

**I-495 AND I-270 MANAGED LANES STUDY**

**JOINT PUBLIC HEARING**

**Thursday, August 20, 2020**

**Morning Session: 9:00 am to 12:00 pm**

**Virtual/Online**

**ANDREW BING:** Good morning, everyone, and welcome to our second public hearing. Before I open this up and read some opening statements and then get to our callers, I just wanted to provide some reminders for anyone calling in to provide testimony. If you have registered and you are looking to actually get into the speaker queue, you need to call 855-925-2801 and enter your access code. There will then be a welcome message. You need to listen to the entire welcome message, which will then give you the options that you need to press. The first one is the star button and then it will be the number 3 to actually enter the speaker queue. So that's the process for getting into the speaker queue. If you are listening to or watching this public hearing and you have not registered yet and you would like to register to provide oral testimony, you need to go to the Program website at [495-270-P3.com/DEIS](http://495-270-P3.com/DEIS). You will then click on the 'joint public hearings' button and then you will click on the 'click to register to provide virtual public testimony'. And if you would like to provide testimony by voicemail, you need to call 855-432-1483. There is no registration required. You can just call that number and leave your testimony via voicemail. At this point, I'm going to read an opening statement and when we are done, we will get to our callers.

So good morning. I am Andrew Bing with the Maryland Department of Transportation State Highway Administration, abbreviated MDOT SHA. Today is the second of six joint public hearings that MDOT SHA will be conducting for the I-495 & I-270 Managed Lanes Study Draft Environmental Impact Statement, or DEIS, the Draft Section 4(f) Evaluation, and Joint Permit Application, or JPA. I will be the Hearing Officer and am responsible for running today's public hearing. Today's hearing is being held jointly by MDOT SHA, the Federal Highway Administration, and the Maryland Department of the Environment, or MDE. On behalf of these agencies and the Federal Highway Administration as the lead agency. I welcome you. The purpose of this hearing is for interested parties to provide official testimony and comments on the Study's proposed alternatives and associated impacts as detailed in the DEIS, and the floodplain, waterway, and nontidal wetland impacts detailed in the Federal/State JPA. I will provide a brief overview of the Managed Lanes Study background and the aquatic resource impacts documented in the JPA. I will introduce the panelists and identify ways for you to comment on the DEIS and JPA. Some panelists will then give statements on behalf of their agency. Finally, I will review the hearing procedures and open the phone line for live testimony.

The purpose of the I-495 & I-270 Managed Lanes Study is to develop a travel demand management solution or solutions that addresses congestion, improves trip reliability on I-495 and I-270 within the study limits, and enhances existing and planned multimodal mobility and connectivity.

The needs for the Study are:

- Accommodate existing traffic and long-term traffic growth;
- Enhance trip reliability;
- Provide additional roadway travel choices;
- Improve the movement of goods and services; and
- Accommodate Homeland Security.

In addition, two goals were identified for the Study: incorporate alternative funding sources to achieve financial viability and environmental responsibility. The study limits include I-495 from south of the George Washington Memorial Parkway in Fairfax County, Virginia, including improvements to the American Legion Bridge over the Potomac River to west of MD 5 and along I-270 from I-495 to north of I-370, including the east and west I-270 Spurs in Montgomery and Prince George's counties, Maryland. In addition to the No Build alternative, there are six build alternatives under consideration for improvements within these limits. Alternatives 8, 9, 9 Modified, 10, 13B, and 13C.

Aquatic resource impacts would range from:

- Between 155,229 and 156,948 linear feet of streams;
- Between 16.1 and 16.5 acres of nontidal wetlands;
- Between 52.7 and 53.6 acres of wetland buffers;
- Between 116.5 and 120 acres of FEMA 100-year floodplains.

Detailed impacts by alternative can be found in the DEIS, the JPA, and the JPA Public Notice. Please be reminded that all hearing materials, including online narrative display materials, are available on the Program website: [495-270-P3.com/DEIS](http://495-270-P3.com/DEIS). Today's public hearing is being live-streamed and audio-recorded. The official transcript of the joint public hearing testimony will become part of the project record and will be available for public review on the Program website.

I will now introduce representatives of MDOT SHA, FHWA, and MDE who are in attendance for today's hearing. Lisa Choplin, I-495 & I-270 P3 Program Director, MDOT SHA; Jeff Folden, I-495 & I-270 P3 Program Deputy Director, MDOT SHA; Caryn Brookman, I-495 & I-270 P3 Program Environmental Program Manager, MDOT SHA; Shabnam Izadi, Title VI Coordinator, MDOT SHA; Jeanette Mar, FHWA Project Delivery Environment Team Environmental Manager; and Amanda Sigillito, Nontidal Wetlands Division Chief, Maryland Department of the Environment.

On behalf of Shabnam Izadi, the Title VI Officer for today's public hearing, I'll explain the significance of Title VI and how it relates to the transportation project planning process. Title VI of the Civil Rights Act of 1964 was put into effect to prohibit discrimination on the basis of race, color or national origin. To support the Act, the United States government designated additional statutes, laws, regulations and executive orders to provide guidance for the effective execution of the objectives of Title VI. As a recipient of federal funds, MDOT SHA is responsible for upholding the principles of Title VI of the Civil Rights Act of 1964 and related guidance. MDOT SHA's policies and programs should not discriminate against people on the grounds of race, color, national origin, sex, age, English proficiency, income level or disability. The MDOT SHA policies and programs should avoid disproportionately high or adverse impacts on minority populations and low-income populations. MDOT SHA seeks to provide citizen stakeholder groups and other interested parties with reasonable opportunities to be involved in the planning process.

