



**Select Testimony and Comments
on the Draft Environmental Impact Statement
for the I-495/I-270 Managed Lane Study
August – September, 2020**

Elected Officials

Marc Elrich, County Executive, Montgomery County, MD

Casey Anderson, Chair, MD-National Capital Park and Planning Commission

Maryland General Assembly Joint Letter to MDOT/SHA

Tom Hucker, Montgomery County Council Vice President, Montgomery County MD

Bridget Donnell Newton, Mayor of the City of Rockville, MD

Subject Matter Experts

Eyal Li, Union of Concerned Scientists, Cambridge, MA

Ron Bialek, Public Health Expert, Chevy Chase, MD

Elliot Levine, Environmental Engineer (retired), Rockville, MD

Stephan Schwartzman, Environmental Scientist, Kensington, MD

Brad German, Citizens Against Beltway Expansion, Silver Spring, MD

Brian Ditzler, Maryland Sierra Club, College Park, MD

Ben Ross, Chair, Maryland Transit Opportunities Coalition

Janet Gallant, Dontwiden270.org, Rockville, MD

Anne Ambler, President, Neighbors of the Northwest Branch, Silver Spring, MD

Jim Foster, President, Anacostia Watershed Society, Bladensburg, MD

Gary Hodge, Regional Policy Advisors, White Plains, MD

Churches, Citizen Groups and Associations

Rev. Abhi Janamanchi, Senior Minister, Cedar Lane Unitarian Universalist Church, Bethesda, MD

Montgomery County Faith Alliance for Climate Solutions

Susan Shipp, President, Cabin John Civic Association

James Laurenson, Wyngate Citizens Association, Bethesda, MD

Michele Riley, Woodmoor Pinecrest Citizens Association

Ross Capon, Wyngate Citizens Association, Bethesda, MD

Charlotte Troup Leighton, Evergreen Neighborhood Association, MD

Suburban Maryland Residents

Kara Cunzeman, Resident, Cabin John, MD

Barbara Coufal, Resident, Bethesda MD

Arthur Katz, Resident, Rockville MD

Tony Hausner, Silver Spring, MD Resident

Marc Elrich
County Executive for Montgomery County
Testimony Regarding The State's Managed Lanes Proposal
Saturday 12 September

My name is Marc Elrich, and I am the County Executive for Montgomery County.

Of the verbal testimony we have heard so far, we count that 85% of those testifying have opposed the project's current recommendations. By unjustly eliminating alternatives, the State has structured this project as an "all or nothing" choice about toll lanes. This sets up this project to either act in violation of the public's input, or do nothing despite a need for action.

Furthermore, it would be difficult to make this project more confusing for the public. Right now, the draft Environmental Impact Statement (DEIS) under review isn't even for the project the State plans to build and should be withdrawn until the State is able to present documents that are consistent with their Phase 1 project.

Like many of those we have heard from, we believe that better uses of resources exist that are more in line with both State and County priorities. This includes focusing on transit as well as on the American Legion Bridge bottleneck.

Our review of the DEIS is still ongoing. It is impossible to expect anyone to have reviewed the study's extensive documents thoroughly in the time that has been available. My comments tonight have been raised with MDOT previously, in most cases since the beginning of the project.

Traffic impacts

This project claims to improve traffic, but the analysis itself finds that in many cases the Managed Lanes barely perform better than the General Purpose Lanes, and in some spots perform even worse.

And the General Purpose Lanes themselves worsen in most segments. This creates a massive equity problem for those who are stuck in this project's worse congestion and are unable to afford or otherwise access the Managed Lanes.

Shockingly, there has been no detailed evaluation of the interchanges and connections to local arterials. This DEIS does not consider what will happen to roads like Gude Drive, Connecticut Avenue, or Colesville Road when more traffic is sent to them, faster. Those exits are already heavily impacted by traffic and cannot absorb cars coming off of the Beltway and I-270, and the existing backups on the exits will simply get longer. What is the point of spending billions on gains in one place if you lose it all in another?

We do not know the effects of the State's Innovative Congestion Management project that is still under construction, and while many of COVID's impacts may only last a few years, it appears that we are likely entering into a new and long-lasting era of increased telework. Traffic patterns have changed and will remain very different, dramatically increasing the risks of this project. This should be taken into consideration before a final determination is reached. This project is predicated on a future that may arrive in a form different from what is anticipated.

Environmental/cultural/equity impacts

Although they are vital facilities, I-270 and I-495 are already scars in our environment, with impacts that have not been addressed for decades, including stream degradation, habitat loss, emissions, noise, and others.

Similarly, the State's claims of this project being environmentally friendly are spurious given the multitude of other impacts, including impacts to parks, streams, inadequate consideration of construction impacts, and long-term impacts to Statewide traffic volumes.

This project will encourage not only more vehicles, but also types of development will have intolerable long-term costs like more costly infrastructure, more severe impacts to habitat, and more significant contributions toward emissions and runoff. This will hamper our master planned efforts toward increasing non-auto travel and focusing growth in sustainable locations, and runs directly counter to the State's Climate Emergency response.

This project is a solution for a past era. It includes significant impacts to schools, historic properties, and homes, despite the Governor's repeated assertions that these impacts would not occur.

Furthermore, the DEIS gives little consideration toward equity: impacts to property, noise, emissions, affordability, and other effects on historically underinvested communities. As the General Purpose Lanes worsen, how are these communities affected? What options are provided for them?

Contracting/Financing

The whole National Environmental Policy Act (NEPA) process has been structured around a public-private partnership (P3), but the State has not demonstrated its ability to manage an enormous P3, the Purple Line. The P3 contemplated here is dramatically larger.

Decisions about the environmental impacts of this project depend on knowing the details of the P3 now.

What guarantees will be in place toward ensuring that projects that provide other choices are not sidelined, such as bus rapid transit (BRT) projects, or improvements to MARC, WMATA? Or for that matter, anything that seeks to address problems in the General Purpose Lanes and for those unable to afford the Managed Lanes?

How will the proposals and designs from varying bidders be vetted and selected? Not just its design, but how will the facility operate? The Purple Line was studied for decades and still has encountered design issues that did not take into account obstacles that should have been known – this project has gone from someone's notion to a P3 in a flash without a fraction of the evaluation that went into the Purple Line, and the cost of unaccounted for obstacles is now apparent.

It is impossible for the State to receive valid input from the public on this project when so many critical issues are not addressed at the same time and through the same outreach processes.

Suggestions

If the State has pre-determined to advance a toll lanes project despite overwhelming concern with its present track, then we have a duty as local officials

to make the best of the situation for our residents. It is with that in mind, that the following comments are offered.

The State has issued transit recommendations that are too limited to serve as a complete transit strategy for the study area. If this project proceeds, we seek a demonstrated and continuous support of transit.

This support includes the construction of necessary physical infrastructure, such as depots, buses, park & rides, improved access to transit facilities, and other needs still under evaluation by our DOT and Planning staff.

This also includes that a portion of toll revenue be allocated to County governments for transit. Dedicated funding will help support continued investment and operation of equitable alternatives to the Managed Lanes.

We seek complete mitigation of environmental, cultural, social, and equity impacts, and that the project provide master planned pedestrian and bicycle infrastructure on all reconstructed facilities, with connections and transitions to logical nearby endpoints. I would expect this project to foot the bill of all the improvements that will be needed to mitigate problems created on the roads that have to accept this traffic.

We desire a complete rethinking of this project. While transportation investment is needed in this region, this process has not provided an alternative that we can support. We encourage MDOT/SHA to develop some better alternatives and make its intentions about a Phase 1 project clear and understandable to the public within this NEPA process. Thank you for your time.

Casey Anderson
Maryland National Capital Park and Planning Commission Chair
MDOT SHA Virtual Public Hearing
8.18.20, 9 a.m.

My name is Casey Anderson and I'm the Chair of The Maryland-National Capital Park and Planning Commission, and Chair of the Montgomery County Planning Board. I'm also a Montgomery County resident. M-NCPPC is a Cooperating Agency on the Managed Lanes Study.

M-NCPPC will be providing much more comprehensive written comments on the DEIS to be submitted prior to the close of the public comment period.

There is something that came to our attention late last night that must go on the record. On July 10, the MNCPPC technical staff downloaded the DEIS that MDOT SHA published and indicated was ready for public review. We can now confirm that more than 1,600 pages have been added to the DEIS document from that original July 10 website posting. We know this only because members of the press and advocacy organizations pointed it out.

The addition of new material without notice to anyone raises serious doubt about whether the comment period must be extended in order to comply with NEPA, and just as importantly about why MDOT failed to disclose the modifications to the DEIS materials.

MDOT SHA MUST extend the deadline for public comment, and the 90-day review clock should start no earlier than today, but only with MDOT SHA's assurance that no additional changes will be made to the DEIS. I also recommend that additional public hearings be scheduled for those who wish to review the DEIS in its final form and provide verbal testimony.

Based on our review of the July 10 version of the DEIS, we want to highlight three areas of concern with the Managed Lanes Draft Environmental Impact Statement:

1. Lack of financial viability and incomplete project costs: The revenue model as presented in the DEIS demonstrates that the roads, much like transit can't be paid for without some level of government subsidy. Not only are the financial assumptions on which MDOT SHA relies too speculative, the basic project costs, such as a lack of consideration to relocate utilities such as move water and sewer lines, likely project delays due to litigation, design difficulties and land acquisition challenges have not entered into the state's forecasts and estimates.

The DEIS shows it will be difficult or impossible for this project to be delivered without a significant source of public contribution. That's critical to the NEPA analysis because SHA has rejected consideration of transit alternatives on the grounds that because will not pay for itself without a significant source of additional revenue - but neither can the addition of toll lanes to 495 and 270. As a consequence, the state's decision to exclude transit and other alternatives that would require outside sources of funding is arbitrary and capricious. In addition, the failure to account for likely and foreseeable cost growth and revenue shortfalls mask the true costs of adding managed lanes both in absolute terms and in comparison, to transit, the ICC "bypass" option, and other alternatives.

2. Inadequate LOD Analysis: The DEIS provides an inaccurate and incomplete picture of the impact of the project on parkland and private property because it does not account for significant changes to the limits of disturbance likely to be required for construction of the managed lanes and therefore cannot be a legally adequate basis for evaluating the environmental impact of the project.

3. **Insufficient range of alternatives:** MDOT SHA fails to advance a reasonable range of alternatives (including transit, the ICC “bypass option, or a combination of the two) that would reduce the environmental impact of the project while at least partly fulfilling the purpose and need identified by the state and compounds the error committed when the state defined the purpose and need for the project entirely by reference to auto congestion on specific roadways.
- A major component of the NEPA process is to identify environmental impacts and to utilize this environmental information to inform the selection of an alternative that avoids and minimizes the impacts that a build-alternative would create. Therefore, the suite of alternatives retained must represent a range of environmental impacts to achieve this objective. From M-NCPPC Non-Concurrence to the ARDS (see Page 7 – Parkland Management), “As currently drafted, the ARDS have nearly identical impacts to parkland and natural resources, which effectively removes consideration of these impacts from future evaluation of the build alternatives. The ARDS should be expanded to provide alternatives with a range of environmental impacts such that the ARDS can reasonably address the Purpose and Need’s goals of improving traffic management *and* protecting the environment.”
 - Failure of SHA to properly model the MD200 (ICC) Diversion Alternative for consideration as an avoidance technique to environmental impact, the rationale for not moving it forward as an ARDS is flawed. Although, as modeled (we question the addition of adding managed lanes to I-95 below the ICC), the result is not that it does not meet the Purpose and Need, but that in comparison to adding four lanes to the Beltway, it doesn’t move traffic as well and it does

not meet the financial viability test. Setting aside that both results are flawed, the purpose is to determine a less environmentally impactful alternative.

- Without the managed lanes added unnecessarily to I-95, the reduction to the environmental impact is beyond question. The DEIS should address that in the DEIS.
- The cost savings to the project in terms of (i) reduced construction, and (ii) litigation avoidance has not been addressed.

Maryland General Assembly Member Letter on Draft EIS
September 23, 2020

Lisa B. Choplin, DBIA Director,
I-495 & I-270 P3 Office
Maryland Department of Transportation
State Highway Administration
707 North Calvert Street
Mail Stop P-601, Baltimore, MD 21202

Ms. Choplin:

As members of the Maryland General Assembly, we write to express our frustration and extreme concern with the Draft Environmental Impact Statement (DEIS) of the I-495 & I-270 Managed Lanes Study, part of the Governor's so-called Traffic Relief Plan that would expand I-495 & I-270 by two lanes in each direction the entire length of both roads in Maryland.

