

**Selected Findings and Deficiencies
in the Supplemental Draft Environmental Impact Statement (SDEIS)
for the I-495/I-270 Toll Lanes**

Toll Lanes Would Not Improve Daily Commutes

Appendix A of the SDEIS shows travel times if the lanes are built compared to not building the lanes. If the toll lanes are built, MDOT projects that 2 minutes and 36 seconds would be saved during the morning rush hour by drivers who travel in the general (non-tolled) lanes on I-270 from where it intersects with I-370, down to the American Legion Bridge. However, when drivers return home during the evening rush hour, their travel time would increase by 10 minutes and 6 seconds. So, after enduring 5 years of construction delays, drivers who use the general lanes will be rewarded with a 7 minute and 30 second increase in their daily commute, round trip. The toll lanes would cause substantial harm to the environment and our communities while failing to help the majority of drivers who would use the general lanes.

Taxpayer Subsidies

Last year's Draft Environmental Impact Statement (DEIS) provided the range of public subsidies that would be needed to fund the various alternative for private toll lanes. The SDEIS does not include an estimate of the subsidies that may be necessary under the alternative MDOT selected (the Preferred Alternative). The extent to which the State will be subsidizing this project is of immense concern to Maryland taxpayers, who could be on the financial hook for 50 years. The estimate of subsidies should have been included in the SDEIS and its omission suggests that MDOT is not willing to share it with the public.

Utility Relocations

The SDEIS fails to describe the utility relocations that will be required to make way for the toll lanes. Nor does it address who will bear the cost of moving water, sewer, cable, gas, electric and other utility lines.

Pollution and Global Warming

Inadequate Stormwater Treatment: The addition of lanes will drastically increase stormwater runoff, increasing water pollution and flash flood risk for local communities. MDOT plans to treat only 45% of the stormwater runoff onsite. These highways already contribute substantially to the degradation of water quality in nearby waterways. By failing to treat most of the stormwater onsite, the toll lanes would further degrade local streams, creeks and the Potomac River.

Air Pollution and Global Warming Analyses Not Included: The SDEIS does not include an analysis of greenhouse emissions and the impact they would have on global warming. There is also no analysis of other pollutants such as particulate matter or ozone. All of these analyses are deferred until later. Omitting these analyses from the SDEIS denies the public the opportunity to understand the risks while there is still time to influence the project.

Harm to Parks and Other Greenspaces

The toll lanes would impact 15 parks, including three national parks. Over 1,200 trees would be removed from national parks alone. The other parks impacted include five owned by the Maryland-

National Capital Park and Planning Commission, five parks owned by the City of Rockville and two parks owned by the City of Gaithersburg. A total of 36.1 acres of parkland would be negatively impacted. There would be a total loss of 500 acres of forest canopy from parkland and other greenspaces, including from strips of greenspace that provide a buffer between the highways and nearby neighborhoods. These communities would be harmed by increased noise, air and water pollution and the increased risk of flooding. In addition, 389 homeowners from Gaithersburg to Potomac would lose part of their property to toll lanes.

Environmental Justice

Environmental Justice Analysis Not Included. Similar to the DEIS, the SDEIS fails to provide an Environmental Justice analysis comparing whether the negative impacts of the project would be borne disproportionately by low-income communities or communities of color. For example, there is no discussion of whether Environmental Justice communities would be more likely to experience an increase in polluted air and its harmful impacts on health. Instead, the SDEIS defers this analysis to the Final Environmental Impact Statement. This cheats the public out of the opportunity to know and react to the Environmental Justice impacts while there is still time to influence the project.

Impact on Morningstar Tabernacle No. 88 Moses Hall and Cemetery and Gibson Grove A.M.E. Zion Church: The boundaries of permanent or temporary construction activity along the highways will not be finalized until after the environmental review process is completed. If the boundaries or limits of disturbance are expanded at this location, it puts the Cemetery at great risk of graves being disturbed by the project. While MDOT has shifted the proposed highway to avoid impact on the Cemetery, the shift also increases the impact on the Gibson Grove A.M.E. Zion Church.

Failure to Study Alternatives to Toll Lanes

The SDEIS fails to consider alternatives to private toll lanes to address traffic congestion. Rail transit was not studied nor were operational improvements and policies to encourage more telework

According to a 2017 [report](#) by the regional Transportation Planning Board (TPB), traffic demand management strategies, including a substantial increase in telework, would be the most effective mechanism to reduce traffic delays. Based on their research during the COVID pandemic, the Maryland Transportation Institute [testified](#) at a General Assembly hearing in August 2020 that “just a 5% reduction in travel demand could lead to 32%-58% reduction in traffic congestion on major freeways.” The federal government has already announced that it will implement permanent policies to increase telework by the federal workforce. The State could build on this with policies to encourage private employers to implement more telework in the I-495/I-270 corridor. However, the SDEIS does not assess whether the change in federal telework policy, along with changes in state policy, could reduce congestion on the two highways.