With that said, MDOT is required to capture this data to demonstrate its compliance with Federal Regulation 23 CFR 200.9, Subsection (b)(4), and more importantly, to consider the transportation needs of the community by hearing from you. Compliance is voluntary. However, in order to demonstrate compliance with the federal regulation, the information requested must be documented when provided. It will be not, it will not be used for any other purpose except to show that those who are affected by the project or have an interest in the project have been given an opportunity to provide input throughout the planning process. We invite you to take our Voluntary Demographic Survey. This survey will help us to ensure that we are reaching the communities that are affected by the I-495 & I-270 Managed Lanes Study. If you have questions or need assistance, call 410-545-0377. For more information regarding the Title VI, regarding Title VI of the Civil Rights Act of 1964 and other nondiscrimination laws, review the Civil Rights under Title VI brochure. Both the survey and brochure can be found on the Program website by visiting the 'Participate and Provide Feedback' page. Any member of the public has the right to file a discrimination complaint against MDOT SHA if he or she feels MDOT SHA does not comply with the Title VI of the Civil Rights Act of 1964 and the related statutes. The process for filing a complaint is outlined in the Title VI brochure located on the website. Lastly, if you or someone that you know speaks limited English and may need translation services to get project information, please call 833-858-5960 for assistance. At this time, I'll turn the proceedings to Amanda Sigillito to provide her statement on behalf of the Maryland Department of the Environment.

**AMANDA SIGILLITO:** Good morning. My name is Amanda Sigillito, Chief of the Nontidal Wetlands Division at the Maryland Department of the Environment, abbreviated MDE. I am a panelist representing MDE at this public informational hearing for the I-495 & I-270 Managed Lanes Study Joint Permit Application. MDE appreciates both your interest and participation in the public comment process. It is the responsibility of MDE to evaluate applications that propose impacts to nontidal wetlands, the nontidal wetland buffer and waterways, including the 100-year nontidal floodplain. MDE's authority is found in Subtitles 5 and 9 of the Environment Article. Each application received through our regulatory program has specific and unique issues and impacts that must be considered in relationship to weighing the potential benefits and detriments of the project. MDE is neither a proponent nor opponent of any project. This public informational hearing is being conducted pursuant to subsection 5-204 of the Environment Article and Code of Maryland Regulations 26.23.02.02 and 26.17.04.13.

The purpose of this public informational hearing is to provide the applicant with an opportunity to present an analysis of impacts that may be associated with the proposed activity. In addition, the hearing provides MDE with an opportunity to solicit additional information from interested persons. This public informational hearing is for the Nontidal Wetlands and Waterways Permit Application No. 20-NT-0114/202060649, submitted by the Maryland Department of Transportation State Highway Administration for the proposed construction of managed lanes along the I-495 and I-270 corridors within Montgomery and Prince George's counties. Please note that when MDE issues its decision on

the Permit application, the accompanying information will be sent to the interested persons list as well as to the applicant. At that time, MDE's decision will be a final agency determination. There will be no further opportunity for administrative review. Any person withstanding who is either the applicant or who participated in the public participation process through the submission of written or oral comments may petition for judicial review in Circuit Court. The petition for judicial review must be filed within 30 days of the publication of the permit decision. At this time I will turn the proceedings back to Mr. Bing. Thank you.

**ANDREW BING:** Thank you, Amanda. There are multiple ways to comment on the DEIS and the JPA. You can provide oral testimony through the public hearing or leave your testimony by voicemail. You can also complete a comment form online or send an email or written letter. Details on ways to comment can be found on the Program website by visiting the 'Participate and Provide Feedback' page. Comments related to the JPA can be mailed or emailed to the United States Army Corps of Engineers – Baltimore District or MDE Wetlands and Waterways Program. Comments must be received before 11:59 on October 8th, 2020. However, the public comment period may be extended 30 days. Please continue to visit the Program website, [495-270-P3.com/DEIS](http://495-270-P3.com/DEIS), for updates. All comments received, whether at the hearing, through oral testimony, or through other methods – comment form, voicemail, email, or letter will be given equal consideration. Again, the purpose of this public hearing is to allow interested parties to provide public comments on the DEIS and JPA.

Today's joint public hearing is available for viewing online and also available by phone. The panelists and hearing officer will be visible on the screen and we'll be listening to all public comments, although you may not see all panelists on the screen at one time, all of the panelists will be listening to the testimony. My role as the Hearing Officer is to run a professional and orderly joint public hearing. I understand how important the issues are related to the DEIS and the JPA and I take my role as hearing officer seriously. I'm committed to providing members of the public an opportunity to provide comments in an organized, fair, professional and orderly manner. Offensive or profane language will not be allowed. After one warning, if offensive or profane language continues, the call will be ended. I also want to let everyone know that the agency representatives, as well as myself, will not be answering questions or responding to any comments made during the hearing. Responses to comments will be included in the Final Environmental Impact Statement.

If you have joined us today to listen to the public hearing and would like to provide live testimony but have not yet registered, please go to the Program website at [495-270-P3.com/DEIS](http://495-270-P3.com/DEIS) to register. You may also leave recorded testimony via voicemail by calling 855-432-1483. Registration is not required to leave recorded testimony via voicemail. The panelists are interested in hearing comments about the Study from all interested individuals. Please remember that we are recording this hearing. Speak directly and clearly into your phone and provide your full name, address, and any organization you may represent. To ensure all will be heard, there will be a 3-minute time limit for public testimony and a 5-minute time limit for elected officials. The time will start after you introduce yourself. A single tone will

sound when there are 30 seconds remaining. A double tone will sound when you have 10 seconds remaining and at this point, you should wrap up your testimony. As the Hearing Officer, if you are unable to conclude your comments at the end of your time period, I will end the call and move on to the next person in the queue.

OK. So that concludes our statements, we're now going to get to the callers. I do want to apologize in advance if I inadvertently mispronounce anyone's name. And again, I just want to provide one quick reminder for anyone who may be trying to get into the speaker queue. You will dial the phone number 855-925-2801. You will enter your access code. You will then listen to the entire welcome message. Once the welcome message concludes, you will hear 'for more options, press the star key'. At that point, press the star button and when prompted, press 3 to enter the speaker queue. OK. We are now going to go to our first caller, who is Tony Hausner. After Tony will be Jerry Garson. Tony, after the automated message, please state your name, spell your name, and state your address.

