There, environmental organizations brought an action against coal companies and the Corps challenging the issuance of four permits allowing the filling of West Virginia stream waters in conjunction with area surface coal mining operations. The Fourth Circuit held that the Corps' proposed mitigation plans were sufficient under NEPA to justify issuance of a mitigated FONSI. In its NEPA analysis, the court concluded that the Corps adequately explained how mitigation would compensate for the impacts of the fill. Articulating a standard adopted by other circuits, the court explained that mitigation measures must identify how the adverse impacts of the wetland filling will be corrected by the proposed measures. The measures "need not be laid out to the finest detail," but they also could not be purely perfunctory or conclusory. Id. at 206. (internal citations omitted). See also Roanoke River Basin Ass'n v. Hudson, 940 F.2d. 58 (4th Cir. 1991).

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Most significantly, One Largo Metro Center Site is 488 walkable linear feet from the Largo Metrorail station located on the blue line, providing the closest access to Metrorail of any of the sites studied. Thus, the One Largo Metro site best achieves the "Access to Metrorail" subfactor which is the most important subfactor of all the subfactors in GSA's selection criteria.⁵ Further, as the Draft EA notes, the One Largo Metro site "is zoned Mixed-Use Infill (M-U-I) where the efficient use of land, facilities and services are encouraged to be consistent with Smart Growth Principles (MNCPPC 2002)," Draft EA at 3-50. The development of the site will also not impact wetlands, degrade water quality, impact on floodplains, archeological sites or federally listed threatened or endangered species. Thus, consideration of "context " under the "Significance" criteria of the PBS NEPA Desk Guide (section 3.2.3 (a)) favors the One Largo Metro site because it is fully consistent with County development and transportation plans, will best facilitate use of mass transit which will lessen employee dependence on vehicles and will not have any adverse environmental impacts to other resources such as wetlands and streams that are of national concern, especially in light of the Chesapeake Bay Program under Executive Order 13508.

Intensity: The PBS NEPA Desk Guide's Intensity criteria refers to the severity of Impact. The EA defines the thresholds for intensity as (1) negligible (when the impact is localized and not measurable at the lowest level of detection) (2) minor (when the impact is localized and slight but detectable) (3) moderate (when the impact is readily apparent and appreciable) and (4) major (when the impact is severely adverse, significant and highly noticeable.) Draft EA at 3-1. Analysis of PBS factors and the Draft EA thresholds, as applied to the One Largo Metro Site reveals that the site will have either no impacts or negligible/minor impacts for all the identified intensity factors and therefore will not require an EIS.

- The Degree to which the proposed action affects public health and safety. The site has received all the necessary approvals from the Prince Georges County, the Maryland National Capital Park & Planning Commission and the Maryland Department of the Environment related to the development of an office building and parking garage suitable for the HHS facility on site. (Exhibit B). The building will be constructed to meet LEED standards. The Draft EA also notes that traffic and transportation would create a minor, long term adverse impact on level of Service (LOS) but the Metrorail, MARC rail and bus systems would see an increase in patronage. However, as noted in the attached Randall Report, there are errors/omissions in the traffic analysis, that when corrected demonstrates that the Largo site would result in fewer impacts to LOS than predicted in the Draft EA.
- Unique characteristics of the geographic areas such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic reviews or ecologically

⁵ Under Paragraph 2.1 of the SFO, award Based on Price and Other Factors: , " The Location factor is comprised of two sub-factors of which Access to Metrorail is significantly more important than Access to Amenities [the other subfactor of the Location factor]. Furthermore, Access to Metrorail is more important than any other sub-factor of either of the other two technical criteria."

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critical areas. The Draft EA notes that all sites will have no or negligible impacts to threatened and endangered species, aquatic biota, water resources (surface water, wetlands , groundwater hydrology and quality), population and housing, community facilities and services, cultural resources (including historic structures and landscapes) , noise, environmental contamination and security. Draft EA at 3-2 to 3-3. Further, the Largo site will comply with the Stormwater Management Act of 2007 and the adopted PG County Ordinance that establishes a comprehensive process of storm water management implementing Environmental Site Design (ESD) to the maximum extent practicable (MEP). The site development plan will ensure that the development meets the MEP standard to use ESD to reduce any post development runoff to levels found in natural, forested conditions. In fact, the EA notes that the "one Largo Metro site is "part of the larger Largo Town Center Development for which storm water management facilities have been fully approved and constructed in accordance with state and federal regulations." Draft EA at 3-27

