

Testimony submitted to the I-495 and I-270 Managed Lanes Study

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I am deeply disappointed with the process for evaluating the proposed I-495 & I-270 Public-Private Partnership (P3) Program. I do not believe the remaining highway only alternatives and the process used to select them represent a legitimate range of transportation alternatives as required by NEPA/Environmental Impact Statement (EIS) regulations. I do not believe these limited alternatives of highway expansion will work and address the real underlying transportation needs.

I think it was unnecessary to move forward with Requests for Qualifications within the public-private partnership (P3) process before an EIS is complete. Under the P3 process large corporations will make significant commitments of resources, creating momentum to build a project, even if the formal process allows modification or cancellation.

Equally disturbing is the Governor's vilification of citizens and public officials who raise legitimate questions about the current MDOT alternatives and the planning process. His actions delegitimize the credibility of the SHA/MDOT process as fair and unbiased. It reinforced the concern that the selection of only highway alternatives for this phase of study was predetermined. This approach does not conform with the requirements of a legally defensible EIS.

Most Important, MDOT and the Governor have constructed a planning process that has had many public meetings, without any true participation by local governments or the public. The meetings were a window dressing process a fig leaf created for legal purposes, but a violation of the spirit of the NEPA law. No consensus building here.

The County and City public officials and their staff have been excluded from providing real input into the process as well as community and environmental groups. This was underscored by the fact that while public comments in the previous phase strongly supported transit options, every single transit option was eliminated from further consideration for the remainder of the study process.

To get a sense about how a real participatory process and an effective planning process works please read my note at the end of this letter about the Boston Transportation Planning Review.

Most disturbing, MDOT made claims of substantial time savings for commuters at the public meetings it held in May 2019, but it could not or would not show the underlying analysis. MDOT claimed the analyses were not complete. On what legitimate basis do you make claims in public meetings about the results of traffic studies without the analysis being complete and transparent and ready for public review?

The decision of the Maryland Board of Public Works to put I-270 expansion first, will cause the biggest continuous morning traffic jam the Beltway and I-270 will ever see (as noted in a Washington Post article of June 6th). Under your new plan to add lanes to I-270 first without expanding the Beltway, there will be a significant increase in the number of cars (much more than the current level) arriving simultaneously at the unexpanded Beltway. The clearest analogy is the afternoon traffic nightmare of a 6 lane I-270 going North turning into a 2 lane I-270. If the SHA runs the traffic models honestly you will see the scale of the traffic mess.

Moreover, I-270 already has 12 lanes in the residential area where proposed first phase expansion will happen. The current configuration on I-270 area of expansion is comparable to the number of lanes (12) the New Jersey Turnpike has near New York City (truck plus car lanes) and more than the 10 lanes of the heavily traveled Garden State Parkway in NJ. Adding more lanes is completely unreasonable for a dense residential area.

Essentially this process is in disarray and biased because it is so easy to say, 'Toll Road', "someone else will build it and you won't have to pay for it!" What a political bonanza that phrase seems to contain. In reality, one way or the other there will be no free lunch - in terms of disruption to peoples' lives and the environment and economic development. None of this is accounted for in the current studies or the previous choices eliminating the transit alternatives.

We have not even talked about the transportation disaster on the Virginia side in the afternoon, if the Virginia toll lanes are brought to the Maryland line without some planning. Virginia/Maryland coordination is desperately required here and should be included in the studies for the EIS.

MDOT also insists you have to build toll roads on I-270 below 370 before you can work on I-270 north of I-370. The justification for the MDOT's position is its belief the tolls are the only means to pay for actions on I-270 north of 370.

The decisions by the Board of Public Works (BPW) to use 10% of the tolls for transit now complicates the situation further. I fully support the commitment to transit, but in taking that action the BPW created a potentially irreconcilable conflict between funds for transit and widening I-270 above 370. The reason for the conflict is the almost certain limitation on toll money available after the private contractor receives its share.