**TONY HAUSNER:** This is Tony Hausner (H-A-U-S-N-E-R), I live at 203 Brewster Avenue, Silver Spring, Maryland, 20901.

**ANDREW BING:** OK. Feel free to go ahead. Tony.

**TONY HAUSNER:** I live in the Indian Spring neighborhood, which is immediately adjacent to the Beltway, just south of it, between Colso Road and University Boulevard. We have eight hundred homes. I have lived here for 43 years and involved in a number of transportation projects over the years. I oppose the managed lane plans for I-495 and I-270. I support transit solutions to the traffic issues raised by the 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. The park and playground in the middle of our neighborhood would be significantly reduced, as well as the county recreation center, which is in the middle of the park, which I know 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 North Bethesda Transitway. 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 made any commitments to these projects. In addition, MDOT considers other transit options beyond these projects, including the use of transit on the American Legion Bridge, as recommended by the Planning Commissions. The Planning Commissions recommended that the State examine the use, 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. Finally, the DEIS does not take into account the impact that COVID-19 has had on traffic. There has been a significant reductions in traffic due to teleworking. Much of these changes are likely to persist after COVID-19 ends. Studies by KPMG and the Maryland Transportation Institute project a 5 to 10 percent long-term decrease in traffic due to teleworking. And this is beyond the COVID-19 period. Further, MDOT has indicated there has been a 17 percent decrease in traffic already compared to last year. Thank you.

**ANDREW BING:** Thank you, Tony.

OK, the next caller is Jerry Garson. After Jerry will be Susan Nerlinger. Jerry, after the automated message you'll have three minutes. Please state your name, spell your name, and state your address.

**JERRY GARSON:** I am Jerry Garson (J-E-R-R-Y, Garson G-A-R-S-O-N), residing at 8308 Raymond Lane in Potomac, Maryland. I am speaking on behalf of the Seven Locks Civic Association, Inc., a nonprofit organization representing the people in the Seven Locks region. We are in favor of rebuilding and widening of the American Legion Bridge and I-495 from the western spur of I-270 to the American Legion Bridge as the first part of this project. This would normally be considered Alternative 9 with two HOT-managed lanes. We then favor widening I-270 northbound from north of I-370 where the most of the afternoon traffic congestion occurs. All other sections could be completed after these first two sections are completed.

I have been analyzing the daily traffic counts from the four, quarter-mile traffic counts that are the State Highway Administration have located in Montgomery County for the last 20 years. In the beginning of the COVID-19 shutdowns in March 2020, we saw a rapid decline in traffic on the interstate highways in Montgomery County. We have now seen a return to almost pre-COVID-19 levels. We saw the Metro rail ridership drop by 90 percent. It has not returned from these levels in July or August 2020. The average weekday daily round trips for this period on all of WMATA rail is now only 38,458 passengers. While the average number of round trips, just at the traffic counter west of New Hampshire Avenue is 101,220. Until the COVID-19 pandemic is solved we will need much more road capacity. It looks like that Metro Rail will not return to its pre-COVID levels for the next few years. One additional reason is that WMATA rail use will continue to decrease is due to the increase in number of people working from home, and the second is the fear of people being in crowded subway cars without the possibility of people being at least six feet from other people in the subway car. Therefore, traffic in the next few years will probably increase on our local roads. We also know that only 20 percent of the vehicles on the interstate highways are commuters going to and from work. The non-commuting trips will probably not decrease.

We are now seeing in August the peak afternoon traffic eastbound at the Persimmon Tree automatic traffic counters returning to Maryland is between 2 and 4 PM, which is similar to the traffic before the

COVID-19 shutdowns in March 2020. We are seeing the peak AM westbound traffic on I-495 at the traffic counter west of New Hampshire now recording the AM peak between 6 and 7 AM. most weekdays, instead of 5 to 6 AM, which occurred before COVID-19. This indicates a reduction in traffic in July and August due to inadequate road capacity between 7 and 9 AM. Thank you.

**ANDREW BING:** Thank you, Jerry. OK our next speaker will be Susan Nerlinger. Susan, after the automated message, please state your name, spell your name, and state your address.

**SUSAN NERLINGER:** My name is Susan Nerlinger (N-E-R-L-I-N-G-E-R). I live at 18255 Rolling Meadow Way in Olney, Maryland.

**ANDREW BING:** OK, go ahead, Susan.

**SUSAN NERLINGER:** I'm against adding toll lanes to I-270 and I-495. I support a No Build option. There are four main reasons for my position. 1.) Toll lanes are not an equitable solution to the congestion problem. 2.) Travel demand management is the best way to alleviate congestion. 3.) The proposed toll lanes are designed to accommodate traffic growth at a time when we must reduce vehicle traffic and greenhouse gas emissions. And, 4.) the Draft Environmental Impact Statement does not include the required comparison of effects on Environmental Justice communities and non-EJ communities. Toll lanes are not an equitable solution to the congestion problem. The proposed toll lanes only turn congestion into an opportunity for a private company to make a profit. They would not solve the problem of traffic congestion at all and would not help millions of commuters by offering all of them equitable access to a congestion solution. With toll lanes, a few commuters who are willing to pay expensive tolls are able to exit traffic congestion in order to speed along on congested toll lanes. Everyone else is left behind to wait in backlog. So the success of toll lanes depends on the continuation of congestion, not its elimination. And there is no guarantee that the number of people who will exit congested lanes will make the commute any better for those left in non-toll lanes. In fact, Appendix C, page 123, Tables 5.5 and 5.6 showed that in many situations, toll lanes will result in more congestion for drivers in the general purpose lanes, specifically important to the ten scenarios articulated. And that's the problem. The power of government should be used to develop solutions to problems that are equitably available to all of us. The public transit option that would give everyone the opportunity to avoid slow, stressful commutes is an example of a more equitable solution. The DEIS, however, considers neither a public transit option nor a travel demand management option. In November of 2017, however, the Regional Transportation Planning Board determined that travel demand management would be the most effective strategy of 10 strategies, including toll lanes that were analyzed for congestion reduction.

