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June 22, 2020

BY EMAIL & CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Christopher Conklin, Director
Montgomery County Dept. of Transportation
Attn: Public Information Act Officer
101 Monroe Street, 10th Floor,
Rockville, MD 20850

Re: Public Information Act Request for Documents Related to Decisions From 2017 to Present Related to the "Road Diet" at the Capitol Crescent Trail Crossing of Little Falls Parkway.

Dear Mr. Conklin:

On behalf of the Citizens Coordinating Committee on Friendship Heights, pursuant to the Maryland Public Information Act (PIA), Title 4, I am requesting the opportunity to inspect or obtain copies of public records (hereinafter, "records"), in paper, electronic or other form, between 2016 to present related to the following decisions by the Montgomery County Parks Department and/or the Montgomery County Department of Transportation:

A. The decision in January, 2017 to close two lanes of traffic on Little Falls Parkway between Hillandale Road and Arlington Road. This is the existing "Road diet" created after the death of a cyclist crossing Little Falls Parkway on the Capitol Crescent Trail.¹

B. The decision by the Planning Board on September 12, 2019, to reverse its June 13, 2019 decision, and instead retain the midblock crossing of the Capitol Crescent Trail over Little Falls Parkway.²

¹ This closure occurred without any public discussion or review. There were no advance signs posted prior to this change; there was no notice to the adjacent communities or the communities off River Road, Little Falls Parkway or Massachusetts Avenue, and beyond. One result was great confusion and increased traffic on neighboring streets.

² This action was taken at a work session without any advance notice of this decision or chance for public comment or input. Furthermore, the Planning Board approved a "temporary" traffic table at the crossing.

Montgomery County Dept. of Transportation
Public Information Act Representative
June 22 2020
Page Two

C. The decision to fully close Little Falls Parkway for three days per week starting in April 2020 because of overcrowding of the Capitol Crescent Trail.

The specific Requests are set forth in the Attachment to this letter.

The Citizens Coordinating Committee on Friendship Heights is a nonprofit organization engaged in zoning and planning issues for 18 communities in the vicinity of Friendship Heights. If there are any fees for searching or copying these records, we request waiver of all fees since the disclosure of the requested information is in the public interest and will contribute significantly to the public's understanding of this situation. In the event that the fee waiver is not granted, the fees that we are willing to pay (excluding any copying) are limited to \$100.00.

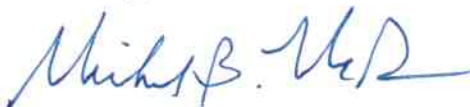
This information is not being sought for commercial purposes.

The Maryland Public Information Act requires a response to this request within 30 days. If access to the records I am requesting will take longer than this amount of time, please contact me with information about when I might expect copies or the ability to inspect the requested records.

If you deny any or all of this request, please cite each specific exemption you feel justifies the refusal to release the information and notify me of the appeal procedures available to me under the law.

Thank you for processing our request.

Sincerely,



Michael McGovern
Attorney for the Citizens Coordinating Committee
on Friendship Heights

Attachment

Copies to:

Hon. Brian Frosh, Maryland Attorney General
Hon. Marc Elrich, Montgomery County Executive
Hon. Sidney Katz, President, Montgomery County Council
Hon. Andrew Friedson, Member, Montgomery County Council
Hon. Casey Anderson, Chair, Montgomery County Planning Board
Mike Riley, Director, Montgomery County Department of Parks

ATTACHMENT – PUBLIC INFORMATION ACT REQUESTS
(to Letter of June 22, 2020 to MCDOT)

This PIA requests that Montgomery County Department of Transportation (MCDOT) provide documentation relevant to its interaction with MNCPPC and/or the Montgomery County Parks Department as to the three decisions (A, B and C) listed in the letter.

1. Provide copies of MCDOT’s communication with MNCPPC and/or Department of Parks with MCDOT on the decision to proceed with a midblock Trail crossing alternative.
2. Provide any and all documents, memoranda, emails and correspondence relating to:
 - (a) consideration of the midblock crossing alternative prior to public input in connection with the June 13, 2019 hearing;
 - (b) consideration of the midblock crossing alternative subsequent to the June 13, 2019 hearing to the present; and
 - (c) the current impact, and future impact, of closing two traffic lanes on Little Falls Parkway.
2. Provide all documentation of consultations between MCDOT and MNCPPC and/or Department of Parks on the cost of the latter’s “preferred alternative” -- the midblock crossing.
3. Provide all documentation regarding employing Sabra & Associates rather than using MCDOT departmental resources.
4. Provide all documentation relating to communications with MNCPPC and/or Department of Parks regarding the Sabra & Associates traffic study which did not include consideration of future traffic flow due to future growth in downtown Bethesda, and specifically in the Westbard Sector.
5. Provide all documentation relevant to MCDOT’s increased responsibilities, actions and expenses incurred as a result of M-NCPPC/Department of Parks’ decisions regarding Little Falls Parkway from 2017 to present. Please include impact on MCDOT due to traffic congestion, flow and traffic and pedestrian safety in the vicinity (e.g. Hillandale, Somerset, Kenwood, etc.).
6. If not provided already in response to the previous requests, please provide all documents, memoranda, emails, and correspondence as to the following:
 - (a) The decision in January, 2017 to close two lanes of traffic on Little Falls Parkway between Hillandale Road and Arlington Road. This is the existing “Road diet” created after the death of a cyclist crossing Little Falls Parkway on the Capitol Crescent Trail.
 - (b) The decision by the Planning Board on September 12, 2019, to reverse its June 13, 2019 decision, and instead retain the midblock crossing of the Capitol Crescent Trail over Little Falls Parkway.
 - (c) The recent decision to fully close Little Falls Parkway to traffic on weekends.