At best, the DEIS presents incomplete and inadequate analysis. At worst, it is heavily skewed toward selecting the outcome the Maryland Department of Transportation (MDOT) and Governor would like, so that MDOT can move forward with its predetermined preferred alternative. Under federal law, a DEIS need not specify a preferred alternative but if there is a preferred alternative, it is supposed to be disclosed. See 40 C.F.R. § 1502.14. It is obvious to anyone who has ever heard the Governor and prior Secretary of Transportation speak that Alternative 9 (2 managed lanes in each direction on both roads) is the Department's preferred alternative and you have failed to disclose that information.

The inadequate information presented, however, shows that the project will harm Maryland citizens and their environment and cannot be justified. Below we share just some of our many specific criticisms:

1) Despite years of promises that the proposed expansion will pay for itself through managed toll Lanes—promises used to justify the removal of non-road options, the DEIS shows that all of the build alternatives might require a state subsidy paid to the developer ranging from \$482 million to more than \$1 billion. This subsidy does not include the billions of taxpayer dollars needed to fund the required relocation of water and sewer infrastructure, nor does it account for the cost of adequate environmental mitigation. Nor does it account for travel changes because of the COVID-19 pandemic. The DEIS contains no itemized budget. Given the legislature’s role in shaping the state budget, we find this particularly concerning.

2) The purpose of an environmental impact statement is to take a hard look at the human health and environmental impacts of the proposed expansion and understand the balancing and trade-offs required. Yet the DEIS fails to do this and instead repeatedly excuses cursory reviews by noting that many project details remain unknown. This is insufficient and contrary to the law. By failing to appropriately study the available information, the DEIS prevents the public from understanding and commenting on the consequences of the proposed expansion.

3) The Agencies fail to explain their rationale for not conducting a Programmatic EIS analyzing the proposed expansion within the broader context of the so-called Traffic Relief Plan. A Programmatic EIS should have been conducted to study the alternatives within the context of this region-wide plan which includes planned modifications to I-270 from I-370 to I-70 and to other corridors in the Baltimore

Washington Region.

4) Prior to the DEIS, the Agencies unreasonably defined the study's purpose and need so narrowly that they only considered alternatives which involved construction of two to four new toll lanes. The Agencies did not analyze reasonable public transit options, smaller scale roadway improvements, or transportation systems and transportation demand management options. Given the changing dynamic in commuting patterns with the current public health emergency, it is also irresponsible to not take these tremendous shifts into account. Nevertheless, the DEIS shows that stated goals for the study, the use of alternative funding approaches for financial viability and environmental responsibility, cannot be met by any of these managed lane expansion alternatives.

5) It is essential that the new American Legion Bridge accommodate future rail transport, as was done for the Woodrow Wilson Bridge. By not accommodating rail, the project fails to meet the stated purpose of enhancing existing and planned multimodal mobility and connectivity. MDOT has represented that it is in a transit study related to the bridge with Virginia but no public information has been made available. Moreover, any new American Legion Bridge must have a separate bike/pedestrian pathway.

6) The DEIS fails to sufficiently address how degradation to waterways and wetlands will be mitigated. The Agencies plan to rely on water quality trading credits, purchased from other MDOT State Highway Administration (SHA) programs, to meet permitting requirements instead of actually reducing water pollution where the project is located. The DEIS fails to analyze how the purchase of water quality trading credits will impact local waterways and evidence shows

that such trading programs may, in fact, degrade them. Importantly, onsite and localized mitigation must be considered when addressing impacts to waterways in parklands. It also fails to demonstrate that there is not an alternative that will have less of an impact on wetlands, etc.

7) The DEIS does not appropriately analyze the effect that increased capacity will have on long-term traffic demand on I-495 and I-270 and connected arterial roads. The Travel Model assumes that highway construction has no effect on land use, and thus underestimates the new trips that the project will generate. Additionally, while the DEIS admits that the project has the potential to induce increased traffic along arterial roads leading to I-495 and I-270, there is no analysis of the strain this potential increase may place on those roads, particularly when access to toll lanes is not available on some of the most heavily travelled destinations.

8) Similarly, just as the alternatives will likely increase traffic on some arterials, the DEIS ignores that its own estimates (Table 5-6 in DEIS Appendix C) show the managed lanes would cause increased travel times on I-270's general lanes during the PM peak travel time. There are five needs stated in the DEIS' Purpose and Need section and none of them are "increase traffic."

9) The Agencies must consider whether the project's adverse effects are disproportionately borne by communities where most of the residents are minority or low-income, or Environmental Justice ("EJ") communities. This requires a DEIS to compare the effects on EJ communities with non-EJ communities. Here, however, the DEIS includes no such comparison. Instead, the DEIS simply describes the 36 EJ communities in the study area and the potential impacts to those communities. This precludes the Agencies from considering measures to

mitigate any potential disproportionate effects to the 36 EJ communities in the DEIS study area. Additionally, the DEIS makes only conclusory statements claiming that the managed lanes will benefit EJ communities, despite the expected high toll prices and environmental impacts to their communities.

10) While not tied directly to the DEIS, it is important to note that when the pre-determined alternative is announced, MDOT intends to pursue a so-called “progressive P3” to execute the project. Under a progressive P3, MDOT enters into an agreement with the private sector before it knows the project details. The state will be stuck with a private sector consortium regardless of what design challenges, increased costs, or changes to traffic patterns may affect the project’s viability. A progressive P3 has never been tried on this scale and should not be risked now. We have many other concerns, but these Top Ten are reason enough to reject Governor Hogan’s privatized toll lane road-widening project. Instead, the state should prioritize and consider other more realistic and immediate solutions to traffic and congestion issues that affect the quality of life of our constituents.

Thank you,

Senate: Joanne Benson (D-Prince George's County), Arthur Ellis (D-Charles County), Clarence Lam (D-Baltimore/Howard), Susan Lee (D-Montgomery), Jeff Waldstreicher (D-Montgomery), William C. Smith (D-Montgomery), Charles E. Sydnor III (Baltimore County), Mary Washington (D-Baltimore), Ronald Young (D-Frederick)

House:

Gabriel Acevero (D-Montgomery), Sandy Bartlett (D-Anne Arundel), Heather Bagnall (D-Anne Arundel), Ben Barnes (D-Prince Georges/Anne Arundel), Darryl

Barnes (D-Prince Georges), Erek Barron (D-Prince Georges), J. Sandy Bartlett (Anne Arundel), Lisa Belcastro (D-Baltimore County), Regina Boyce (D-Baltimore), Tony Bridges (D-Baltimore), Benjamin Brooks (D-Baltimore County), John Cardin (D-Baltimore County), Al Carr (D-Montgomery), Julie Palakovich Carr (D-Montgomery), Lorig Charkoudian (D-Montgomery), Charlotte Crutchfield (D-Montgomery), Bonnie Cullison (D-Montgomery), Eric Ebersole (D-Baltimore/Howard Counties), Wanika Fisher (D-Prince Georges), Andrea Harrison (D-Prince Georges), Anne Healey (D-Prince Georges), Julian Ivey (Prince Georges), Michael Jackson (D-Prince Georges), Steve Johnson (D-Hartford), Dana Jones (Anne Arundel), Ariana Kelly (D-Montgomery), Kenneth Kerr (D-Frederick), Marc Korman (D-Montgomery), Mary Lehman (D-Prince Georges/Anne Arundel), Jazz Lewis (D-Prince Georges), Robbyn Lewis (D-Baltimore), Brooke Lierman (D-Baltimore), Mary Ann Lisanti (D-Harford), Lesley Lopez (D-Montgomery), Sara Love (D-Montgomery), Eric Luedtke (D-Montgomery), David Moon (D-Montgomery), Edith Patterson (D-Charles), Joseline Peña-Melnyk (D-Prince Georges/Anne Arundel), Susie Proctor (D-Charles/Prince Georges), Kiril Reznik (D-Montgomery), Mike Rogers (Anne Arundel), Samuel Rosenberg (Baltimore), Sheila Ruth (D-Baltimore County), Emily Shetty (D-Montgomery), Jared Solomon (D-Montgomery), Dana Stein (D-11), Vaughn Stewart (D-Montgomery), Jen Terrasa (D-Howard), Kris Valderrama (D-Prince Georges), Geraldine Valentino-Smith (D-Prince Georges), Jay Walker (D-Prince Georges), Alonzo Washington (D-Prince Georges), Courtney Watson (D-Howard), Jheanelle Wilkins (D-Montgomery), Nicole Williams (D-Prince Georges), Karen Lewis Young (D-Frederick), Pat Young (D-Baltimore County).

Tom Hucker, Montgomery County Council Vice President
I-495/I-270 Managed Lane Study Draft Environmental Impact Statement
August 25, 2020
Transcript

Thank you all. I'm Montgomery County Council Vice President, Tom Hucker. I chair our transportation and environment committee, and I'm testifying today for our Transportation & Environment Committee on the managed lanes study draft environmental impact statement.

Ultimately the council and County executive intend to develop a single detailed set of recommendations for the County preferred alternatives and to transmit that to Governor Hogan and (MDOT) Secretary Slater.

Today's testimony will concentrate on what our community sees as shortcomings in the DEIS and the process of its review.

The first shortcoming is the insufficient time allowed for the public and our professional staff to review the DEIS and to help the council and the executive develop a County preferred alternative. Ninety days is not nearly enough to fully grasp the information contained in the report and all of its 19,000 associated documents [pages].

We agree with the executive's proposal to extend this deadline by at least 30 days, especially with the revelation that not all the information was included in the DEIS that was released on July 10th.

Our review is further hampered since the state highway administrative staff won't be sending us transcripts of its public hearings until after the October 8th deadline. And that SHA [State Highway Administration] will not send us copies of testimony and correspondence, including attachments submitted to it.

We also wholeheartedly agree with our County planning board that SHA has given short shrift to the Intercounty Connector diversion alternative, and the cost and the negative impacts of this alternative have been overstated by assuming that the toll lanes need to be added between the ICC and the Capital Beltway. Blithely refusing to study alternatives put forward in good faith by the elected leadership and the top professional transportation planners who work for the very residents whose lives will be greatly disrupted by this project is the most cynical type of government decision-making.

We also agree with the board that the limits of disturbance of the alternatives will be much broader than is characterized in the DEIS because the environmental impacts occurring outside these limits have not been identified and because the inventory of impacts on cultural and historic resources is incomplete.

The storm water management approach in the DEIS discounts the years that existing state highways have degraded the land. SHA anticipates that one quarter of the existing highway surface will be rebuilt. So under current rules it will treat only one eighth of the existing roadway. As the planning board has noted, this is wholly inadequate as the runoff from the existing highways causes continued damage to downstream waterways and infrastructure.

At a time when social equity concerns have risen to the forefront, in this regard, the DEIS is particularly tone deaf. I'm dismayed at the conclusion that every person will benefit from this project. We know that, by definition, managed lanes benefit those with the ability to pay. And it's well established that privately run managed lanes have a perverse incentives to maintain congestion in public lanes.

Imagine if we allowed WSSC to provide really clean and safe water for those who could pay for it and mostly clean water for the rest of us. That would not be seen as equitable, which is why we don't allow it.

So let us be clear to MDOT. One of the most important priorities for our County Council is striving to achieve equity. And our colleagues in Prince George's and Frederick feel the same way. Yet this project through the heart of our counties flies in the face of that goal.

Last, I'm very concerned about the financial implications of this project. At the unprecedented failures of the Purple Line P3 [public private partnership], MDOT is rushing forward with a new P3 larger in scope and in impact. At this point it is professional malpractice not to include estimates for extended litigation and for cost overruns from design changes, land acquisition, and construction delays.

If MDOT wants to avoid some of those costs, then it should make the record of decision for the DEIS concurrent with the phasing. If the agency doesn't do this, it's going to jeopardize the entire project.

We've argued since the beginning that says that MDOT should focus on the parts of the project where there is broad based consensus for, such as revamping the American Legion bridge, and only then try to tackle other phases later.

Unfortunately, it seems like we're continuing on the same path regarding taxpayer liability for this project also. We already know thanks not to MDOT staff, but to a whistleblower, that the cost of utility relocation for WSSC pipes alone could cost rate payers over \$1 billion dollars.

Finally, it is extremely foolish not to reconsider this project to reflect the fact that congestion and vehicle miles traveled have dropped significantly due to COVID and are expected to stay that way.

A new independent, unbiased study conducted for the Northern Virginia Transportation Authority predicts far lower vehicles miles traveled across the region in 2025 than would have otherwise occurred. The comprehensive analysis considers current economic data and projections, traffic information, and a survey of over a thousand people asking them about their travel habits and expectations. The study predicts that Northern Virginians will spend 31% less time traveling at all in 2025 than they would without COVID.

We will continue to work collaboratively with you to develop a preferred alternative that will meet all of these concerns. Thank you.