It published a study of alternatives for getting, giving citizens that shorter commutes, less time and traffic and better access to jobs and airports. The most effective strategy was found to be travel demand management and not express toll lanes. Travel demand management includes employers encouraging



more teleworking, providing transit and van pool benefits, and other measures. This would cut daily, daily vehicle hours of delay by 24 percent, according to the TPB study. Again, the DEIS did not include travel demand management in its analysis. Also, the toll lanes do not reduce greenhouse gas emissions, as required by the state of Maryland's Greenhouse Gas Reduction Act.

And finally, it does not compare. The DEIS does not compare the impacts on environmental justice and non-environmental justice communities as required by law. Putting more cars on more roads is not sustainable and cannot give us real solutions that reduce greenhouse gas emissions and congestion.

**ANDREW BING:** OK. Thank you, Susan.

**SUSAN NERLINGER:** Again, I am in favor of the No Build option.

Thank you very much.

**ANDREW BING:** OK, at this time, we have, it looks like one more person that's in the process of entering the speaker's queue. So we're just going to pause for one moment while we wait for that to go through the system. OK. Our next caller is Susan Grodsky. Susan, you will have three minutes. There will be a reminder with a tone when there are 30 seconds left in your testimony and there'll be two tones when there's 10 seconds left. After the automated message, please state your name, spell your name, and state your address.

**SUSAN GRODSKY:** Good morning. My name is Susan Grodsky. Good morning. My name is Susan Grodsky. I live in Rockville, Maryland. And yes, I would be close to changes to the 270 changes near the Montrose Road entrance. My name is spelled G (as in good)-R-O-D-S-K-Y. And my address is 6070 California Circle in Rockville, Maryland 20852. I am retired. I was a technical writer in the software industry for many years. I'm not authorized to speak on behalf of an organization. My first statement is that I do not support the project and I support a No Build option.

My points are these – the big points is, that the pandemic has changed every aspect of our lives. What the numbers I am seeing are that traffic has dropped 40 to 80 percent. And it just does not make sense to spend billions of dollars on building roadway when we don't know if we're ever actually going to need it. Now, I know you said that because of the public-private partnership, there will be no cost to taxpayers. But here's something my father told me when I was 10 years old. If it sounds too good to be true, it probably isn't. We only have to look at the mess related to the Purple Line to see how well public-private partnerships can work. And that is the whole of my testimony.

**ANDREW BING:** OK. We appreciate your comments.

**SUSAN GRODSKY:** There's nothing more I need to say.

**ANDREW BING:** OK. Well, thank you very much. We appreciate your comments. At this point, we do not have anyone else who has entered the speaker's queue to provide public testimony. As a reminder, today's public hearing has three sessions. We are currently in the morning session, which is running from 9:00 to 12:00.

The afternoon session will start at 1:00 and run from 1:00 to 4:00. The evening session will start at 5:00 and run from 5:00 to 8:00. For any of these sessions, if you would like and you have not yet registered to provide public testimony, you can do so simply by going to the Program website at [495-270-P3.com/DEIS](http://495-270-P3.com/DEIS) and you would click on the 'joint public hearings' button and then click on the 'register to provide virtual public testimony' button. Right now, it is 9:30. And as I said, that we do not have anyone else in the speaker's queue. This morning session of the public hearing will remain open, but we will be in recess until we have someone enter the speaker's queue or the session concludes at 12:00. I will come back every 20 minutes to provide an update. Or if we have someone entered the speaker's queue, I will come back immediately and let that person provide public testimony. So at this point, we are in recess.

[IN RECESS]

**AUTOMATED MESSAGE:** Thank you for attending the I-495 & I-270 Managed Lanes Study public hearing. Today's sessions begin at 9:00 AM, 1:00 PM, and 5:00 PM. Thank you for your patience.  
[REPEATS]

**ANDREW BING:** Good morning again, everyone. It is now 9:39 AM, and we do have someone who has entered the speaker queue to provide testimony. So, I'm going to reconvene the morning session. The next caller we have is Brian Lewald. Brian, after the automated message, you will have three minutes to provide your public testimony. And just as a reminder, when there are 30 seconds remaining, you'll hear a single tone. And when there are 10 seconds remaining, you will hear a double tone. Please state your name, spell your name, and state your address.

**BRIAN LEWALD:** Hi, everybody. My name is Brian Lewald. It's B-R-I-A-N L-E-W-A-L-D. I live in 9002 Henry Avenue in Chevy Chase, Maryland. I've been living in the Chevy Chase neighborhood since maybe 2013, there are maybe about 200 neighbors. We're a very close, tight-knit community just inside the Beltway. You know, one thing I've noticed is there's been much less traffic on the Beltway recently. Funny enough, it actually ends up being more audible because the traffic is actually higher now-a-days. But the first item that I want to mention is why it is really necessary at this point. Obviously business have fundamentally changed potentially to the more remote or flexible working experience. Obviously, we probably have less traffic today than we had in the past. And then, of course, we've actually also witnessed the diversity and the impact from another P3 project, which, which didn't go very well. The

second point I'll make is right now in our neighborhood over Kensington Parkway, there are no sound barriers from the Beltway. So nor are there are sound barriers on the eastbound ramp from Connecticut Avenue, which is Route 185, which actually bounds our neighborhood. What matters is if we are talking about expanding, I say there are going to be trees that are down. There's going to be negative impacts to the aesthetics in this sound mitigation. Obviously it would be a concern for us there if we are talking about expanding. It really does impact real people, real homes potentially being destroyed, real families and real lives. So I would just ask that those thought about mitigation or ways to potentially improve the people that are directly impacted versus those who are just benefiting who don't live here. Obviously my preference, number one would be to not expand, of course. So my preference is that Maryland 200 diversion alternative would be the preference of course. If we do have to expand, certainly, I would hope that we consider to make the least impact [INAUDIBLE]. So specifically, the Alternative 9M.

And just think about sound mitigation, tree mitigation, [INAUDIBLE] mitigation anything to make it less unsightly and also provide some protections in the south. I would just say, let's think about the cost versus impact not just on budgets but on the people that actually live around here. And that's it. Thank you.

