

**From:** Mary Flynn

**Sent:** Wednesday, August 16, 2017 10:16 AM

**To:** Michael Madden - MTA

**Cc:** Joy Hamilton; Lesli Leath; Todd Hoffman; Jeff Marqusee; Stuart Sessions

**Subject:** Two requests: SWM plans and clarify public accountability requirements

Mike, I want to thank you, Joy Hamilton and Lesli Leath for the phone conversation on Friday morning, August 11. At your request, I am formalizing the Town's request for current, updated stormwater management plans in this email so you can forward this request to the appropriate authorities.

As we discussed, Maryland Secretary of Transportation Pete K. Rahn wrote in a letter to the Town (July 27, 2017) that, "There have been significant improvements made to the design of the on-site storm water management facilities, which should allay the Town of Chevy Chase's concerns." It is important that we review the plans so we can assure our residents that their properties will not be adversely affected by stormwater runoff because of the Purple Line, and, we hope, put this issue to rest.

By way of background, the most recent publicly available stormwater management plans we have are in the Purple Line Concept Stormwater Management Report Final Version, revision 2, November 2013. It is now August 2017. Stuart Sessions, a resident of the Town of Chevy Chase and member of the Town of Chevy Chase Special Committee on Purple Line Mitigation, has been trying unsuccessfully for more than a year to obtain the updated stormwater management plans. I was left with the impression during our phone conversation that the 2013 plans are publicly available because they were produced by MTA, which is a public agency. Our conversation raised the question of whether the most recent plans, which I understand from our conversation were completed by the concessionaire, should also be made available for public review, and if they should be publicly available, to whom requests for these materials must be made.

Thus, our first request is for your assistance obtaining documents that detail the current plans for managing stormwater flows into the Town of Chevy Chase from, across, and under the Purple Line. These documents should include descriptions and maps that lay out the most recent stormwater management analysis and plans for POIs/LOIs 1 through 6, including any associated appendices. We are particularly interested in documentation that includes computations detailing how the stormwater management facilities planned within these POIs/LOIs will meet the state's water quality and quantity requirements. If you believe that these computations are not meaningful without professional explanation, please send them anyway with recommendations for dates and times that are suitable for review. We will make an effort to meet engineers in Riverdale if an in-person meeting is appropriate.

Our second request, which can be answered separately, is that you clarify how the public accountability requirements applicable to the concessionaire might differ from those applicable

to a public agency such as MTA. Please provide references to the P3 agreement and/or applicable law in your response.

Thank you for your prompt consideration and continued assistance.

Mary Flynn, Mayor  
Town of Chevy Chase  
650-450-9025

cc:

Todd Hoffman, Town Manager (301-654-7144)  
Jeff Marqusee, Co-chair, Special Committee on Purple Line Mitigation  
Stuart Sessions, Member, Special Committee on Purple Line Mitigation