Bridget Donnell Newton
Mayor of the City of Rockville
Testimony Regarding The State's Managed Lanes Proposal
Saturday 12 September

Good Afternoon and Welcome to our City.

I am Bridget Donnell Newton, Mayor of the City of Rockville - and I am speaking today on behalf of our entire Council and our community of over 70,000 people. Thank you for the opportunity to once again – firmly and without equivocation – state our position on the proposed I-495 and I-270 Managed Lanes Project.

The city of Rockville unanimously supports the only rational alternative in compliance with the National Environmental Policy Act- The No Build Alternative.

The DEIS neglects the impact of the pandemic altogether and is fundamentally flawed as the Travel Demand Model uses traffic counts that were performed prior to the March COVID shutdown across our Country – and – without evidence - assumes that traffic volumes will resume to pre-COVID levels and then increase.

A recent study performed by AECOM – a widely respected transportation consultant for NVT A predicts far lower vehicle miles traveled across the DMV in 2025: VMT (Vehicle Miles Traveled) post pandemic could see a 40% decrease. In fact – as the entire world has changed – less congestion seems to be in our future! Six months into this pandemic – Governments, businesses and non-profits are teleworking - and many in our region say that they will continue to work

remotely or with staggered schedules. Elementary, Middle and High Schools are taking classes online.

Developers and office building owners are regrouping and reimagining their projects. Businesses are letting office leases expire and planning for either downsized or no permanent office space. Companies are cancelling leases on parking garage spaces. The use of technology to conduct business has proven not only to be efficient – it's also more cost effective.

At a projected cost of over \$11 Billion – the numbers just don't work. The current congestion on I-270 begins North of Gaithersburg – where six lanes reduce to two going towards Frederick and equally – the crush immediately lessens coming South when two lanes magically become six.

As we've seen in Northern Virginia, Texas, Indiana and Illinois – P3's are not a panacea – they frequently end up costing taxpayers millions of dollars. Add to this the recent surprise findings that the replacement of WSSC lines could cost an additional \$2 Billion? What other costs will suddenly come to light?
Replacement of the three City of Rockville bridges that span I-270?

And most critically now – what is the financial impact of COVID and the loss of jobs? We have yet to see the full impact of this trifecta – the public health, economic and racial crises gripping our Country.

Let's move to the EIS – Environmental Impact Study. The EIS is supposed to convey not only the environmental impacts – but also any benefits of the proposed project so that they can be weighed equally. Any assumption which significantly

overstates the benefits of a project - in this case a purported reduction in traffic congestion – and doesn't address the negative impacts to the environment is fundamentally suspect.

We are witnessing the daily impacts of Climate Change throughout our Country! This proposed project will add a devastating loss of parks, adverse impacts to the Chesapeake watershed, wetlands and tree canopy – and we mustn't forget the air and noise pollution that comes with increased speed and traffic. Hasn't it been nice not to have Code Red ozone days this summer?

On behalf of the Council and our community – I appreciate the commitment of Director Choplin in her letter of July 15, 2020 that “no homes, businesses, or community facilities will need to be relocated within Rockville.” Additionally she writes: “Furthermore, the MDOT SHA is committed to avoiding and minimizing any property needed and impacts to environmental features such as greenspace and mitigating for noise where possible.”

With all due respect – what exactly does this mean? What does “where possible” mean when you are talking about someone's home? Play space for children and enjoyment of a conversation in your OWN back yard? A track and field space for students at Julius West Middle School? A peaceful night's sleep for residents of The Rockville Nursing Home?

What does “mitigating for noise where possible mean” when residents of Rockville's West End neighborhood have been STRIVING for over 20 years to get a sound wall built after the widening of 1-270 25 years ago made being outside untenable?

On a personal note if I may – I appreciate your reference to the NCR (National Capital Region) Transportation Planning Board's (TPB) Visualize 2045. However, as the 2018 Chair of the TPB, I think you minimize the strength of our commitment to ALL of our goals.

TPB's desire for congestion relief is equal to our demands for environmental justice, social justice and racial justice. Protecting our environment, access to affordable housing, good paying jobs, quality education will come when we put the focus on access to all modes of transportation – walkability, bikeability and affordable transit options. Access For All is the linchpin to realizing each of our goals.

I'm sure you are familiar with the words in Joni Mitchell's song – “they paved paradise and put up a parking lot”. Well – the TPB is actively working to stop the spread of development and concentrate housing and jobs in “Activity Centers” – which means less macadam. Period.

I am here to tell you again – as the 9th Most Livable City In America - the City of Rockville is equally committed to protecting and supporting our residents, our environment and our quality of life.

Let's ensure that MDOT/SHA leads the way on the values that all Marylanders hold dear . Make the fiscally, environmentally and socially responsible decision. The No-Build alternative is the only truthful and defensible alternative in compliance with the National Environmental Policy Act.

Thank you for your time.

Eyal Li Testimony on behalf of the Union of Concerned Scientists

August 18th, 2020 I-495/I-270 P3 MDOT hearing

(An expanded written comment with citations will be submitted separately.)

Good afternoon, My name is Eyal Li. My address *** in Takoma Park, MD.

I'm an environmental engineer and an advocate for clean transportation policy with the Union of Concerned Scientists abbreviated UCS. On behalf of our 24,000 supporters in Maryland, and our network of more than 26,000 scientists, engineers, and public health professionals nationwide, UCS strongly opposes the proposed addition of lanes to I-495 and I-270 and supports a no-build option. We urge the MDOT SHA to evaluate additional alternatives for detailed study that provide equitable and sustainable mobility options for Maryland residents including public transit, transportation demand management on existing roadways, and transit-oriented land use that weren't considered in depth in the DEIS.

As detailed in the DEIS, the proposed added lanes would increase vehicle miles travelled, leading to higher global warming emissions and traffic related air pollution. UCS is particularly concerned about the project's disproportionate health impacts on marginalized communities near the highways. The race and ethnicity characteristics of the Analysis area reveal that Latino, Asian-American, and African Americans are overrepresented by 50%, 49%, and 9%, respectively while white residents are underrepresented by 37% compared to their population statewide. In 2019, UCS released a study¹ showing African American and Latino Marylanders are exposed to levels of traffic related air pollution that are 12 and 11

¹ <https://blog.ucsusa.org/cecilia-moura/air-pollution-from-vehicles-maryland>

percent higher than the average while white Marylanders breathe air that is 8% cleaner than the average Maryland resident.

Chronic exposure to particulate matter pollution from vehicles causes increased death rates² attributed to cardiovascular disease and respiratory ailments including COVID-19, among other conditions. Given the systematic oppression of marginalized groups throughout history, we call on the MDOT to shoulder a greater burden of proof that its actions are not harmful to the health and wellbeing of minority populations, low-income populations, and/or indigenous peoples.

Furthermore, the DEIS fails to consider the impacts of increased road capacity on land use and on long term traffic demand. It is misleading to claim the proposed new managed lanes would reduce congestion when the overwhelming research on roadway expansions has concluded that they fail to alleviate congestion and actually increase VMT in the long term³. The lack of quantification of the effects of induced travel demand calls into question the accuracy of the environmental impact statement as a whole.

We can improve mobility and access to opportunity for Maryland residents, and the way to do so is NOT adding lanes to I-495 and I-270. Thank you for your consideration. Eyal Li, eli@ucsusa.org Takoma Park, MD 20912

² <https://www.lung.org/clean-air/outdoors/what-makes-air-unhealthy/particle-pollution>

³ [https://ncst.ucdavis.edu/research-product/increasing-highway-capacity-unlikely-relieve-traffic-congestion#:~:text=Increasing%20Highway%20Capacity%20Unlikely%20to%20Relieve%20Traffic%20Congestion,-Breadcrumb&text=Reducing%20traffic%20congestion%20is%20often,greenhouse%20gas%20\(GHG\)%20emissions.](https://ncst.ucdavis.edu/research-product/increasing-highway-capacity-unlikely-relieve-traffic-congestion#:~:text=Increasing%20Highway%20Capacity%20Unlikely%20to%20Relieve%20Traffic%20Congestion,-Breadcrumb&text=Reducing%20traffic%20congestion%20is%20often,greenhouse%20gas%20(GHG)%20emissions.)

Ron Bialek, Public Health Expert, Chevy Chase, MD
I-495/I-270 DEIS Testimony –
September 3, 2020 - hearing at 5pm - phone testimony

Good evening. My name is Ron Bialek. My house abuts the Beltway in Chevy Chase, MD. I am a public health professional with more than 35 years of experience, including 10 years on the faculty of the Johns Hopkins School of Public Health, and 25 years as CEO of the Public Health Foundation, where we have helped more than 500 organizations around the country in their efforts to achieve healthier communities.

I support the no-build option.

Moving forward with **any** of the alternatives retained and evaluated in the DEIS will impact my health, my families health, and the health of individuals and communities in and around the study area, and areas not studied, such roads to and from the Beltway and 270.

By law, and reinforced by the CDC, an EIS must consider human health. Simply stating in the DEIS, (quote) "human health has been considered" (end quote) with no backup facts, data, or data sources being provided **does not meet the legal requirement for considering human health.** The study **must** be redone using facts and data; respected, valid, and reliable data sources; and modeling of impacts on human health. I know what it means to consider human health in a study, and how agencies can skirt the issue when they don't want damaging information exposed. This study is either negligent in not adequately considering human health, or a decision was made to hide the facts.

One of the most grievous examples of how human health was not adequately considered is found in Chapter 4 and Appendix E -- both addressing environmental justice and the impact on minority communities.

The study notes that there are 199 block groups within the Environmental Justice Analysis Area, and 107 have minority populations equal to or above 50 percent.

Unfortunately, the **health impacts** on minority communities have been excluded from the study.

Chapter 4 and Appendix E state that excessive emissions may be reduced. Even in the unlikely event this is true, those emissions will be closer to where people live and play, with many fewer trees to filter the pollutants. And what about emissions increases on the roads to and from the Beltway and 270?

In Chapter 4-61, the following statement is made, "Information is currently incomplete or unavailable to credibly predict the study-specific health impacts." This is an inaccurate statement. Valid and reliable data exist, and the science exists to model and predict health impacts. Unfortunately, none of these are addressed in the study. And, looking at the study team of over 70 individuals, I was unable to find a single individual with an MPH, or a degree in epidemiology, with the expertise to analyze the health data and model human health impacts.

The absence of facts, data, and data sources about the impacts on human health, and no evidence that sound public health science has been used in developing the DEIS, **is unacceptable**. In the event that any of the build alternatives continue to be considered, this DEIS **MUST** be redone. Thank you.

Elliot Levine
Retired Environmental Engineer, Rockville, MD
495/270 Expansion DEIS Hearing
August 20, 2020

I am Elliott Levine *** in Rockville. I have had a career in air pollution and renewable energy and hold a graduate degree in Envr. Sci & Eng.

My review of the DEIS shows that in many cases the analysis is weak, misleading and absent of use of the latest data and models which if misapplied can lead to incorrect conclusions and the expansion of a highway with improperly asserted conclusions. For this reason, I believe that the NO BUILD alternative is the only acceptable option.

I live about a 3 minute walk to the forest barrier that separates our home from I-270 and in pre-Covid times, the noise from the vehicle traffic is incessant and becomes unrelenting in winter when the trees drop their leaves. The build alternatives would increase this noise.

PURPOSE AND NEED: The problem that this highway expansion tries to solve is single-occupant cars commuting to and from home to downtown during rush hour. The off-peak hours have a manageable amount of traffic and traffic flows mostly without congestion. This Covid-19 pandemic is a game changer. there is no certainty if or whether office life and associated traffic will ever return to pre-pandemic levels and so the VMT's predicted are uncertain. If the studies are correct that show that a reduction of 12% of the traffic, would result in congestion being minimized to a degree that there would be no need for highway expansion. Therefore--don't build until there is greater understanding of post Covid-19 traffic.

Similarly, The DEIS fails to explore reasonable congestion-reducing alternatives including the potential for transportation demand measures, forthcoming synchronous vehicles/buses and the monorail concept that are far less impactful than all of the build alternatives and should be required to be considered for this DEIS to be accurate.

MISCHARACTERIZATONS OF POTENTIAL IMPACTS:

Appendix C, P123, Tables 5-5 and 5-6 show that there are quite a few situations where imposition of managed lanes will result in greater congestion for those driving in the general purpose lanes in 4 of the 10 scenarios articulated. The DEIS summary results only mentions this in passing. This implication means that the speed gained in the toll lanes are compensated by slower drive times in the free lanes—hence the moniker for this expansion –LEXUS LANES!

(Supporting material not detailed)

--During the AM Peak travel times From MD5 to I495 inner loop from GW Pkwy to MD5 will INCREASE from 44 minutes to between 56 and 68 minutes.

-- During the AM Peak travel times from MD5 →GW Pkwy will INCREASE from 65 minutes to between 63 and 101 minutes.