**ANDREW BING:** OK, Brian, thank you very much. And we did record that entire testimony. I know on the closed captioning there may have been some words that were not accurately captured, but that is separate from the actual recording of the testimony. So that will be part of the official record. And we do have someone else who is in the speaker's queue, Seth Glinski. Seth, again, you'll have three minutes after the automated message. Please state your name, spell your name, and state your address.

Seth, are you there?

We're just having a slight technical difficulty, we'll see if we can get Seth on the line here.

**SETH GLINSKI:** Can you hear me now?

**ANDREW BING:** Yeah, we can hear you, so, and you'll have your full three minutes. Just state your name, spell your name, and state your address. And then your three minutes will start after that.

**SETH GLINSKI:** Seth Glinski (S-E-T-H G-L-I-N-S-K-I). My address is 8808 Earl Court in Bethesda, Maryland, 20817. I just wanted to say a couple quick things, most of which echoes some of the other testimony. I think that, you know, in my, in my career, I worked in construction and development and I see a lot of hesitation for people moving forward with a lot of different types of construction projects these days because we're not sure what the world is going to look like in six months or a year from now. And every smart private developer that I work with is putting projects on hold that may or may not be impacted by the future of how people work and live. And I feel like we've got really, really lucky in Montgomery

County and with this 495 and 270 expansion idea that we hadn't yet pressed go on any of the options prior to this COVID pandemic, because if we would have been a year into a 10-year construction project when this happened, everyone would have looked at it and said, what a huge mistake, but it's too late to stop and pull the plug. And it seems to me like, at the very least, we should be delaying any decision until we come out on the back side of COVID and see how many people are still commuting and how many people are going to be permanently transitioned to work from home. A lot of tech companies, a lot of local companies that have political affiliation that need to be downtown. A lot of companies that you would not expect are transitioning employees to permanently work from home availability or optionality, which will greatly reduce the amount of traffic on 270 and 495. So I think in short, we are very, very lucky and would be very smart to delay this decision for at least another year. I also think that that would give us enough time to look at the personal impact of a lot of these studies. I personally live in a cul-de-sac of seven houses, three of which would be affected by the potential limited disturbance shown on the maps today. And even though it would theoretically impact 10 percent of my property, the effect that it would have on losing, you know, multiple houses out of the seven houses on a cul-de-sac, and the fact that the potential new Beltway sound wall would be moving close to my front door because not all of our houses are facing the same direction, would be so dramatically impactful to our neighborhood that I think that that's the next level of evaluation. Not to mention the fact that it would be clearing a forest easement of one hundred, seventy five-foot-tall full of poplar trees and losing our primary separation between the Beltway. It would take another 50 years to grow back. It's something that would give us real heartache and real property value impact. So, that's all I have to say. Thank you for the time.

**ANDREW BING:** Okay, Seth, thank you very much for your comments. Right now, we do not have anyone else who has entered the speaker's queue. So we are going to go back into recess for the morning session. Again, this morning session will be open until 12, so people have a chance to register to provide public testimony. And we do have people who have registered who have not yet entered the speaker's queue. But I actually think we do have someone who just entered. So, we're going to hold on here for one moment until I get notice that they're in the queue and then we will go to the person. So we are still here, but we are just pausing for one moment to make sure that a person is in the speaker's queue. OK. We do have someone in the speaker's queue. Our next speaker will be Francisco Lopez. Francisco, you will have three minutes to provide your public testimony. As a reminder, you will hear a single tone when there are 30 seconds remaining and then a double tone when there are 10 seconds remaining. After the automated message, please state your name, spell your name, and state your address.

Francisco, are you there? OK.

Apparently, we had Francisco in the speaker's queue, but we are no longer have him. So, Francisco, if you do wish to still provide public testimony, please come back in. You can dial 855-925-2801. Enter your access code. And then after the entire welcome message plays, press the star key and then press

the number 3. At this point we don't have anyone in the speaker's queue. So, as I was saying, this morning's session will remain open until 12:00. But we will remain in recess. Right now it is 9:49 AM and we are in recess.

[IN RECESS]

**AUTOMATED MESSAGE:** Thank you for attending the I-495 & I-270 Managed Lanes Study public hearing. Today's sessions begin at 9:00 AM, 1:00 PM, and 5:00 PM. Thank you for your patience.  
[REPEATS]

**ANDREW BING:** OK. It is 10:01 AM. We are still in recess. We do not have any callers who have entered the speaker's queue, so we will remain in recess and I will check back in in approximately 20 minutes at about 10:20 to provide an update. But until we have callers enter the speaker's queue, we remain in recess. So, we will we will come back in about 20 minutes. Thank you.

[IN RECESS]

**AUTOMATED MESSAGE:** Thank you for attending the I-495 & I-270 Managed Lanes Study public hearing. Today's sessions begin at 9:00 AM, 1:00 PM, and 5:00 PM. Thank you for your patience.  
[REPEATS]

**ANDREW BING:** Good morning, it is 10:21 AM. We are still in recess as we do not have any callers currently in the speaker's queue.

Just a couple of reminders for anyone listening who still would like to provide testimony. If you have not yet registered to provide oral testimony, you can do so by visiting the Program website at [495-270-P3.com/DEIS](http://495-270-P3.com/DEIS). Once there, you click on the 'joint public hearings' button and then click on the 'click to register to provide virtual public testimony' button. If you're interested in leaving a voicemail, you call 855-432-1483. There is no registration required. You will just dial that number and be able to leave a voicemail testimony. If you are registered and trying to get into the speaker's queue, you call the phone number 855-925-2801. You will then enter your access code. Please listen to the entire welcome message. Once the welcome message concludes, you will hear, 'for more options, press the star button'. Press the star button, and then when prompted, press the number 3 to enter the speaker queue. We do have, this hearing will go, this session of the hearing will go until 12:00. We do have an afternoon session that will run from 1:00 to 4:00 and an evening session that will run from 5:00 to 8:00. So again, we will be in recess until we have someone enter the speaker's queue. Thank you very much.

