

**Citizens Against Beltway Expansion  
Comments on I-495/I-270 Managed Lane Study  
Draft Environmental Impact Statement  
November 9, 2020**

Citizens Against Beltway Expansion supports the no-build option in the I-495/I-270 Managed Lane July 2020 Draft Environmental Impact Statement for the following reasons:

The DEIS is flawed and fails to inform the public about the full environmental and fiscal impacts of the build proposals on taxpayers, communities, and federal and local parks. In addition, the information and analysis of traffic volumes provided in the DEIS are incomplete and fail to justify the construction of four privatized tollways as a viable way to achieve the goals in the Purpose and Need Statement.

These problems are covered in detail in comments submitted by the Maryland-National Capital Park and Planning Commission (M-NCPPC), National Capital Park and Planning Commission (NCPC), Smart Mobility, Inc., Maryland Sierra Club and Maryland Transportation Opportunities Coalition. (We incorporate their comments herein by reference).

In addition, the 2020 DEIS fails to document how any of the proposed build options overcome the obstacles that led MDOT to reject a similar expansion proposal in 2005<sup>1</sup>.

The 2005 analysis indicated that expanding I-495 by two lanes on either side was infeasible due to the cost and difficulty of avoiding, minimizing or mitigating environmental damage to a route that

cuts through densely populated communities marbled with national parks, stream valleys, and many other environmentally and culturally sensitive resources.

There is no evidence in the DEIS that any of the impacts and concerns raised in the 2005 analysis have vanished or any of the costs have gone down.

Another problem with the DEIS is the conflict between the proposed build options and the Purpose and Need screening criteria. For example, the build options fail to reliably achieve the Purpose and Need of reducing traffic congestion and facilitating the movement of goods and services. Tables 5.5 and 5.6 in Appendix C show rush hour delays on I-270 worsening compared to the no-build option.

The DEIS financial impact analysis fails to show how the build options would generate net positive cashflow for the State, another Purpose and Need requirement. Federal and independent studies of public-private partnership (P3) highway financing – as well as the 2020 financial failure of the Purple Line P3 – illustrate the significant long-term taxpayer risks of the P3 options described in the DEIS.

These risks are underscored by the fact the I-495 Express Lanes in Northern Virginia have generated annual losses (now totaling \$429.5 million) since they opened in 2013.<sup>2</sup> The 2020 DEIS does not provide any reliable data showing why identical tollways on I-495 will perform differently in Maryland.

The DEIS neglects to explain why the public should not be concerned that the P3 business model depends on sustaining high levels of congestion to create market demand for the tollways. Rather than relieve congestion as required by the

Purpose and Need selection criteria, P3 tollways do the opposite – they keep congestion levels high to monetize them.<sup>3</sup>

The Metropolitan Washington Council of Governments has determined, on the basis of data in the DEIS, that rush hour tolls on I-270 between Frederick and Shady Grove could top \$49 per trip.<sup>4</sup> However, the DEIS fails to discuss such high toll rates as a barrier to the build options achieving the Purpose and Needs Statement.

The DEIS financial impact analysis also neglects to acknowledge or analyze other likely taxpayer costs. For example, the likely cost of relocating lines from as many as 21 utilities<sup>5</sup> and how that would affect ratepayers' bills. Moving the water pipes alone could add up to \$2 billion dollars in costs that would be placed on citizens, not the private partner, according to the Washington Suburban Sanitation Commission.<sup>6</sup>

One more point: the DEIS' contention that land use around I-270 and I-495 won't change if the roads are expanded for tollways is unrealistic and inconsistent with modern real estate development practices. The phenomenon of induced demand, commonly referred to by the idea of "build it, they will come," is well documented<sup>7</sup> as is the connection between development, density and road capacity.

In conclusion, CAFE concurs with the comments made by M-NCPPC, NCPC, Montgomery and Prince George's Counties, Maryland Sierra Club, and MTOC. Given the technical, analytical, and data quality that we, and they, have raised in our comments.

The DEIS does not support the build options, cannot satisfy the requirements of National Environmental Policy Act, and cannot be the basis of a Record of Decision.

MDOT and the Federal Highway Administration must provide a completely new DEIS that fixes these problems and includes a new Purpose and Need Statement that focuses on the need to improve affordable transportation options without forcing undisclosed and unaffordable burdens on taxpayers, communities or the environment.

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<sup>1</sup> Capital Beltway Study Technical Memorandum, Secondary and Cumulative Effects, May 24, 2005 and [Capital Beltway Studies Informational Public Workshop Display Boards](#), May 6, 2004.

<sup>2</sup> [Transurban Group Annual Financial Results](#), 2013-2020

<sup>3</sup> [Public-Private Partnerships for Transportation and Water Infrastructure](#).  
Congressional Budget Office, January 21, 2020

<sup>4</sup> “Nearly \$50 toll projected in draft study of I-270 project”, *WUSA*, October 15, 2020

<sup>5</sup> “Pipes, cables could face major disruption by plan to widen Beltway and I-270”, *Maryland Matters*, October 21, 2020

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<sup>6</sup>“Moving pipes to add toll lanes to Beltway, I-270 will cost up to \$2 billion, WSSC Water says”, *The Washington Post*, March 11, 2020

<sup>7</sup>Melo PC, Graham DJ, Canavan S., *Effects of Road Investments on Economic Output and Induced Travel Demand: Evidence for Urbanized Areas in the United States*, *Transportation Research Record*, 2297(1), 163 (2012)