--During the PM peak general Lane travel time on I270 going Southbound from I370→I495, will increase from an 11-minute trip to between 12-40 minutes.

GHG EMISSIONS AND COMPLIANCE WITH MARYLAND GHG LAW: The GHG analysis Is weak, incomplete and outdated and is over reliant to year 2025 data rather than 2040 when the roads become clogged again. Their essential

conclusion (P4-62) is that despite increased VTM's, that the increased speeds will result in reduced emissions—and will further improve due to improved fuel quality and fleet turnover (P4-61). They mention in passing (p4-62) that “It should be noted that the Safer Affordable Fuel- Efficient (SAFE) Vehicles Rule, finalized on March 30, 2020 may affect the EIA estimates. This new rule would require less stringent CAFE and CO2 emissions standards through 2026 compared to the standards implemented in 2012 which it replaces. YET THE DEIS DOES NOT ANALYZE THE IMPACTS OF THIS NEW RULE!

Further and more importantly, the DEIS fails to examine compliance and the implications to the Maryland GHG emissions reduction law—which requires a 40% reduction of GHG emissions by 2030. If GHG emissions increase as expected, then there will be less room for GHG emissions from other sources, such as new industry which might be prohibited from operating as the highway has gobbled up too much of the GHG allotment!

INDUCED DEMAND: (App C, P144): The DEIS dismisses induced demand as only contributing a nominal addition to VMT. They claim that this will represent <1% of total VMT's. The analysis fails to consider the impact of those who see an open road and abandon the METRO to head to work by car! The DEIS also needs clarify whether the new trips acknowledged include car-poolers that no longer have a sufficient incentive to continue car pooling. These must be factored into the analysis to achieve an accurate VMT count.

The DEIS insufficiently accounts for the VMT and GHG impacts on arteries leading to the highways that are acknowledged to occur.

FOREST CANOPY, BIRD AND WILDLIFE HABITAT (p 4-100): 1500 acres of Forest and tree cover will be removed! The DEIS doesn't state where the replacement trees will be located. Replacing a continuous forest with scattered trees will NOT mitigate the damage to bird and wildlife habitat! The DEIS acknowledges that thinning of the forest WILL increase auto collisions with deer and needs an improved mitigation plan to minimize—and factor in the cost of these collisions into the highway expansion cost estimates.

Their other (non) mitigation plan is to buy credits at a forest bank or pay the MDNR Reforestation Fund \$4536/acre instead of replanting. This \$6.8 million hardly covers the full societal impact of this forest habitat destruction!

NOISE (p4-65): Areas around Montrose Rd are listed as having noise levels at or above 75dBA. The CDC indicates that “noise above 70 dB over a prolonged period of time may start to damage your hearing.” The current sound wall is not sufficiently effective.

August 17, 2020

TO: Lisa D. Choplin, DBIA Director

FROM: Patricia Aufderheide and Stephan Schwartzman

IN RE: No-build on planned I-495/270 expansion

Thank you for the opportunity to comment on the DEIS. We live at *** in Garrett Park, MD 20896. Stephan Schwartzman is a senior scientist with the Environmental Defense Fund. We live next to Rock Creek Park, which is a critical element of our local ecology and our own quality of life, and which will be directly affected.

We support no-build on the planned highway expansion for the following reasons:

- 1) MDOT SHA must evaluate additional alternatives for detailed study including public transit and Transportation Demand Management telecommuting, that have not yet been considered in depth. Key to effective transportation planning is incorporating viable public transit alternatives to relieve congestion on highways and lower the county's carbon footprint and improve air quality. As well, MDOT SHA should respond to the current and probable changes in commuting flow with increased telecommuting, because of the pandemic and the patterns it is now establishing in work.
- 2) MDOT SHA's mitigation measures were vague, insufficient, or altogether missing. In particular, we are concerned about storm water management in this area, which already is poorly controlled. We also do not want WSSC to shoulder any related costs and transfer that cost to water customers in the county. In fact, we still lack any evidence-backed assessment of actual costs to and subsidies from the county for this project, while we know that benefits will accrue to the private party in this partnership. If there is an itemized budget, it has not been shared with the public.

- 3) Research on environmental effects has not been conducted—or if so has not been shared either with other government agencies or the public—appropriate to the demands of the National Environmental Policy Act.
- 4) There is no provision for rail transit on the American Legion bridge. This is a guarantee of failure of public transit. Rail transit planning needs to be built into the planning process.

These are specific issues we have with the process. Overall, we believe that the record of public-private partnerships is abysmal, and that planning to address congestion needs to be undertaken by the whole of government in the region, and in transportation issues considered alone to prioritize public transportation.

Thank you for your attention.

**Brad German, Co-Chair, Citizens Against Beltway Expansion
Statement on Draft DEIS, I-495/I-270 Managed Lane Study**

August 25, 2020

My name is Brad German. I represent Citizens Against Beltway Expansion, a coalition of civic association and citizens who support the no-build option given the other alternatives presented in the latest version of the July 10 draft environmental impact statement.

In addition to today's remarks, we plan to submit written comments.

CABE supports the no-build option for many of the same reasons the state did in 2005 after it reviewed an environmental analysis of one and two-lane expansion proposals for I-495.

In supporting the no-build option, Maryland then cited 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 environmentally and culturally sensitive resources.

The July 2020 DEIS gives no reason to justify the state changing its mind although today's population is larger, the environment is just as threatened, and the parks are still precious.

Unlike the 2005 analysis, the new DEIS fails to detail the impacts. It also lacks a full analysis of such fundamentals as air contamination during and after

construction, hazardous waste disposal, storm water runoff, stream valley damage, and other impacts to public health, communities, and the environment.

We support the no-build option because the DEIS shows that the other alternatives will either make rush hour on I-270 worse for most drivers or shave off two or three minutes for tollway users at a wasteful cost of millions of dollars per minute. This is shown in Tables 5.5 and 5.6 in Appendix C.

Taxpayer cost is critical. One change since 2005 is the track record for public-private partnership has gotten worse. It's now well documented by public and private analysts that P3 tollways struggle to reduce congestion while eliminating taxpayer risk or project uncertainty.

In fact, P3s today no longer attract an average of \$4 of private funds for every public dollar, as they did during the Reagan Administration. For example, taxpayers funded 83 percent of the I-495 express lanes in Virginia via grants, loans or loan guarantees. P3s are no free-lunch.

Finally, the DEIS too often promises to fill in its many omissions in the final statement, when there will be fewer ways for the public to protect its interests.

We therefore urge you to provide the public with an interim DEIS that cures the current ones deficits and includes a proper analysis of transportation system and demand management, light rail, and other alternatives that can meet our needs while better protecting our wallets and homes.

Brian Ditzler on behalf of Maryland Sierra Club
495/270 DEIS for hearing
August 20, 2020

My name is Brian Ditzler. I live ***, in Silver Spring, and am testifying on behalf of Maryland Sierra Club, and its more than 70,000 members and supporters. I will be mentioning only a few of our concerns with the DEIS today; we will be submitting extensive written comments at a later date. We sincerely believe the 495-270 Managed Lanes project would be a financial and environmental disaster for the state and its residents, so we oppose the project and strongly support the “no build” option.

Let me state at the outset that avoidance, minimization and mitigation measures for the environmental impacts mentioned in the DEIS were often vague, insufficient or altogether missing. Until the true monetary and environmental costs of the project are determined, a preferred alternative should not be chosen.

The traffic relief plan’s purpose and need statement specified that the alternatives retained for detailed study must be financially self-sufficient. However, the DEIS acknowledges the project may require state subsidies of up to a billion or more dollars, and WSSC says moving sewer and water infrastructure could cost another two billion dollars. This means the financially self-sufficient requirement on which the project is based is no longer applicable. With that realization, MDOT SHA must evaluate additional alternatives for detailed study including public transit, traffic system management and Transportation Demand Management alternatives, or a combination of them. We believe that latter alternatives would cost less and serve resident’s needs so much better than highway expansion.

MDOT SHA's refusal to provide important information, including historical documents, to the public regarding the proposed project, and asking public interest organizations to pay \$300,000 to conduct document searches is absurd and has hindered the public from making more informed responses regarding the DEIS.

We believe the DEIS needs to fully determine the increased harmful air emissions the highway expansion would cause, and to explain how this project would allow MDOT SHA to meet the requirements of the state's Greenhouse Gas Reduction Act.

The DEIS does not indicate that soil evaluations have occurred at the many locations along the highway corridors where hazardous materials have inevitably spilled or leaked into the ground. MDOT SHA needs to determine the time needed and cost to conduct the soil evaluations and soil removal where necessary, as well as the cost to safely dispose of the hazardous waste, and to incorporate those costs into the overall cost of the project.

The DEIS indicates that stormwater runoff and inevitable degradation of parks, wetlands, waterways and adjacent neighborhoods that would be caused by the expanded highways would NOT be mitigated onsite or nearby. Instead, SHA plans to use mitigation credits it has amassed, so local mitigation would be left to affected municipalities and counties to handle and pay for. This is totally irresponsible and unacceptable.

In summary, this project makes no sense so the no-build option should be chosen.

Ben Ross, Chair, Maryland Transit Opportunities Coalition
Testimony to Public Hearing on Draft Environmental Impact Statement
September 10, 2020

This process is rigged to justify a toll lane contract for the favored bidder Transurban. Both the process and its pre-determined result are fatally flawed.

First, it will not relieve congestion. Traffic on I-270 will get worse. Traffic on the Virginia Beltway will get worse. If, as is very likely, the project never gets past Phase 1, there will be horrendous traffic jams at the 270-Beltway merge at Wisconsin Avenue.

Second, the tolls will be sky-high. The vast majority of drivers will not be able to afford them.

Third, taxpayers will get stuck with the bill. When construction costs were estimated using the State Highway Administration's cost manual, they came out to more than tolls can pay for. So the Maryland Dept. of Transportation threw its cost estimates out the window and made up lower numbers.

In order to hide these fatal flaws from the public, MDOT is keeping the most important results of this study secret. These are -

- The predicted travel times from the Beltway to Frederick.
- The rush-hour tolls.
- The real cost estimates.

How could it be that there was no room for these numbers in 19,000 pages of report?

The only real solution for transportation in the Washington suburbs is expanded transit, starting with all-day train service on the MARC Brunswick Line. MDOT has illegally refused to analyze this alternative.

This study must start over from the beginning. It must fairly evaluate transit alternatives. The public must get to see all the facts. Thank you very much.

Janet Gallant
DontWiden270.org
DEIS Testimony
August 18, 2020

I'm Janet Gallant, testifying on behalf of Dontwiden270.org, with over 1,000 members. We do not support the I-495/I-270 P3 project; we support the no-build option.

This is the 4th public comment period for the P3 project. Per MDOT, the public previously submitted over 3,900 comments. We reviewed the DEIS source documents to see how MDOT handled the comments, and it's **troubling**.

MDOT **under-counted** public comments opposing the P3 project. This matters. Agencies can't make informed decisions without accurate data.

I'll give examples and document them in my written submission.

Here's a specific case of under-counting, from the Alternative Public Workshops Summary. These are MDOT's own words: "Petitions were received from Growing East County (with 1,323 signatures) and Sierra Club, Maryland Chapter (with 627 signatures). Each petition was counted as one comment submission." So 1,950 people who opposed the project were counted as just two.

Here's another case. MDOT gave labels to every public comment, like "supports the project" or "opposes the project" or something more neutral like "commute." MDOT tallied the labels to summarize public input.

But MDOT labeled a comment as "opposing the project" only if the submitter had used exactly the right words. There was **no such rule for comments supporting the project**. (You can view the rule -- in MDOT's own words -- on p. 24 of the ARDS Summary.)

To see how this played out, listen to 3 excerpts from public comments in MDOT's files:

1. “Our opposition will never cease to proposals that benefit only the privileged...”
2. “We should not be spending resources and time on 20th century solutions proven to increase car trips...”
3. “When is a LARGE road too big? When local citizens who would be affected by the road are up in arms against its expansion.”

Not one of these comments was counted as “opposing the project.”

So it’s no surprise that the ARDS summary says that of over 3,800 comments, less than **10**% were opposed to anything.

The public has been reaching out to MDOT since 2018, saying this project is too costly, too destructive, and won’t fix congestion.

If our voices have not been accurately counted, what other MDOT data can’t be trusted?

We’re now in a new comment period. To MDOT: You need to label and count **accurately** the thousands of comments from people telling you – in whatever words they choose – that this P3 project has to stop.

Thank you.