[IN RECESS]

**AUTOMATED MESSAGE:** Thank you for attending the I-495 & I-270 Managed Lanes Study public hearing. Today's sessions begin at 9:00 AM, 1:00 PM, and 5:00 PM. Thank you for your patience.  
[REPEATS]

**ANDREW BING:** OK. Welcome back. It is 10:41. We are still in recess. At this point we have not had any new callers enter the speaker's queue so we are going to remain in recess. Again, this morning's session will run until 12:00 and I will come back on at approximately 11:00 to provide an update if we have not had any speakers enter the queue at that point. So we are in recess. Thank you.

[IN RECESS]

**AUTOMATED MESSAGE:** Thank you for attending the I-495 & I-270 Managed Lanes Study public hearing. Today's sessions begin at 9:00 AM, 1:00 PM, and 5:00 PM. Thank you for your patience.  
[REPEATS]

**ANDREW BING:** OK. Good morning again, everyone. It is 11:00 AM. We again thank everyone who has joined us. We do not have any callers in the speaker's queue at this time, so we will remain in recess. I do want to just provide a few reminders since we are at the 11:00 hour. Again, we do have, in addition to this morning's session of the public hearing, we do have an afternoon session that will run from 1:00 to 4:00 o'clock. In addition, we will have our evening session that will run from 5:00 to 8:00.

And then we do have four additional days of public hearings. Tuesday, August 25<sup>th</sup>; Tuesday, September 1<sup>st</sup>; Thursday, September 3<sup>rd</sup>; and Thursday, September 10<sup>th</sup>. For those of you who have not yet registered to provide oral testimony, you can do that by going to [495-270-P3.com/DEIS](http://495-270-P3.com/DEIS). You click on the 'joint public hearings' button and then you click on the 'click to register to provide virtual public testimony'. You can also leave a testimony by voicemail by calling 855-432-1483. There is no registration required. If you do wish to enter the speaker's queue, so you have registered and then you wish to enter the speaker's queue, you call 855-925-2801 and enter your access code. Please listen to the entire welcome message.

Once the welcome message ends, you then press the star key and then when prompted, you press the 3 in order to get into the speaker queue. Again, there will be a little bit of a lag from the time you call to the time we're able to get you into the speaker queue. So just be patient and we will get you, get you on. So at this point, we're going to go back into recess. It is 11:02 and I will come back on at approximately 11:20 just to provide another update or when we get someone who enters the speaker queue. We will bring them live and have them provide their public testimony. So thank you very much.

[IN RECESS]

**AUTOMATED MESSAGE:** Thank you for attending the I-495 & I-270 Managed Lanes Study public hearing. Today's sessions begin at 9:00 AM, 1:00 PM, and 5:00 PM. Thank you for your patience.  
[REPEATS]

**ANDREW BING:** It is 11:20 AM. Right now, we do not have any individuals in the speaker queue, so we are going to remain in recess. I will come back on in 20 minutes at 11:40, just to provide an update or if we get any speakers before then, we will come back on live in order to take their testimony. So we will remain in recess at this time. Thank you.

[IN RECESS]

**AUTOMATED MESSAGE:** Thank you for attending the I-495 & I-270 Managed Lanes Study public hearing. Today's sessions begin at 9:00 AM, 1:00 PM, and 5:00 PM. Thank you for your patience.  
[REPEATS]

**ANDREW BING:** Good morning, it's 11:40. We are still in recess. We do not have any speakers that have entered the speaker queue, so we will remain in recess until 12:00 and that will be when our morning session ends. So unless we get any callers between now and 12:00, we will end the morning session at 12:00. We will then start up again at 1:00 with a new hearing session. That session will run from 1:00 to 4:00. So, anyone who has registered will be able to enter the speaker queue and we'll take their testimony. And of course, you can still register for those sessions simply by going to the Project program website. So, we will remain in recess until 12:00 or when a caller comes into the queue. Thank you very much.

[IN RECESS]

**AUTOMATED MESSAGE:** Thank you for attending the I-495 & I-270 Managed Lanes Study public hearing. Today's sessions begin at 9:00 AM, 1:00 PM, and 5:00 PM. Thank you for your patience.  
[REPEATS]

**ANDREW BING:** OK, it is 11:50 AM. We do have someone who has joined the speaker queue and so we're going to reconvene the morning session of the hearing in order to hear from this individual. So, at this point, we have Tom Janes. Tom, just a couple reminders that you will have three minutes for your testimony. You will hear a tone when there's 30 seconds remaining and two tones when there's 10 seconds remaining. After the automated message, please state your name, spell your name, and state your address.

**THOMAS JANES:** Hey, how is it going? My name is Thomas Janes (T-H-O-M-A-S J-A-N-E-S), Thomas Janes and I live in Upper Marlboro at 12604 Paynn Street, P-A-Y-N-N Street, Upper Marlboro, Maryland 20772. I've lived in Maryland my whole life. I've always been accustomed to the busyness of the

Beltway. Now that I am in a working profession, I see how busy it is and I'm just used to always sitting in traffic on the Beltway from 3 to 5, or when I'm coming home from work or even in the morning when I've got a morning commute. If I need to go up the Beltway from Upper Marlboro, it's going to take, I need to have extra time and it's burdensome. So I just, I did some research. I was looking at the transportation research, the trip report from 2000 to 2018 that shows the Maryland interstates have increased nine times faster than the new lane capacity. And it's the second busiest state in the country and the second most congested state in the country when it comes to travel. So it's a burden. It's a problem for Maryland residents. It's, it's a problem for people traveling through Maryland. And I think this P3 is an awesome thing. I think it will bring jobs to Maryland. It's going to make infrastructure better. It's going to bring jobs here. And it's a great thing. So I am 100 percent for this P3 initiative to, to improve 495/270 interstate. So please, please consider keeping it and moving forward with it. Thank you.