- The degree to which the effects on the quality of the human environment are likely to be highly controversial. The Draft EA notes that (a) the One Largo Metro site would not result in any additional hires by HHS and therefore there would be no direct long term impact on area employment (Draft EA 3-55), (b) that "the local an state governments would see minor, long term, direct and beneficial impact to tax revenue...because the developer/owner would be required to pay local and State property taxes" Draft EA at 3-56 (c) while "low-income and minority populations may be affected by increased traffic ...this impact would be similar to that experienced by the overall population. Low-income and minority populations would not be disproportionately affected by long-term increases in noise levels or changes in air quality. Therefore, the HHS Lease Consolidation ... would not have disproportionate ecological or human health effects on low-income or minority populations." Draft EA at 3-59.
- The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks. No Impact
- 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. No Impact
- Whether the action is related to any other actions with individually insignificant but cumulatively significant impacts. The Draft EA notes that "with the construction of the Largo Town Center Metro Station ...along with the construction of Fed Ex Field, new residential commercial and office development has occurred adjacent to the metro station, I-495, Lottsford Road and Arena Drive. [and that] Current development includes infill development surrounding the Metro Station." EA at 3-87. Thus, the One Largo Metro site is already substantially developed. The Draft EA also notes that "the traffic analysis [in the EA] took into account future development and thus represents cumulative impacts for

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traffic (see section 3/15)" Draft EA at 3- 92. Again, as noted below, we disagree with the assumptions and analysis in the Draft EA regarding LOS projections for the One Largo Metro site.

- The degree to which the action may affects [sites listed or eligible for listing in the National Register of Historic Places] Negligible Impacts [Draft EA at 3-14].
- The degree to which the action may affect [species listed under the Endangered Species Act] No impact.
- Whether the action threatens a violation of Federal, state or local law or requirements imposed for the protection of the environment No Impact.
- Consideration of Impacts that may be both beneficial and adverse. Based on the Draft EA, the benefits of the Largo Metro Site far outweigh any even potential negative Impacts in that the site is far superior to the others evaluated in terms of furthering the most important evaluation factor (access to metrorail), meets the square footage requirements for HHS under the SFO, will be built at a location with an approved development plan, meets smart growth principles and will be constructed to meet the stringent new storm water requirements under Maryland law.

Mitigation: As noted, the SFO states that "the offeror understands and agrees that, at its sole cost and expense, it must implement any mitigation measures identified in the Government's NEPA analysis in order to assist the Government in reaching a "mitigated" finding of no significant impact..." Paragraph 3.8 of the SFO. The Draft EA identified specific mitigation measures relevant to the One Largo Metro Center Site covering soils, floodplains, storm water management, Coastal Zone management, Vegetation and Wildlife, visual quality, air quality, traffic and transportation, utilities and waste management. Draft EA at 2-16 to 2-17. One Largo Metro LLC is absolutely committed to fulfilling these mitigation measures. This commitment will cover an agreement to assume full financial responsibility for successful completion and implementation of these mitigation measures. One Largo Metro LLC will work closely with GSA, and the regulatory agencies at all levels to carry out this commitment.

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Comment 8: This comment is noted.

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Conclusion

In sum, while we submit that GSA can select the One Largo Metro site based on a FONSI under NEPA, we request that GSA correct the serious flaws in the Draft Environmental Assessment to accurately reflect the benefits of the One Largo Metro Site and to avoid any prejudice to One Largo Metro in the evaluation process. These flaws obscure the superiority of the One Largo Metro Site in terms of metrorail access, the most important technical subfactor of this HHS lease consolidation. Also, without correction of the deficiencies in the analysis, incorrect conclusions would be reached relating to traffic impact of the One Largo Metro Site. Lastly, dependency of the flawed analysis regarding the King Farm site would result in an invalid traffic analysis and a failure to recognize that the King Farm site does not have adequate local approvals to meet the required square footage under the SFO.

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Sincerely yours,

HOLLAND & KNIGHT LLP

Lawrence R. Liebesman
Lawrence R. Liebesman

cc: Peter Schwartz

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Comment 9: This comment is noted.