Anne Ambler, President
Comments on the Maryland DOT Managed Lanes Study Draft
Environmental Impact Statement by Neighbors of the Northwest Branch
October 14, 2020

My name is Anne Ambler. I live at *** in Silver Spring, MD 20902. As president of the Neighbors of the Northwest Branch of the Anacostia River, I am authorized to speak on its behalf concerning the Draft Environmental Impact Statement (DEIS) on beltway and I-270 expansion. Neighbors of the NW Branch, with members and supporters in Montgomery and Prince George's counties, is chartered in Maryland and dedicated to the ecological protection and restoration of the Northwest Branch.

We oppose all of the “Build” alternatives. We support the “No-Build” option.

At the very least, a preferred alternative should not be chosen until the true monetary and environmental costs of the entire project are known. In the case of the Northwest Branch and its tributary Sligo Creek, these costs relate not only to deconstruction and construction damage to the Northwest Branch Stream Valley Park, and expansion and staging area damage to Sligo Creek, but continuing damage from the increased polluted runoff from two to four additional lanes of concrete. In addition, our members would be deprived of the enjoyment of the parks, subjected to worse air quality, and stuck with possibly immense monetary costs from relocation of major WSSC assets for a project that would, according to the traffic analysis in DEIS Chapter 3, likely worsen rather than improve mobility in the region for most residents.

At 19,000 pages, the DEIS represents quite a *tour de force*, and yet it fails to provide the information needed to guide such a huge undertaking, while offering abundant evidence that the project **should not proceed**. Given our concern with the restoration of the Northwest Branch, we focus on how the DEIS treats it and

Sligo Creek, with the understanding that their treatment is just one small part of this mistaken proposal, but applicable to all.

Legal Requirements for this DEIS

National Environmental Policy Act (NEPA) Environmental Impact

Statements must describe the affected environment and discuss any resulting direct effects, indirect effects, and cumulative impacts (40 C.F.R. Section 1508(a) and (b), and 40 C.F.R. Section 1508.7). They must then address “**all relevant, reasonable mitigation measures that could improve the project**” and “**use all practicable means...to restore and enhance the quality of the human environment and avoid or minimize any possible adverse [environmental] effects**” (40 C.F.R. Sections 1500.2, 1502.14(f) and 1502.16(h)). In other words, the expected damage must be described and mitigation discussed in enough detail that environmental consequences can be realistically evaluated.

The highway expansion project also must answer to **Section 4(f)** of the **Department of Transportation Act**, which **requires avoidance where possible, minimization of impacts, and then mitigation**, actually limiting use of parks, recreation area, or wildlife refuges; and **Section 106 of the National Historic Preservation Act (NHPA)** which requires agencies to account for and consider a project’s impacts to historic sites and cultural properties.

We believe this Draft Environmental Impact Statement fails to meet NEPA DEIS, 4(f), and NHPA requirements.

Chapter 5 (Table 5-2) recognizes that both the Northwest Branch Stream Valley Park Unit 3 and Sligo Creek Park and Parkway qualify as 4(f) and require individual evaluation. Sligo Creek Parkway also qualifies as a historic property.

Starting with the Northwest Branch: We are frankly horrified at the deconstruction/construction proposals as discussed in Appendix M, Section 3.3.4 and in Appendix F, Section 2.1.23 B. Although the two discussions differ by 40 feet in how high the existing bridge is and do not agree on some other details, one can piece together the following plan:

Bulldozers would gouge switchbacks 50 feet wide nearly 140 feet down almost vertical slopes on both sides of the stream. Trucks and cranes would descend to stream level, break up and lower the bridge span pieces onto trucks and carry them back up the switchbacks. Service roads would be cut through the park on both sides of the valley to connect with the existing roadway. A temporary bridge 140 feet up, 45 feet wide and 105 feet long with deep footings would be constructed over the valley. No bridge at stream level is mentioned. The permanent bridge would have “multi-column piers 120- 130 feet tall...founded beneath the Northwest Branch stream invert” (Appendix M, Section 3.3.4). **Although the report recognizes this as a very difficult construction environment, no mention is made of the sewer trunk line that risks being cut or crushed by these activities.**

Avoidance measures discussed are deconstruction from the surface rather than from the valley, a longer bridge, and off-site staging; or rehabilitation of the existing spans. These are ruled out as very much more expensive (Appendix F, Section 5.1.8B). The required “**minimization**” **consists of limiting the dual switchbacks to the south side of the Beltway**, even though, according to the report, deconstruction and reconstruction would be greatly facilitated by switchbacks on the north side as well. What do you suppose would happen in the final design?

It is not hard to imagine the muddy surges of runoff resulting from these actions, especially as the area experiences increasingly heavy rains from our changing climate, *which incidentally is nowhere mentioned in the report*. Heavy sedimentation will clog the gills of the fish, and post construction, the NWB will be dealing with runoff from an additional four lanes of roadway. Further, because the ROW for the current spans is part owned by MDOT and the rest under an easement, the report says **that damage there does not count as an impact to a 4(f) property. No mitigation is necessary** (Appendix F, Section 2.1.23 A).

The DEIS **does not analyze just *what* impacts are expected specifically here and thus exactly what needs to be mitigated.** It merely says that up to 7 acres, up to 794 linear feet of the main stem, and up to 794 linear feet of tributaries will be **impacted** (Table 3- 4, Appendix M, p. 23). Then the reduced requirement for

mitigation of harm to the Northwest Branch is left to the permitting process and off-site mitigation (Appendix L, Section 2.4.3 C). The water quality trading credits discussed would not help the NWB, and **no Northwest Branch mitigation sites appear on the mitigation site table** (Appendix N, Section 6.2), despite our understanding that **the law requires on-site mitigation for 4(f) properties**.

Sligo Creek Parkway and Sligo Creek

According to the Avoidance and Minimization Report (Appendix M), the Sligo Creek culvert would need neither replacement nor widening to accommodate 4 more lanes (!), so “no targeted avoidance or minimization is possible in this location” (Appendix M, Section 3.3.4). Table 3-10 shows up to 549 linear feet affected. However, contrary to Appendix M, according to the draft Section 4(f) evaluation, **the culvert *would indeed need to be augmented***, and construction and staging use of the park would require up to 4.1 acres. These activities include “tree removal, grading, movement of construction vehicles and materials, and construction and operation of a stormwater management facility” Appendix F, Section 2.2.17, B). Two tee boxes would also need to be moved.

As with the Northwest Branch SVP, some of these activities would occur within the easement MDOT already has, so the damaged area needing mitigation is reduced from 4.1 to just 3.2 acres. Again, there is **no discussion of exactly what impacts would be expected or how they would be mitigated, leaving that to permitting and off site mitigation credits, although the park would apparently be used for some stormwater runoff from the highway by way of the new stormwater pond**.

In addition to requiring more explicit discussion of impacts and mitigation than is offered, NEPA requires this discussion **now, during the NEPA review process, when an alternative lacking such impacts might be chosen instead**. But missing from consideration **is such an alternative**. All the screened alternatives have basically the same impact. Transit considerations were dismissed for cost, and demand management was dismissed because it didn’t “add capacity” (Appendix F, Section 3.3.3). **Contrary to NEPA requirements, the Purpose and Need statement was drawn so narrowly that only additional lanes of concrete with tolls would qualify**.

The extensive maps of the project (e.g., Appendix F, Figure 2-16, Map 13 of 35) show narrow limits of disturbance, minimizing the acknowledged impact to the Northwest Branch and Sligo Creek. It defies reason to expect the affected area to be limited to where the switchbacks are cut or where the access roads and staging areas are placed. What about the runoff from two or four additional lanes of polluting vehicles? The muddy runoff will affect fish viability and pollutant load far downstream. **By making the limits of disturbance so narrow, the DEIS fails to recognize and analyze the real impacts, which reach much farther.**

Considering the entire DEIS, we are very concerned about the plans and calculation method for stormwater management overall. The existing lanes of the beltway were built without adequate stormwater control. The DEIS says that stormwater controls will be provided at 50% for lanes dug out to the underlying dirt. But these will be very few. Yet all will be reconstructed, and all existing lanes need stormwater control. Further reducing the linear stream feet deemed to require mitigation is a deduction overall by the width of existing bridges (Appendix N, Section 4.1).

Admittedly, adequate mitigation anywhere along the beltway is problematic. The report describes *in general* the severe environmental impacts of road construction (e.g., Chapter 4, Section 4.13.3; Appendix L, Section 2.4.3, C) --tree loss, erosion, increases in sediment loads, nutrient pollution, thermal effects, fish mortality, heavy metal and sodium chloride contamination, etc. These pages demonstrate the folly of trying to add more lanes of concrete to the beltway. The DEIS acknowledges in several places that the beltway corridor is a highly developed area with no more room for development or impact remediation (e.g., Chap. 2, Section 2.7.2; Appendix M p. 42; Appendix Q p. 6.) Fifteen years ago, this very fact was a major argument for constructing the Intercounty Connector instead of expanding the beltway, despite the significant environmental and community destruction caused by cutting a new six-lane divided highway through forested land, across 5 stream valleys, and bisecting several communities.

The DEIS in Appendix L describes in detail, based on an outdated 2010 report, the existing condition of the Northwest Branch and Sligo Creek (Appendix L, Section 2.4.2, E & F), and the “current” water quality based on testing from several years

ago (Appendix L, Section 2.4.3, E & F). It lists the Northwest Branch as a Use IV stream, that is, intended to be clean enough to support fish. Sligo Creek is a Use I stream, intended for water contact recreation. Note that Summer-fall 2020 testing by the Anacostia Riverkeeper (obviously not included in the DEIS), partly carried out by NNWB members, indicates that the current bacterial load is too high for safe contact in either stream.

Under the Clean Water Act, the Northwest Branch has been given a Total Maximum Daily Load (TMDL) limit for bacteria as part of the effort to address pollution in the Anacostia River. It is not under that limit.

Given the already poor quality of the streams, the expansion project will all but ensure that the Northwest Branch and Sligo Creek will fail to comply with the Clean Water Act. This degradation will harm the humans, wildlife, and the flora that call these streams home, as they will encounter higher numbers of pollutants. How then will Montgomery and Prince George's counties meet their requirements under the Chesapeake Bay TMDL? Maryland should not be in the business of making it harder for counties to comply with clean water standards.

Conclusion

The DEIS, despite its 19,000 plus pages and extensive maps, does not meet its legal obligations under NEPA, the Transportation Act Section 4(f), and Section 106 of the National Historic Preservation Act with respect to the Northwest Branch and Sligo Creek. It very probably does not meet these obligations throughout the report.

On the other hand, the DEIS demonstrates very clearly that adding tolled lanes of concrete is a "solution" that no longer makes sense. We urge that state planners instead work with the local jurisdictions to analyze current and future mobility needs in light of climate change and COVID-19 adaptations. The full range of options produced by this process will be more worthy of the state of Maryland and will position our state for a prosperous future.



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August 18, 2020

Virtual Public Hearing for 495/270 Testimony topics

Jim Foster, AWS, 4302 Baltimore Ave, Bladensburg, MD

AWS is fully supportive of all the comments from MNCPPC. We wish to highlight and reinforce the most salient points that will have grave impacts on the Anacostia River. Our position is that “you can have your pound of flesh but not a drop of blood” meaning we expect you to meet a high standard for environmental and community protection.

Frankly, water pollution issues in the Anacostia River are directly attributable to designing our communities around automobiles rather than people. This DEIS process is used simply to justify the need to do more in an ever downward spiral of unsustainable practices.

Let’s review what we have learned from damage done by constructing the Beltway to reduce congestion on East West Highway and. Neither roadway was built to any environmental standards. We have been retrofitting for the last 30 years at great expense and with poor outcomes.

Water pollution- The best management practice is to have zero discharge from any alternative and all existing highway retrofit. Not the 50% that drives our rivers and streams crazy.

We strongly request “No net loss of tree canopy or wetlands” in each subwatershed. No out of watershed mitigation like for the Inter County Connector.

Air Pollution mitigation needs to include updated vehicle inspections and emissions requirements for all trucks and passenger vehicles including historic vehicles registered in Maryland.

We need Noise reduction requirements for tires, concrete, exhaust and noise barriers that work.

We recommend well-funded and compliance-driven enforcement of noise, water pollution management structures, vehicle exhaust, and speed.

Alternatives

Can we simply install HOT lanes on existing roadway and monitor for 3 -5 years before committing to this huge expensive project?

Why no alternative to complete a metro ring under beltway to connect each line of the metro all the way around the beltway?? Hyperloop.

Experience with other major upgrades have had mixed results. WW Bridge still backs up as there is no where to go when you get off at Route 1 into Old Town Alexandria.

Park and ride alternatives? Incentives?

In summary this is a huge and costly project with dubious outcomes that are worthy of citizen scrutiny and input.

Thank you.