**ANDREW BING:** Okay. Thank you, Mr. Janes. And I apologize for mispronouncing your name initially. Right now, we do not have any additional people in the speaker queue. So it is 11:52. We will go into recess just for another five to eight minutes. At 12:00, we will end the morning session. But we do have a few people who had registered to provide morning testimony but have not yet entered the speaker queue. So, we will wait and remain in recess in case they do sign on in order to testify. So right now, we will be in recess until 12:00. Thank you.

[IN RECESS]

**AUTOMATED MESSAGE:** Thank you for attending the I-495 & I-270 Managed Lanes Study public hearing. Today's sessions begin at 9:00 AM, 1:00 PM, and 5:00 PM. Thank you for your patience.  
[REPEATS]

**ANDREW BING:** OK, it is 12:00 noon, and this concludes the morning session of our Thursday, August 20th public hearing. We thank all those who took the time to call in and make comments. And for those of you who are watching the livestream, the next session will begin at 1:00. So our afternoon session will be from 1:00 till 4:00. And then we'll also have an evening session from 5:00 to 8:00 tonight. So, if you would like to provide any public testimony, you do need to register for those sessions, if you've not already done so. In order to register, you go to the Program website at [495-270-P3.com/DEIS](http://495-270-P3.com/DEIS). You click on the 'joint public hearings' button and then you click to register. I'm sorry, you click on the 'click to register to provide virtual public testimony' button. So that's how you would sign up in order to provide testimony. We do have several people who have already registered for the afternoon as well as the evening session. So, we will look forward to having some comments at those times. Until then, we will be in recess until 1:00 when we will start up again. Thank you very much.



**I-495 AND I-270 MANAGED LANES STUDY**

**JOINT PUBLIC HEARING**

**Thursday, August 20, 2020**

**Afternoon Session: 1:00 am to 4:00 pm**

**Virtual/Online**

**ANDREW BING:** Good afternoon, everyone. We are now about to start our afternoon session of our August 20th public hearing. We thank all of you who have joined us. I'm just going to make a couple quick announcements before I read my statement and we hear from other panelists. I just want to let everyone know that this afternoon's session will go from 1:00 to 4:00. If you are registered to provide testimony, I want to provide a quick instruction on the best way to do that. Once you call the 855-925-2801 number, you then enter your access code and you listen to the entire welcome message. Once the welcome message ends, you will hear, 'for more options press the star button'. Press that button and then press number 3.

When prompted to actually enter the speaker queue, if you have not yet registered to provide oral testimony, you visit the Program website at [495-270-P3.com/DEIS](http://495-270-P3.com/DEIS). You click on the 'joint public hearings' button and then click on the 'click to register to provide virtual public testimony' button. And that's how you can register for either this afternoon session, the evening session, or one of our future public hearings. So, at this point, I'm going to read a prepared statement to introduce the hearing session. And after that, we will go to our callers to get public testimony. Excuse me.

So, good afternoon. I'm Andrew Bing with the Maryland Department of Transportation. State Highway Administration, abbreviated MDOT SHA. Today is the second of six joint public hearings that MDOT SHA will be conducting for the I-495 & I-270 Managed Lanes Study, Draft Environmental Impact Statement, or DEIS, the Draft Section 4(f) Evaluation, and Joint Permit Application, or JPA. I will be the Hearing Officer and am responsible for running today's public hearing. Today's hearing is being held jointly by MDOT SHA, the Federal Highway Administration, and the Maryland Department of the Environment. On behalf of these agencies and the Federal Highway Administration as the lead agency, I welcome you.

The purpose of this hearing is for interested parties to provide testimony and comments on the Study's proposed alternatives and associated impacts as detailed in the DEIS, and the floodplain, waterway, and nontidal wetland impacts detailed in the Federal/State JPA. I'll provide a brief overview of the Managed Lanes Study background and the aquatic resource impacts documented in the JPA. I will introduce the panelists and identify ways for you to comment on the DEIS and JPA. Some panelists will then give statements on behalf of their agency. Finally, I will review the hearing procedures and open the phone line for live testimony. The purpose of the I-495 & I-270 Managed Lanes Study is to develop a travel demand management solution or solutions that addresses congestion, improves trip reliability on I-495 and I-270 within the study limits, and enhances existing and planned multimodal mobility and connectivity.

The needs for the Study are:

- Accommodate existing traffic and long-term traffic growth;
- Enhance trip reliability;
- Provide additional roadway travel choices;

- Improve the movement of goods and services; and
- Accommodate Homeland Security.

In addition, two goals were identified for the Study: incorporate alternative funding sources to achieve financial viability and environmental responsibility. The study limits include I-495 from south of the George Washington Memorial Parkway in Fairfax County, Virginia, including improvements to the American Legion Bridge over the Potomac River to west of MD 5 and along I-270 from I-495 to north of I-370, including the east and west I-270 spurs in Montgomery and Prince George's counties, Maryland. In addition to the No Build alternative, there are six build alternatives under consideration for improvements within these limits. Alternatives 8, 9, 9 Modified, 10, 13B and 13C.

Aquatic resource impacts would range from:

- Between 155,229 and 156,948 linear feet of streams;
- Between 16.1 and 16.5 acres of nontidal wetlands;
- Between 52.7 and 53.6 acres of wetland buffers;
- Between 116.5 and 120 acres of FEMA 100-year floodplains.

Detailed impacts by alternative can be found in the DEIS, the JPA, and the JPA Public Notice. Please be reminded that all hearing materials, including online narrated display materials, are available on the Program website: [495-270-P3.com/DEIS](http://495-270-P3.com/DEIS). Today's public hearing is being live-streamed and audio-recorded. The official transcript of the joint public hearing testimony will become part of the project record and will be available for public review on the Program website.

I will now introduce representatives of MDOT SHA, Federal Highway Administration, and the Maryland Department of the Environment who are in attendance for today's hearing. Lisa Choplin, I-495 & I-270 P3 Program Director, MDOT SHA; Jeff Folden, I-495 & I-270 P3 Program Deputy Director, MDOT SHA; Caryn Brookman, I-495 & I-270 P3 Program Environmental Program Manager, MDOT SHA; Shabnam Izadi, Title VI Coordinator, MDOT SHA; Jeanette Mar, FHWA Project Delivery Environment Team Environmental Manager; Amanda Sigillito, Nontidal Wetlands Division Chief, Maryland Department of the Environment.

