



March 15, 2019

Pete K. Rahn
Secretary, Maryland Department of Transportation
7201 Corporate Center Drive
Hanover, MD 21076-0548

Dear Secretary Rahn:

We appreciate that MDOT has expressed interest in addressing traffic congestion on I-270 and I-495 in Montgomery County as traffic congestion on these two highways is a serious quality of life issue for our constituents that causes ripple effects throughout the region. State action to improve the performance of these corridors has been a priority for Montgomery County for many years. In fact, the County has advocated for additional High Occupancy Vehicle (HOV) or High Occupancy Toll (HOT) lane capacity on the American Legion Bridge, continuing along I-495 and on I-270 to Frederick County, based on the belief that these improvements could be accommodated within the right-of-way of these facilities. Coupled with State investment in transit, these HOV or HOT lanes could provide meaningful congestion relief while also expanding the range of transportation options for those who travel these corridors. The transit and highway projects together could be supportive of the County's sustainability and land use plans. However, we are now concerned with the sequencing, screened alternatives, scope and impacts of the I-495 & I-270 Managed Lanes P3 Program, as described below.

About two years ago, Governor Hogan announced the Innovative Congestion Management (ICM) project as a first step toward addressing longstanding bottlenecks affecting the performance of I-270. This announcement was followed by the unveiling of the Governor's plan to widen I-270, I-495, and the Baltimore-Washington Parkway (also known as MD 295), each by four lanes. Since that announcement, the Maryland Department of Transportation (MDOT) has initiated a National Environmental Policy Act (NEPA) review of this plan for a portion of I-270 and most of I-495. Additionally, MDOT has issued a Presolicitation Report, which initiates the State's efforts to advance this project as a Public Private Partnership. This Presolicitation Report provides substantial clarity about MDOT's intentions that is lacking in NEPA documents released for public review. Your letter to Delegates King, Barve, McIntosh, and Kaiser dated February 13, 2019 also outlines MDOT's phasing plans for the implementation of managed lanes on I-495 and I-270.

Sequencing

Based on the expressed concerns of our constituents and the consensus of the Council and Executive, we request that MDOT pursue a revised approach to phasing the I-270 and I-495 improvements. In our view, the greatest potential for realistic improvement on I-495 and I-270 is between Virginia's I-495 Next project and Frederick. We ask that MDOT reconsider its phasing of the Traffic Relief Plan to first focus on this corridor. For many years, the County, in collaboration with Frederick County, has asked MDOT to prioritize improvements to this corridor. MDOT's rationale for pursuing improvements to the most constrained segment of the Beltway instead of I-270 remains unclear to us. The section of I-270 north of Gaithersburg to the Frederick County line and beyond is plagued by more regular traffic congestion than points south. We believe that this Upcounty segment warrants attention in an early phase of any capacity enhancements to I-270 and I-495. The constrained section of I-495 east of the West Spur should only be examined after the American Legion Bridge and I-270 have been addressed.

Screened Alternatives

Without any public notice, on February 13, 2019, MDOT posted Screened Alternatives for the Managed Lanes Project on its website. The Screened Alternatives appear to ignore input from agency stakeholders and the public sentiment expressed at MDOT's Open Houses and through other comment channels for the project. While we have strong reservations about many of the build alternatives that substantially expand the cross-section of these highways, there is not any information available regarding the type and magnitude of the impacts. With the impacts of the build alternatives unknown, we believe that the elimination of transit and transportation system management alternatives is premature, if not fundamentally flawed, as described in more detail below.

1. Transit Alternatives.

MDOT dismissed the transit alternatives, stating that they are not financially feasible. The information provided ignores substantial input from stakeholders about how these alternatives could be structured and artificially limits their potential funding sources to fare revenue. In its managed lanes projects, Virginia has demonstrated that toll revenues generated from managed lanes can be used to fund implementation of transit both on and off the highway corridors. The screening analysis also asserts that transit investment does not substantially reduce traffic, while ignoring the substantial benefits that will accrue to new transit riders. However, the analysis does not recognize that the highway expansion is guaranteed to increase traffic. The additional traffic underpins the financial viability of the tolled lanes.

A "highway-only" solution to congestion is counter to the County's transit-first policy, will hamper our efforts to reduce single-occupant vehicle (SOV) travel, and could deliver more traffic to our local road system, exacerbating congestion on arterial roads connecting to these corridors. We request that MDOT retain transit alternatives and take a more creative approach to evaluating how Bus Rapid Transit and Express Bus, in particular, can be an integral component of this project. We also ask that MDOT make a strong commitment at this early stage of the project

that transit will be able to use any new managed lanes without paying tolls or fees and that free HOV access will be retained.