Jim Foster
President
Anacostia Watershed Society

Testimony of Gary V. Hodge
I-495 and I-270 Managed Lanes Study Joint Public Hearings
September 1, 2020 Largo, Maryland
September 10, 2020, Rockville, Maryland

My name is Gary Hodge, President, Regional Policy Advisors, P. O. Box 148, White Plains, Maryland. I'm a former Charles County Commissioner, Executive Director and Chairman of the Tri-County Council for Southern Maryland. I have been engaged in State and regional transportation projects, programs and policy issues for 50 years, as a planner, an appointed and elected public official, consultant, and citizen activist. Today

I'm speaking as a citizen of Maryland. I oppose the 495-270 managed lanes project, and I support the "no build" option.

On June 5, 2019 I gave testimony to the Maryland Board of Public Works in Annapolis. I said there were three questions that needed to be answered before the State decides to move forward with the project:

First, "Will it work?"

Second, "Is it worth the risk?"

And third, "Is it the best we can do?"

The Governor said these were "good questions." Fifteen months ago, the answer to all three questions was "no." Today the answer is still "no." It won't work, It's not worth the risk. And it's not the best we can do. The 20,000 pages and million words of the Draft EIS haven't changed that—only confirmed it.

This project will result in more traffic congestion, not less, defeating the stated "purpose and need." And in spite of initial assurances, the P3 will need to be subsidized by Maryland taxpayers after all. That's puzzling, since transit alternatives were discarded "because the State has no money." Even if one accepts the optimistic cost estimate of \$9.6 billion, the few minutes saved in commute times are hardly worth the price of the ordeal that lies ahead:

Years of construction; delays, detours and traffic snarls; building new entrance and exit ramps, interchanges, and bridges; and new traffic patterns, followed by high tolls to use the express lanes.

How much longer will the thousands of Marylanders who live in the shadow of this project be dangling on tenterhooks waiting for the sword of Damocles to fall on them, their homes, their neighborhoods, their security, and their daily lives?

The one indisputable fact is that chronic traffic congestion will need to continue indefinitely in the “free lanes” or there’s no incentive for motorists to pay to use the toll lanes. That’s the business model. To make this scheme work, the State’s private sector partner in the P3 will need to harvest vast amounts of toll revenue-- to build, operate and maintain the express lanes for the next fifty years, make a profit, and pay big dividends to their investors. And in these uncertain times they’ll expect the State to minimize their risk with a safety net made of titanium.

Before embarking on a project this massive and costly, touted as “the largest P3 traffic relief project in the world,” the right sequence of steps would be to correctly diagnose the problem; prescribe the best possible solution, considering all the alternatives; and then find the means to pay for it, minimizing risks to the State and its taxpayers. The State should have engaged in a deliberate, thoughtful, collaborative and comprehensive search for solutions. Instead, it took a “ready, fire, aim” approach. Private capital investors decided what kind of solution they were willing to pay for, and the State agreed, pursuing that instead of measures more likely to deliver the needed results.

The federal government is failing to invest in America’s infrastructure. To fill the gap, state leaders are chasing “free money.” Maryland isn’t the only state being seduced by the siren song of P3’s. Unfortunately, in the aftermath of these deals, when the politicians who made them are gone, taxpayer bailouts have become commonplace. The ugly truth is, there’s no such thing as “free money.” One way or another, sooner or later,

Marylanders will pay—either in tolls or taxes.

The list of fatal flaws and risks of the proposed 495-270 P3 is long, and still growing. A list of 18 of the most serious and critical concerns is attached to my testimony.

In the history of bad ideas, this scheme is still just a footnote that would be quickly forgotten. Don't make it a whole chapter, with potentially dire and long-lasting consequences for decades to come. Take a cold, hard look at the critical mass of facts, including your own analysis, disenthral yourselves, and let go.

This new round of hearings on the Draft EIS is merely “bouncing the rubble,” to borrow a phrase from Winston Churchill. After almost three years, the fatal flaws and risks of this project have already been dissected. Its post-mortem is already written. The only thing preventing this dubious scheme from collapsing is the wreckage and debris of unconvincing justifications piled up around it.

This isn't the best we can do. Pouring rivers of concrete to create a magic carpet for rich people is not what we ought to be doing to put Maryland in the vanguard of America's most competitive states. A massive new investment in hundreds of miles of new toll highways is not the path to Maryland's future. This mistake will only perpetuate the unfair and inequitable gap between “haves and have nots” that we should be working to close. What we need now is a multi-modal strategy that will meet the mobility needs of all our people.

We need to put the financing of Maryland's transportation program on a solid and sustainable foundation, in spite of the federal government's failure to play its historically important role. Privatizing our interstate highways and outsourcing our State transportation program to international toll highway profiteers is not the answer. We don't ever want our Secretary of Transportation flying to Australia for his marching orders, or to find out what projects he can put in the State's next six-year capital program.

And we don't want the unintended consequences, collateral damage and financial risks of this 495-270 P3 scheme to be an albatross around the neck of our next Governor, diverting attention and resources from more strategic priorities.

Investments in transportation infrastructure are some of the most consequential the State makes, with far reaching impact on our future economic growth and development. After a promising start with the construction of the Washington metropolitan area's metrorail system, followed by years of neglect, recent decades have seen Maryland become more automobile-dependent than ever. The full potential of MARC, the Purple Line, and the Southern Maryland Rapid Transit (SMRT) project has not yet been realized. A successful mobility strategy for the 21st century calls for new investment in a seamless rapid rail transit network connecting communities and jobs that's fast, safe and accessible.

Let's clear the decks for action and build the modern transportation system our people need and deserve, not make more highways the default setting for our capital infrastructure investments. Let's restore Maryland's tradition of collaboration and consultation between the State, the counties, and affected local governments as mutually respected partners.

If this misguided 495-270 P3 project moves forward, in years to come it will be of little consolation knowing we were right to oppose it, when we consider how much progress we could have made on a bold new vision for Maryland's future.

Gary V. Hodge, President, Regional Policy Advisors, P. O. Box 148, White Plains, Maryland, 20695, 301-873-3150, GaryVHodge@aol.com

Rev. Abhi Janamanchi,
Cedar Lane Unitarian Universalist Church Ministers and Environmental Justice
Ministry Support the No Build Alternative
October 15, 2020

*(Sent to: Montgomery County Council, Governor Larry Hogan,
Comptroller Peter Franchot, State Treasurer Nancy Kopp, Maryland
State Highway Administration, Federal Highway Administration)*

The Cedar Lane Unitarian Universalist Church in Bethesda is located right next to the Beltway and would be very adversely affected if the Beltway was widened. We support the No Build Alternative.

Cedar Lane is a religious community that holds respect for the interdependent web of all existence of which we are a part as one of its main principles. The natural habitats and walking trails of Rock Creek Park are part of Cedar Lane's appreciation of spirituality in nature. The creek, the estuaries and wildlife adjoining Beach Drive and our church grounds are a community gathering place. The effect on Cedar Lane because of its bucolic setting may greatly impact its membership and growth.

Construction on the beltway widening would remove the natural habitat surrounding Rock Creek and would result in stream degradation. The Draft Environmental Impact Statement states this removal of natural habitat would be mitigated but, because it would take place in an area far removed from this affected part of Rock Creek, is not a true mitigation as it can never replace the existing forest, wildlife and plant life. The DEIS would give "water quality credits" for mitigation purposes which would amount to buying rights and easements in other wetlands far from the affected area.

Healthy rivers and streams require a natural buffer from human development due to erosion and pollution runoff. The 52-63 acres of impervious surface water runoff in Rock Creek watershed would put forests at risk throughout the affected 10 mile segment. Storm water management would be increasingly strained on already insufficient piping, and the relocation of 27 miles of required WSSC water and sewer lines would cost approximately 1 billion dollars, an item not addressed in the DEIS economic impact.

Since the Maryland Department of Transportation and the Federal Highway Administration have changed the configuration of the affected Rock Creek Park area to be closer to the Cedar Lane congregation, the noise level would be even higher than originally proposed. It is difficult to see in the DEIS how high the noise level would be. The loss of tree canopy would add to the increase in noise. Even now, the congregation members, who take pride in taking care of Rock Creek Park twice a year, have great difficulty hearing when there are outdoor events, such as our cleanups of Rock Creek Park, nature walks and spirituality retreats. The existing vegetation and forested areas would never be the same, particularly with the hugely increased noise levels affecting all the wildlife, birds and stream beds and natural habitats in the park. The CDC says noise levels above 70dB may damage a person's hearing but in the DEIS there is no definition of how high the noise would be in the affected Rock Creek area.

It is fortunate that the Maryland National Parks and Planning Commission (M-NCPPC) at least partially owns both Rock Creek and Sligo Creek Park under the Capper-Cramton Act. This would prohibit the use, unless agreed to

by the M-NCPPC, by the FHA, the MD DOT & the SHA for construction and expansion purposes on the Rock Creek parkland according to sources at the M-NCPPC. The acceleration of this environmentally detrimental project has made it imperative that we ensure that this historic law continues to protect our parklands.

The total impact on about 80 acres, which this proposed project is attempting to buy, use or usurp by eminent domain is shocking. Included are:

- 47 different parks (6 national & 41 local/ regional)
 - 130 acres of parkland
 - 1500 acres of tree canopy
 - 130 miles of streambeds
 - 410 acres of sensitive & unique Areas
 - 16 acres on the C&O Canal (under construction for 5 Years)
 - One third of Plumbers Island
- Road widening loss of tree canopy on:
 - 69.3 acres on BWPkway
 - 1.8 acres on Clara Barton Pkway
 - 12.2 acres on GW Pkway
 - 10 mile segment of Rock Creek Park
- 52-63 acres of impervious surface runoff in Rock Creek Watershed
- Historic properties

The proposed project conflicts with the other Unitarian Universalist principles that affirm and promote justice, equity, and compassion in human relations and the inherent worth and dignity of every person. The marginalized communities living near the project widening areas who are massively impacted by the air pollution and adverse effects from the current auto carbon/methane emissions they breathe are greatly overlooked in the DEIS. The greenhouse gas emissions with harmful particulates in the air will increase during and after construction of the Beltway. In addition, as a further inquiry, these communities cannot afford either the managed (toll) lanes or the time loss in the intentionally slower (general) lanes in the proposed widened Beltway. The choices for these lower income communities to have transportation to work are very few and may result in more job losses and greater inequities as a result of this project. Overall, this project would have a disproportionate negative effect on these communities.

The DEIS fails to satisfy the stated purpose (to improve traffic) and needs (to protect the environment) that it was instructed to do. Key among these issues are that the DEIS:

- 1st, fails to conduct and display the required "hard look" at the potential for adverse health effects and environmental impacts including environmental justice, especially in light of recently curtailed national air pollution, fuel efficiency, and other rules, which thus violates rules allowing the public to understand and comment and allowing relevant agencies to completely consider impacts and mitigations,

- 2nd, uses an overly narrow set of options, which are simply variations on a theme of highway expansion and tolls, with no meaningful variety and especially any local-serving transit and related options, which thus violates EIS rules regarding the need for a reasonable range of alternatives, as clearly described in cases such as *NRDC v. Morton*, 1972,
- 3rd, fails to address the pandemic's effects, per 40 CFR 1502.9(c)(1), which states that agencies shall prepare supplements if there are significant new circumstances or information; this is a monumental omission that demands a full stop to the process until adequate supplements are developed and given proper public review,
- 4th, will not pay for itself as claimed, but rather will cost the state billions, especially given the pandemic's long-term effects, and yet no itemized budget has ever been shared, which is yet another violation of the rules, and
- 5th, perhaps the most significant issue of all, lacks any consideration of county, state, or international climate crisis plans, without even one mention of climate effects in the DEIS, and with flawed and laughable assumptions such as little or no increase in vehicle miles traveled (VMT); to be clear, this failure ignores the very real and existential impact on our sheer existence and that of every other species, which would be-and this is no exaggeration-a crime against humanity and nature.

The project would completely conflict with the Maryland Greenhouse Gas Reduction Act of 40% reduction by 2030. The list of negative environmental impacts includes the degradation of waterways and wetlands. The Limits of

Disturbance (LOO) are not thoughtfully examined in all their social, economic and cultural elements. The five year construction period is barely mentioned, yet it would have huge implications for human well being, health and work issues. It would be foolhardy to have the Limits of Disturbance examined only after the final design and engineering by a private contractor.

Finally, beyond the local and county concerns for parkland is the climate havoc this widening proposal would have on our personal health and lack of clean air in Montgomery and Prince George's Counties. More lanes of traffic would bring more cars and more carbon emissions and less reliance on alternative modes of travel that have much better and lower carbon output. Why are alternatives such as increased mass transit, rapid rail, rapid bus lanes and many other options not being seriously considered? Why can we not learn from other areas that have tried more lanes and found the disappointing effects of sometimes bankrupt private partnerships, high tolls and even more congestion in single driver cars. This Beltway Expansion proposal is a threat to our health and would adversely impact our climate. We must take action to prevent this.