The transportation problem is also driven by a much deeper reality. The Virginia-Maryland traffic problem is a creature of the fact that Maryland has implicitly ceded in this transportation plan that an overwhelming number of all the future jobs, particularly high-tech high-paying ones, will be located in Northern Virginia. If that wasn't the case, you might not have the current I-270/Beltway transportation mess in the first place.

Regional economic role differentiation is not unrealistic, but it indicates how poorly the current highway studies have been conceptualized. There needed to be and still needs to be a much broader and earlier coordination in the process between regional planning and real transportation planning.

Quite frankly, this study should be part of a planning study not simply of transportation but of long-term County development. Transportation choices should be placed in the context of where Montgomery County, Prince Georges County want to go in the future. That clearly is not happening with this narrowly defined study. Moreover, the study should avoid what used to be called a salami planning process, i.e., where the agency breaks up a project into pieces to minimize political awareness and opposition - re: in this case, excluding studies above Gaithersburg.

In addition, the underlying assumptions of this plan does not comport with future reality out to 2040. The younger worker demographic does not want to use a car, would prefer to live in an urban environment, and use public transportation, bikes, ride hailing services like Uber, etc. While this might have been outlandish a decade or two ago, the reality of the availability of the silver line to Dulles makes living in downtown DC or urbanized northern Virginia and commuting (back commuting) to the Virginia high tech corridor

near Dulles by public transportation a very real and sensible alternative. While not reflected in the current travel projections that reality can seriously reduce the size of the future Maryland-Virginia commute. We could be easily building an expansion that is outdated before it is completed. None of these issues and analyses have been incorporated in the current EIS. Nor has current concerns about environmental issues such as greenhouse gases shaped the choices or analyses of the current study.

The rise of ride hailing apps, driverless automobiles, the expansion of MARC schedules and access, and other public transit alternatives are not seriously considered in this study. Nor is the fact that jobs are themselves moving into a public transit environment - Marriott Corporation moves into Bethesda. We are moving into a different world and this plan is sleep walking into the past.

I would request some further key actions are needed to reestablish credibility.

1. Make the MDOT effort into a transportation study instead of a highway study if you are serious about addressing regional needs.
2. Require the reinstatement of one or two of the most credible public transportation alternatives that were inappropriately removed from the study by the MDOT and State Highway Administration (SHA). MDOT eliminated transit options based on their view of potential available funds, but this is not MDOT legitimate function. Financial decisions about where money is spent is the province of elected officials not technocrats. We need to produce a credible set of alternatives to provide the decision makers all the information they need to choose wisely.
3. Address the shortcomings of the current study process, by having not just Montgomery and Prince George's, Frederick Counties, and local governments like the City of Rockville (that have planning staffs), but also environment and citizen groups represented on a broader newly established steering committee.

This steering committee should be ongoing with responsibilities to: (1) review in detail and advise on the development of the EIS study plans, (2) review and advise on the acceptable contractors to carry out the studies and designs alternatives, and (3) continuously review and advise during the EIS process evaluating the implications of the new results emerging from

the ongoing EIS and their implications for changes in study design and transportation alternatives. The scope of its responsibilities would include advising on the proposed transportation alternatives as well as examining the results of studies of traffic, land use, environmental and economic impacts, etc. The meetings of this committee should not be months apart.

4. Take a serious look at the opportunities in the rail system. The Greater Washington Partnership, Capital Region Blueprint for Regional Mobility, had as one primary alternative a focus on intercity and commuter rail, particularly integrating MARC and VRE, something that has been neglected as an alternative to some car-oriented commutes. While monorail is worth looking out, you have a potential intra-and interstate rail system that exists already and is worth looking at as part of the planning package, especially if you can transport people between Maryland and Virginia jobs.

In sum, the current study process and the outcome of the P3 decisions of the Maryland Board of Public Works that intersect with it, have planted the seeds of a giant mess for everyone. The MDOT/SHA needs to step back and reformulate a planning process that includes legitimate alternatives and impact studies, and meaningful and effective public/governmental participation.

Thank you for your attention and consideration.