October 25, 2010

U.S. General Services Administration
 National Capital Region
 Attention: Ms. Suzanne Hill
 Office of Portfolio Management
 301 7th Street, SW, Room 7600
 Washington, D.C. 20407

Re: Draft Environmental Assessment
 U.S. Department of Health and Human Services
 Lease Consolidation in Suburban Maryland

Dear Ms. Hill:

We have reviewed the above captioned draft report and have the following comments:

1. The Parklawn Building depicted in the aerial photo on page 2-9 should be expanded to include the two surface parking lots...one opposite Parklawn Dr. and the other opposite Fisher Lane. The extent of the building depicted in the photo does not include the parking required to support the proposed use.] 1
2. The site depicted for the University Town Center (UTC) should be reduced to include solely the land required for construction of the new office building and parking structure noted in the attached sketch. The UTC property does not include any 100 year flood plain.] 2
3. Correct the statement in Section 3.5.1 on page 2-23. There is no land on the UTC site located within a flood plain.] 3
4. Correct the statement labeled "Parklawn Building" on page 3-24: pursuant to item 1, above, the Parklawn building site is to be expanded to include the two surface parking lots that serve as required parking for the Parklawn Building.] 4
5. Correct the statement labeled "UTC" on page 3-24: pursuant to item 1, above, no portions of the UTC site are within the flood plain.] 5
6. Correct the statement labeled "UTC" on page 3-25: because the site is presently 100% impervious (surface parking), construction of the new facility in compliance with current storm water management regulations will result in a long term improvement to the flood plain.] 6
7. Correct the statement in Section 3.5.3 on page 3-25. There is no land on the UTC site located within a flood plain.] 7
8. Correct the statement at 3.9.1 on page 3-35: The owner of the Parklawn Building has proposed re-development of the surface parking lots which will require relocation of existing HHS surface] 8

6525 Belcrest Rd., Hyattsville, MD 20782 (301) 779-4800 FAX (301) 927-5822

Comment 1: Based upon information provided by the Offeror, the figure on page 2-9 is accurate.

Comment 2: All graphics for the University Town Center site have been updated in the EA. The offeror has provided sufficient evidence to GSA that none of the offered property is located within a base flood plain and is outside of the Prince George's County regulated floodplain.

Comment 3: The offeror has provided sufficient evidence to GSA that none of the offered property is located within a base flood plain and is outside of the Prince George's County regulated floodplain. The text in Section 3.5.1 has been updated to reflect this.

Comment 4: Based upon information provided by the Offeror, the text on page 3-24 is accurate.

Comment 5: The offeror has provided sufficient evidence to GSA that none of the offered property is located within a base flood plain and is outside of the Prince George's County regulated floodplain. The text in Section 3.5.1 has been updated to reflect this.

Comment 6: The EA has been updated to reflect that construction at the University Town Center site would continue to indirectly affect the floodplain. As stated in the EA, implementing stormwater management measures would reduce runoff to the floodplain; however, there would still be an impact to the floodplain that would result in an adverse effect.

Comment 7: The offeror has provided sufficient evidence to GSA that none of the offered property is located within a base floodplain and is outside of the Prince George's County regulated floodplain. The text in Section 3.5.1 has been updated to reflect this

Comment 8: Based upon information provided by the Offeror, the text on page 3-25 is accurate.

parking into newly constructed parking structures. Therefore, the Parklawn alternative entails more than renovation.

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9. Correct the statement at 3.12.3 on page 3-51: The sector plan identifies the Parklawn building as an existing, non-conforming property which is built well in excess of existing and planned permitted density.

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10. Correct the statement at 3.15.3 on page 3-68: the report has omitted the intersection of Shady Grove Road and MD 355 which is closer to the HHS site than other studied intersections and is presently at or near an unacceptable LOS.

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Thank you for your attention to this matter.

Very Truly Yours



Maury Stern
Vice President, Development

Comment 9: The Parklawn alternative is consistent with local zoning. No change required.

Comment 10: Intersections that provide primary access to the alternative sites were selected for study to determine if the proposed action would adversely affect traffic in the immediate vicinity of the sites. GSA will require the developer/owner of the selected site to prepare a traffic impact study in accordance with local requirements for site development.



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