We the Ministers and the Environmental Justice Ministry Team of Cedar Lane Unitarian Universalist Church support the No Build Alternative.

Sincerely,

Rev. Abhi Janamanchi

Senior Minister

MONTGOMERY COUNTY FAITH ALLIANCE FOR CLIMATE SOLUTIONS SUPPORTS THE NO BUILD ALTERNATIVE

The Montgomery County Faith Alliance for Climate Solutions (MC-FACS) supports the No Build Alternative for the Beltway Expansion project. MC-FACS is a volunteer organization comprising over 52 diverse congregations and groups in Montgomery County that unites people of all faiths to help solve the climate emergency that is threatening our earth.

MC-FACS objects to the proposed Expansion of I-495 and I-270 as the project conflicts with the justice, equity and compassion principles that confirm the inherent worth and dignity of every person. The marginalized communities living near the project widening would be massively impacted by air pollution from the carbon emissions, disruption of community bonds, loss of homes and community centers. Such impacts were overlooked in the Draft Environmental Impact Statement (DEIS). According to the DEIS, 109 places of worship are located within the economic justice analysis, most of which are low income. (Appendix E Table 3-10) The harmful particulates in the greenhouse gas emissions would increase during and after construction of the Beltway, endangering public health. Low income communities cannot afford to use either the managed (toll) lanes or the time lost in the intentionally slower (general) lanes in the proposed widened Beltway. These inequities are heightened by the lack of adequate bus and transit transportation. An example of the removal of graves in the

historic Moses Morningstar Cemetery because of the Beltway expansion would be the second huge impact on this low income community which was split in the early 1960's by the original Capital Beltway with the cemetery on one side and the community church on the other.

The Beltway Expansion would completely conflict with the Maryland Greenhouse Gas Reduction Act of 40% reduction by 2030. The list of negative environmental impacts includes the degradation of waterways and wetlands. The Limits of Disturbance (LOD) were not thoughtfully examined in all their social, economic and cultural elements. The five year construction period was barely mentioned, yet it would have huge implications for human well being, health and work issues. It would be foolhardy to have the Limits of Disturbance examined only after the final design and engineering by a private contractor.

The DEIS fails to satisfy the stated purpose (to improve traffic) and needs (to protect the environment) that it was instructed to do. Key among these issues are that the DEIS:

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- 2nd, uses an overly narrow set of options, which are simply variations on a theme of highway expansion and tolls, with no meaningful variety and especially any local-serving transit and related options, which thus violates EIS rules regarding the need for a reasonable range of alternatives, as clearly described in cases such as *NRDC v. Morton*, 1972,
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The total impact on about 80 acres, which this proposed project is attempting to buy, use or usurp by eminent domain includes:

- 47 different parks (6 national
& 41 local and regional)
- 130 acres of parkland
- 1500 acres of tree canopy
- 130 miles of stream beds
- 410 acres of sensitive & unique
Areas
- 16 acres on the C&O Canal (construction for 5 yrs)
- One third of Plumbers Island
- Road widening loss of tree canopy
 - 69.3 acres on BW Pkway
 - 1.8 acres on Clara Barton Pkway
 - 12.2 acres on GW Pkway
- 10 mile segment of Rock Creek
Park
- 52-63 acres of impervious surface
runoff in Rock Creek Watershed
- Historic properties
- Many schools

Many Montgomery County congregations including Christ Congregational Church in Indian Springs would be significantly impacted by the taking of land and community assets with the Beltway Widening. Cedar Lane Unitarian Universalist Church, would be greatly impacted by this project, although the DEIS chart lists it as "no impact". The natural habitats and walking trails of Rock Creek Park are part of Cedar Lane's appreciation of spirituality in nature. The creek, the estuaries and wildlife adjoining Beach Drive and our church grounds are a community gathering place. The noise level is already extremely high and would be higher with this project.

Construction on the Beltway widening would remove the natural habitat surrounding Rock Creek and would result in stream degradation and increased sedimentation. The Draft Environmental Impact Statement states this removal of natural habitat would be mitigated but, because it would take place in an area far removed from this affected part of Rock Creek, is not a true mitigation as it can never replace the existing forest, wildlife and plant life. The DEIS would give "water quality credits" for mitigation purposes which would amount to buying rights and easements in other wetlands far from the affected area.

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Finally, beyond the local and county concerns for parkland is the climate havoc this widening proposal would have on our personal health and lack of clean air in Montgomery and Prince George's Counties. More lanes of traffic would bring more cars and more carbon emissions and less reliance on alternative modes of travel that have much lower carbon output. Why are

alternatives such as increased mass transit, rapid rail, rapid bus lanes and many other options not being seriously considered? Why can we not learn from other areas that have tried more lanes and found the disappointing effects of sometimes bankrupt private partnerships, high tolls and even more congestion in single driver cars? This Beltway Expansion proposal is a threat to our health and would adversely impact our climate. We must take action to prevent this. MC-FACS supports the No Build Alternative.

Walter Weiss
Montgomery County Faith Alliance
for Climate Solutions

October 27,2020

Cabin John Citizens Association Testimony
On the I-495 – I-270 Managed Lanes Study Draft EIS

Given at the Sept. 3, virtual hearing by Susan Shipp, CJCA president.

Good Afternoon, My name is Susan Shipp. I live at *** in Cabin John. As the president of the Cabin John Citizens Association, I am providing comments today on behalf of the Cabin John community. We will be submitting much more specific written comments prior to the Nov. 9 deadline.

Cabin John, a bucolic, historic community with some 2,200 residents, is located in the triangle created by Cabin John Parkway, the C&O Canal and I-495 from the American Legion bridge to just past the bridge over Seven Locks Rd.

Cabin John's Evergreen neighborhood, which backs up to the Beltway, is directly threatened by this project and the citizens association stands united with these families in opposition to property takings as part of this project and with the need for effective noise barriers and stormwater management, which has never been addressed despite more than quarter million vehicles using this stretch of I-495 EVERY day. We also agree with the other very critical concerns they are raising in their testimony.

Also backing up to the Beltway, is the Moses Hall & Cemetery property, historically significant for the role it played in Cabin John's African American community during the segregated post-slavery era. This property is also directly linked to current Cabin John residents who have family buried in the cemetery. The draft EIS says that the property, including grave locations, is "adversely affected" by all six build alternatives. This is unacceptable to the community as is

the inadequate study of this site that has been conducted to date under Section 106 and Section 4(f).

The construction of a fly-over ramp from the managed lanes to River Rd. would adversely impact the Evergreen homes, the Moses Hall & Cemetery property and nearby parklands highly utilized by the community. It also would have adverse visual impacts for the Cabin John community as a whole. The draft EIS does not evaluate this in any meaningful way.

Another major concern is the traffic impacts both during construction and longer term.

The *Environmental Resource Mapping* (Appendix D) appears to indicate that both the Persimmon Tree lane bridge over I-495 and the I-495 bridge over Seven Locks Road will need to be replaced. The construction period information presented in the Draft EIS does not adequately describe the disruptions that residents will experience

Even more alarming, the *Traffic Analysis Technical Report* (Appendix C) indicates that both River Road and the Clara Barton Parkway, two major thoroughfares used by the community to access Washington, will see a greater than 10% increase in delay with managed lanes on I-495. This is a major adverse impact for Cabin John residents.

It is not evident that the DEIS documents the impacts on critical local collector roads including Persimmon Tree Rd., Seven Locks Rd. and MacArthur Blvd., which is Cabin John's main street and where commuter traffic already slows to a

crawl due to the historic one-lane Union Arch Bridge. The impacts to these roads must be thoroughly evaluated in the final EIS and mitigation incorporated through improvements to these roadways and policies to reduce their levels of traffic congestion.

Thank you for your consideration

James Laurenson
Chair, Land Use and Legislation Committee,
Wyngate Citizens Association, Bethesda, MD

Testimony on the Maryland I-495 & I-270 Managed Lanes Study
September 3, 2020

(Co-founder, Montgomery County Faith Alliance for Climate Solutions and Cedar Lane Ecosystems Study Group, Member, several local environmental, public interest groups)

In December, I emailed the state to express Wyngate's support of the non-concurrence expressed by the Park and Planning Commission of the ARDS. Sadly, these issues still exist, and now there are more, many of which others have gone into great detail about. Key among these issues are that the DEIS:

- 1st, fails to conduct and display the required “hard look” at the potential for adverse health and environmental, including environmental justice, effects, especially in light of recently curtailed national air pollution, fuel efficiency, and other rules, which thus violates rules allowing the public to understand and comment and allowing relevant agencies to completely consider impacts and mitigations,
- 2nd, uses an overly narrow set of options, which are simply variations on a theme of highway expansion and tolls, with no meaningful variety and especially any local-serving transit and related options, which thus violates EIS rules regarding the need for a reasonable range of alternatives, as clearly described in cases such as NRDC v. Morton, 1972,
- 3rd, fails to address the pandemic's effects, per 40 CFR 1502.9(c)(1), which states that agencies shall prepare supplements if there are significant new circumstances or information; this is a monumental omission that demands

a full stop to the process until adequate supplements are developed and given proper public review,

- 4th, will not pay for itself as claimed, but rather will cost the state billions, especially given the pandemic's long-term effects, and yet no itemized budget has ever been shared, which is yet another violation of the rules, and
- 5th, perhaps the most significant issue of all, lacks any consideration of county, state, or international climate crisis plans, without even one mention of climate effects in the DEIS, and with flawed and laughable assumptions such as little or no increase in VMT; let me be clear, this failure ignores the very real and existential impact on our sheer existence and that of every other species, which would be—and this is no exaggeration—a crime against humanity and nature.

Therefore, I, and those I represent, do not support the I-495 & 270 Managed Lanes P3 Program, and instead--because we have no other choice--support the no-build option.

Federal and state employees, do the right thing. That should be why you joined government work. And in any case, that is what we pay you for.

Thank you.

Michele Riley Testimony on I-495/I-270 DEIS
Woodmoor Pinecrest Citizens Association
September 3, 2020

Good afternoon, my name is Michele Riley. I am a resident of the Woodmoor neighborhood in the Four Corners area of Silver Spring and a member of the board of the Woodmoor Pinecrest Citizens Association (WPCA), which includes over 1,160 homes. The WPCA will be providing more comprehensive written comments on the DEIS to be submitted prior to the close of the public comment period.

Our neighborhood's boundaries are I-495, University Boulevard, Colesville Road, and the Northwest Branch of the Anacostia River. This project would cut through the heart of our community. Our association supports the no build option for the Beltway east of I-270 because of the significant direct and indirect impacts to our neighborhood and surrounding community including:

- The limits of disturbance that would be required for any of the build alternatives will likely be much broader than characterized in the DEIS.
- The Silver Spring YMCA would be forced to leave the neighborhood area. This facility is a longstanding and tremendous community resource for our area, providing fitness classes, workout facilities, and two swimming pools, as well as day care and summer camps for area families, and loss of the YMCA in this densely populated area would be devastating.
- Our neighborhood high school, Montgomery Blair, the largest high school in Maryland, would lose athletic field space which is already very constrained. Blair HS is home to a very diverse population of over 3,200 students and 400 staff, who would be ill-served by losing space currently

dedicated to sports and recreational activities to this beltway expansion. The students at Blair HS represent underserved communities and deserve to be able to play sports at school on the currently existing fields. Moreover, the intense construction activity and noise immediately adjacent to the school and the resulting additional emissions would surround the school for years, impacting the health and well-being of students and staff.

- The eventual widening of Colesville Road in the Four Corners area would devastate our robust commercial district. The numerous neighborhoods surrounding Four Corners rely on the shops and restaurants in this district, which is the mix of walkable commercial and residential property that is so desired by the planners in our region and by residents.
- Dozens of homes in our neighborhood would lose property to the beltway expansion project.
- The loss of adjacent park land and irreplaceable tree canopy would have a negative impact on the health and environment of the surrounding area. There would not be room in the immediate area for replacement of the trees lost.

For these reasons, the Woodmoor Pinecrest Citizens Association supports the no build option. We encourage MDOT to reconsider this project and evaluate other alternatives that are less impactful and reflect the fact that congestion and vehicle miles traveled have dropped significantly due to the global pandemic. These changes may be permanent due to significant increases in adoption of telework by many employers. Thank you for your time.

Ross Capon
On behalf of the Wyngate Citizens Association
September 2020

I am Ross Capon, ***, Bethesda 20817. I am a former president of the Wyngate Citizens Association, and testifying here on their behalf. The key flaws are that the plan would:

- (a) worsen the negative climate impacts of the region's transportation system; and
- (b) provide more benefits to commuters working in Virginia than to those working in Maryland.