2. Transportation Systems Management.

The County's most recent Transportation Priority Letter specifically requests implementation of Transportation Systems Management (TSM) on I-495 as is currently in progress on I-270. I-495 east of the I-270 Spur and continuing into Prince George's County has a highly constrained right of way, generally 200 feet, making capacity additions difficult. This section of I-495 is lined with residential neighborhoods, a hospital, a golf course, and parkland immediately adjacent to the highway and the highly constrained interchanges. We recognize that remaining within the existing right of way will limit or constrain any potential project there; nevertheless, the County's position is that any project remain within the existing right of way. In our view, TSM may be the only feasible alternative for I-495 and we are very concerned that it has been eliminated from consideration at this early state, before any environmental and property impacts for the build alternatives have been assessed. Additionally, it is also possible that more TSM could be implemented on I-270 as the current project is limited to what can be achieved with the available budget, rather than including all of the measures that could be implemented on the corridor. We request that MDOT retain TSM as an alternative for both corridors and develop a more comprehensive scope of TSM improvements and address how TSM performs.

Scope

In addition to any changes to I-270 itself, the project should complete the master-planned interchanges and overpasses of the I-270 corridor. Additionally, there are several arterial road crossings of I-270 that may provide strong opportunities for direct connections—especially for Express Bus Service and Bus Rapid Transit—to any new managed lanes. When developing the alternatives this phase of this project, we suggest that MDOT include several important enhancements to this corridor including the Little Seneca Parkway interchange in Clarksburg and the Dorsey Mill overpass in Germantown. These two new crossings, in addition to existing arterial crossings without interchanges, like Muddy Branch Road, Gude Drive, Wootton Parkway, Westlake Terrace, and Bradley Boulevard may be good opportunities to provide direct connections to I-270 and the western segment of I-495 that avoid complications at existing interchanges.

We are concerned about the potential toll-pricing of the new lanes on these corridors. If the toll revenue must cover the entire cost of construction, the tolls may be very high, which may affect the ability of a broad segment of our community to use the lanes. We are concerned the tolls will be excessive and put HOT lanes out of reach for average commuters. MDOT should consider some provisions to cap the toll rates or other programs to improve equity across the income spectrum. At a minimum, existing lanes should remain free of tolls, with the possible exception of the conversion of HOV to HOT lanes.

With high tolls anticipated, to improve equity and to mitigate the impacts of additional traffic from the toll lanes, transit is an essential component of this investment. Changes to the American Legion Bridge, I-495 and I-270 must support transit by allowing transit to use “priced”

capacity free-of-charge and by funding transit operations from toll revenue. Again, the project should include both Express Bus Service using any new capacity provided on the highways for longer distance travel and Bus Rapid Transit to provide a travel choice for those along the corridor that will not be able to use the new priced lanes. These services should connect activity centers in Maryland and Virginia.

Furthermore, the MARC Brunswick Line should play an important role in the overall program. Increasing parking capacity at MARC stations, improving the rail service, providing more connecting buses to MARC stations, and ultimately providing for through-routing of MARC with Virginia Railway Express, are all important elements of this program. Finally, we appreciate the statement in your February 13 letter to Delegates King, Barve, McIntosh, and Kaiser that you anticipate investment in the Corridor City Transitway (CCT) and request greater clarification about MDOT's plans for the CCT.

Impacts

We are hearing from our constituents that MDOT's approach to NEPA has not been well communicated and is frustrating. If MDOT had completed the environmental inventory, right-of-way identification, and other documentation of the affected environment before advancing alternatives, the public would have a better understanding of the potential impacts from this project. We urge you to make this information available as soon as possible and to delay selection of the Alternatives Retained for Detailed Study (ARDS) until this information is available to the public. Only with this information can reasonable decisions about the feasibility of alternatives be made.

The project must avoid damaging impacts to homes, parks and communities along these corridors. Where possible, we request that MDOT look at ways to add capacity through restriping lanes and through modifications to the left and right shoulders. Additionally, through the project MDOT must address the unmitigated impacts, in particular noise and stormwater runoff, to communities and the environment from past highway expansions on both I-495 and I-270.

We urge you to reconsider your approach to this project so that the outcomes enjoy broader community support and provide a more balanced, equitable, sustainable, resilient and reliable set of transportation options for travelers. Thank you for considering Montgomery County's request. We look forward to collaborating with MDOT to ensure that the I-495 & I-270 P3 Program works for Montgomery County.

Sincerely,



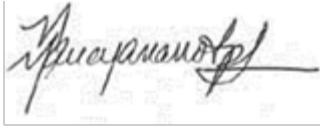
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cc: Greg Slater, Administrator, Maryland State Highway Administration
Craig Zucker, Chair, Montgomery County Senate Delegation
Marc Korman, Chair, Montgomery County House Delegation
Al Roshdieh, Director, Montgomery County Department of Transportation
Casey Anderson, Chair, Montgomery County Planning Board