Investments that encourage auto commuting would make our serious air quality and global warming problems even worse, and harm the region's ability to compete with regions elsewhere in the U.S. and the world which are adhering to genuine sustainability principles.

Evidence that some of the shift to telecommuting is likely permanent reinforce concerns that this is absolutely the wrong time for major investments in expanded highway capacity.

It has become clear that two initial promises about this project are no longer valid. First, it will cost taxpayers and WSSC ratepayers a significant amount of money. Second, it will not remain within the existing I-270 and I-495 footprints; there will be significant takings. Moreover, it will increase pressure to widen the Beltway east through Silver Spring and beyond where even more substantial takings will be required.

As well, it would be financially irresponsible for Maryland to undertake this project when huge transit needs and replacement of the aging Bay Bridge must be addressed. Indeed, the sharp transit cuts just announced by Maryland MTA underline our concerns about the state's transportation priorities.

https://www.fhwa.dot.gov/policyinformation/travel_monitoring/20juntvt/



**Testimony of Charlotte Troup Leighton for
Evergreen Community in Cabin John, Montgomery County, Maryland
On the I-495-I-270 Managed Lanes Study Draft EIS
Given at the September 3, 2020 Virtual Public Hearing**

My name is Charlotte Troup Leighton. I live at *** in Cabin John, Montgomery County, Maryland. I am a member of the Friends of Moses Hall 88 Consulting Party for the Section 106 process. I am also here representing Evergreen, a neighborhood of 27 households immediately to the south of I-495 off Seven Locks Road in Cabin John. Many of my neighbors, as well as the historic African American Moses Hall/Morningstar Cemetery and Gibson Grove Church sites, abut I-495. We appreciate your careful consideration of my community's concerns, which will be further articulated in a formal written response.

Notwithstanding our overarching concerns about the negative impacts, fiscal viability, and short-sided approach of the Managed Lanes plan, our community has four primary areas of concern based on the material in the Draft EIS.

- First, stormwater and runoff. Our community experiences existing runoff and erosion conditions due to the highway. The expansion will create more impervious surface and more runoff. The DEIS does not provide information regarding the stormwater management strategy in our area. None of the typical sections shown explain what stormwater management approach would be used in conjunction with noise barriers. The stormwater management strategy must

be further refined in the Final EIS and the approach that SHA takes must address the existing and future runoff.

- Second, we are glad to see noise barriers proposed for our community. These noise barriers are a necessary mitigation for the noise impacts we will experience and must be committed to in the Final EIS and Record of Decision. However, the placement and design of these noise barriers needs to be refined. The property impacts associated with the barriers, if placed as shown in Appendix D, would have major negative consequences for our community. The barriers should be placed in a way that avoids property impacts and minimizes tree impacts. Their design should be compatible with our residential community.
- Third, the construction of a flyover ramp from the managed lanes to MD 190 would create new visual impacts for our community and adjacent cultural resources. These visual impacts are not adequately evaluated in the Draft EIS. To reduce visual and other negative impacts to Evergreen and avoid the Moses Hall historic site, the flyover should be replaced with an at-grade access option, as is provided at Clara Barton Parkway.
- Fourth, the construction impacts associated with the Project are insufficiently and improperly defined. We are concerned that the Limit of Disturbance is too close to the proposed noise walls at this level of design. The impacts to Seven Locks Road from the reconstruction of the I-495 overpass are not defined. We are greatly worried about extended noise impacts as the project is built. These are real impacts for our community that will affect our quality of life. We look

forward to these issues being affirmatively addressed in the Final EIS. Thank you again for your time and consideration.

Testimony of Kara Cunzeman
Cabin John resident
On the I-495 – I-270 Managed Lanes Study Draft Environmental Impact
Statement
Given at the Sept. 3 Virtual Public Hearing

Thank you for providing the opportunity for me to express my concerns today. I appreciate your full attention for these 3 minutes.

The highway expansion as proposed is continuing to encourage 20th Century transportation. 100 years later and we are still proposing more lanes and little other solutions to fix congestion issues. I view this proposal as a complete failure of innovation of our government. There have been numerous studies citing that expansions don't really solve the problem in the long run.

What we should be focused on is a more comprehensive approach to alleviating congestion, helping reduce the impact on the environment, and providing cost effective and diverse solutions that uplift our communities and personal lives. How might clean energy, autonomous vehicles, public transportation, and telecommuting play into a more holistic addressing of the problem at hand? Are there ways we can incentivize employers for example at more telecommuting given the ongoing situation with the pandemic?

The current plan, if we are lucky is a 5 to 10-year fix and those in office making decisions today won't have to face the realities of the near future: that we aren't really addressing the root of the problem. The world is moving towards clean energy, we know climate change is an issue, and what do we create, more lanes? What message are we sending to our kids by encouraging and worsening behavior we know how that is not playing well for our planet. Where is the leadership?

We are also concerned that such models have been using data over two decades old. They do not accurately reflect today's conditions, let alone account for disruptions we are experiencing today from the pandemic that could totally change the future outlook. In what world are important decisions made with data that is over 20 years old? In addition, we expect real answers to how the pandemic might change outcomes of the initial study. Perhaps it's a new opportunity for us to reevaluate our activities and incentivize meaningful changes. Without answers to these questions how can we proceed with a project that is going to cost the taxpayer millions of dollars?

I'll move on to my last point. I live in the Evergreen community in Cabin John and we will be gravely impacted by the expansion. We are glad to see the construction of the noise barriers but we are very concerned about the extensive and enduring disturbance. We ask that a more detailed plan be put together that mitigates negative consequences to our properties, local wildlife, and the environment during and after the construction.

Thank you again for your time and consideration. We look forward to having the community's concerns addressed in the team's revision.

**Barbara Coufal
Bethesda Resident
I-495/I-270 DEIS Virtual Hearing
August 18, 2020**

Hello, my name is Barbara Coufal. I live in Bethesda near Rock Creek Park and the Beltway. I oppose the project to add private toll lanes to I-495 and I-270. I support a no-build option.

I agree with the Maryland National Capital Park and Planning Commission that the limits of disturbance in the draft environmental statement do not adequately address the likely impacts of the project.

The limits of disturbance in the draft statement are minimized compared with the limits of disturbance shown in earlier maps prepared by the Maryland Department of Transportation. Because the final design and engineering won't be prepared until a later stage by the private contractor, it appears that the LODs in the draft statement are optimistic. For example, the earlier maps showed a much wider limit of disturbance in Rock Creek Park between Rockville Pike and Stoneybrook Drive. Previously, MDOT even anticipated that parts of Rock Creek in this area would have to be moved. Since MDOT does not know what the design will be, how can we trust that the limits of disturbance are realistic and that the contractors won't widen them?

Since the start, Gov. Hogan and MDOT have stated that there would be no costs to taxpayers for the project. Then we learned that it will cost WSSC customers up to

2 billion dollars to move water and sewer lines. And now the DEIS states that the State will provide subsidies of up to 1 billion dollars to the contractor.

Given the likelihood that there will be more telework in the future, which will reduce traffic and therefore toll revenues, it seems likely that the contractor will seek additional subsidies in order to ensure a profit. But the impact of telework is not considered in the DEIS.

Finally, I'll comment on the environmental justice review. Appendix P shows that MDOT DID NOT successfully engage environmental justice populations in Prince George's County at any stage of the public process. The entire length of the Beltway in Prince George's County borders communities of color and low-income communities, yet attendance by Prince George's County residents was low at public meetings at each stage, compared with Montgomery County. On pages 14, 28, 46 and 47, MDOT shows the number of participants at public events.

In total, participation by Prince George's County residents was just one-fifth the participation of Montgomery County residents. MDOT simply failed to engage the environmental justice populations in Prince George's County.

Thank you.

Arthur Katz
Rockville Resident
495/270 Expansion DEIS Hearing
August 20, 2020

My name is Arthur M. Katz , I live at ***, Rockville, MD. 20850. Thank you for the opportunity to speak today.

The proposed highway expansion of I-495 and I-270 is based on a politically driven, false fantasy embodied in ,” I Built it and you did not have to pay for it.” Think the Purple Line chaos and the 1-2 billion dollar price for WSSC to reposition its facilities to accommodate the toll road.

Even more bizarre is the idea that it is okay to make ten billion-dollar, 50 year commitments to highway building, without understanding whether telework and other covid-19 effects and other transportation options will permanently upend traffic patterns and flatten the peak hour commute.

To the DEIS specifically:

Myth 1: Congestion on I-270 in particular will get worse and there is nothing to be done except build more highways.

You may be surprised to find that MDOT’s own numbers for Peak Hour travel times Southbound on I-270 and I-495 actually improve by more than 40% between today and 2040 without the toll road, because MDOT has a workable traffic management plan that it is currently implementing.

Myth 2: Drivers who don't use the toll lanes will still have significant time savings.

In fact, the toll road will look like the existing Virginia toll road, with 10-15 percent of the drivers in the toll lanes and nearly 90 percent in the non-toll lanes.

By 2040 traveling times in the non-toll lanes on I-270 will be only 2 minutes faster than the no build option. If you are traveling from I-370 to River Road, there will be zero difference when you reach the Clara Barton exit heading to Virginia.

Why doesn't the toll road help the non-toll lanes more? To get people to use the toll road you have to have real unpredictable congestion in the non-toll lanes. No one will pay tolls otherwise. Worse, the fact the congestion is unpredictable will makes the 2- or 3-minute savings useless for planning your life.

I should point out these travel times I cite are buried a thousand unnumbered pages from the front of the Appendix E.

Myth 3. If you are a I-270 commuter from I-370 to the Beltway, the expansion will change your life for the better.

No. The reason is that the non-toll lane trip will be 4 minutes faster than the no-build alternative in the morning heading toward Virginia and 1-to-6 minutes slower on I-270 in the afternoon. Round trip time savings for 90% of the drivers will be about zero. Even the toll lanes users will only save an average of 6 minutes round-trip because the afternoon trip to I-370 isn't any faster than the no-build trip.

The costs for this project include:

- hundreds of millions of dollars for construction
- transportation chaos during construction because all the interchanges and bridges along I-270 will have to be rebuilt to accommodate the toll road.
- profoundly disrupting the I-270 communities, especially the City of Rockville.

Why would anybody do this?

Thank you.

Tony Hausner
Testimony on DEIS for 495/270 Project
Indian Spring Neighborhood, Silver Spring, MD

I am Tony Hausner. I live at *** in Silver Spring, MD. I live in the Indian Spring neighborhood which is immediately adjacent to the Beltway just south of it, between Colesville Road and University Blvd. We have 800 homes. We have lived here for 43 years and have been involved in a number of transportation projects over the years.

I oppose the managed lane plans for I495 and I270. I support transit solutions to the traffic issues raised by this DEIS.

Widening the beltway will result in the following impacts to our neighborhood.

- Impacting a number of homes that are currently right next to the Beltway. They will at least lose a significant portion of their backyards and could lose more.
- A park and playground in the middle of our neighborhood would be significantly reduced as well as a county recreation center which is in the middle of the park and which our neighborhood makes great use of.

I have the following comments on transportation issues as discussed in Chapter 3.

- The DEIS study does not include all the way to Frederick which is an essential part of the plan.
- The DEIS mentions the Corridor Cities transitway, the Randolph Road BRT, and the North Bethesda Transit Way. However, the DEIS does not take into account whether or not these projects will or will not be completed. If these projects were completed it would significantly reduce the need for widening

270 and 495. Further, neither MDOT nor other agencies have not made any commitment to these Projects. In addition, MDOT should consider other transit options beyond these projects, including the use of transit on the American Legion Bridge as recommended by M-NCPCC.

- The M-NCPCC recommended that the State examine using the ICC as an alternative to widening the Beltway. The DEIS dismisses this alternative without providing any analysis. We are very skeptical that this study has been adequately performed.
- The DEIS does not take into account the impact that COVID-19 has had on traffic. There have been significant reductions in traffic due to teleworking and much of these changes are likely to persist after COVID19 ends. Studies by KPMG, and the Maryland Transportation Institute project a 5-10% long term decrease in traffic due to teleworking beyond the end of Covid-19. Further, MDOT has indicated that there has been a 17% decrease in traffic compared to last year.
- The DEIS study does not include all the way to Frederick which is an essential part of the plan.
- The DEIS mentions the Corridor Cities transitway, the Randolph Road BRT, and the North Bethesda Transit Way. However, the DEIS does not take into account whether or not these projects will or will not be completed. If these projects were completed it would significantly reduce the need for widening 270 and 495. Further, neither MDOT nor other agencies have not made any commitment to these Projects. In addition, MDOT should consider other transit options beyond these projects, including the use of transit on the American Legion Bridge as recommended by M-NCPCC.

Thank you. <https://tinyurl.com/th495270DEISestimony>