And now, on behalf of Shabnam Izadi, the Title VI Officer for today's public hearing, I'll explain the significance of Title VI and how it relates to the transportation project planning process. Title VI of the Civil Rights Act of 1964 was put into effect to prohibit discrimination on the basis of race, color or national origin. To support the Act, the United States government designated additional statutes, laws, regulations and executive orders to provide guidance for the effective execution of the objectives of Title VI. As a recipient of Federal Funds, MDOT SHA is responsible for upholding the principles of VI Six of the Civil Rights Act of 1964 and related guidance. MDOT SHA's policies and programs should not discriminate against people on the grounds of race, color, national origin, sex, age, English proficiency level, or disability. The MDOT SHA policies and programs should avoid disproportionately high or adverse impacts on minority populations and low-income populations.

MDOT SHA seeks to provide citizen stakeholder groups and other interested parties with reasonable opportunities to be involved in the planning process.

With that said, MDOT is required to capture this data to demonstrate its compliance with Federal Regulation 23 CFR 200.9, Subsection (b)(4) and more importantly, to consider the transportation needs of the community by hearing from you. Compliance is voluntary, however, in order to demonstrate compliance with the federal regulation, the information requested must be documented when provided. It will not be used for any other purpose except to show that those who are affected by the project will have an interest in the project have been given an opportunity to provide input throughout the planning process. We invite you to take our Voluntary Demographic Survey. This survey will help us to ensure that we are reaching the communities that are affected by the I-495 & I-270 Managed Lanes Study. If you have questions or need assistance, call 410-545-0377. For more information regarding Title VI of the Civil Rights Act of 1964 and other nondiscrimination laws, review the Civil Rights under Title VI brochure. Both the survey and brochure can be found on the Program website by visiting the 'Participate and Provide Feedback; page. Any member of the public has the right to file a discrimination complaint against MDOT SHA if he or she feels MDOT SHA does not comply with Title VI of the Civil Rights Act of 1964 and the related statutes. The process for filing a complaint is outlined in the Title VI brochure located on the website. Lastly, if you are someone that you know speaks limited English and may need translation services to get project information, please call 833-858-5960 for assistance. At this time, I will turn the proceedings over to Amanda Sigillito with the Maryland Department of Environment to provide her statement.

**AMANDA SIGILLITO:** Good afternoon. My name is Amanda Sigillito, Chief of the Nontidal Wetlands Division at the Maryland Department of the Environment, abbreviated MDE. I am the panelist representing MDE at this public informational hearing for the I-495 & I-270 Managed Lanes Study Joint Permit Application. MDE appreciates both your interest and participation in the public comment process.

It is the responsibility of MDE to evaluate applications that propose impacts to nontidal wetlands, nontidal wetland buffer and waterways, including the 100-year nontidal floodplain. MDE's authority is found in Subtitles 5 and 9 of the Environment Article. Each application received through our regulatory program has specific and unique issues and impacts that must be considered in relationship to weighing the potential benefits and detriments of the project. MDE is neither a proponent nor opponent of any project. This public informational hearing is being conducted pursuant to subsection 5-204 of the Environment Article and Code of Maryland Regulations 26.23.02.02 and 26.17.04.13. The purpose of this public informational hearing is to provide the applicant with an opportunity to present an analysis of impacts that may be associated with the proposed activity. In addition, the hearing provides MDE with an opportunity to solicit additional information from interested persons.

This public informational hearing is for the Nontidal Wetlands and Waterways Permit Application No. 20-NT-0114/202060649, submitted by the Maryland Department of Transportation State Highway Administration for the proposed construction of managed lanes along the I-495 and I-270 corridors within Montgomery and Prince George's counties. Please note that when MDE issues its decision on the permit application, the accompanying information will be sent to the interested persons list, as well as to the applicant. At that time, MDE will be a final agency determination. There will be no further opportunity for administrative review. Any person withstanding who is either the applicant or who participated in the public dissipation process through the submission of written or oral comments may petition for judicial review in Circuit Court. The petition for judicial review must be filed within 30 days of the publication of MDE's permit decision. At this time, I will turn the proceedings back to Mr. Bing. Thank you.

**ANDREW BING:** Thank you, Amanda. There are multiple ways to comment on the DEIS and the JPA. You can provide oral testimony through the public hearing or leave your testimony by voicemail. You can also complete a comment form online or send an email or written letter. Details on ways to comment can be found on the Program website by visiting the 'Participate and Provide Feedback' page. Comments related to the JPA can be mailed or emailed to United States Army Corps of Engineer – Baltimore District or MDE Wetlands and Waterways Program. Comments must be received before 11:59 PM on October 8th, 2020. However, the public comment period may be extended 30 days. Please continue to visit the Program website, [495-270-P3.com/DEIS](http://495-270-P3.com/DEIS), for updates. All comments received, whether at the hearing through oral testimony or through other methods – comment form, voicemail, email and letter will be given equal consideration. Again, the purpose of this public hearing is to allow interested parties to provide public comments on the DEIS and JPA. Today's joint public hearing is available for viewing online and also available by phone. Excuse me.

The panelists and hearing officer will be visible on the screen and will be listening to all public comments. Although you may not see all panelists on screen at one time, all the panelists will be listening to the testimony. My role as the Hearing Officer is to run a professional and orderly joint public hearing. I understand how important the issues are related to the DEIS and the JPA and I take my role as Hearing Officer seriously. I am committed to providing members of the public an opportunity to provide comments in an organized, fair, professional and orderly manner. Offensive or profane language will not be allowed. After one warning, if offensive or profane language continues, the call will be ended. I also want to let everyone know that the agency representatives, as well as myself, will not be answering questions or responding to any comments made during the hearing. Responses to comments will be included in the Final Environmental Impact Statement. If you have joined us today to listen to the public hearing and would like to provide live testimony but have not yet registered, please go to the Program website at [495-270-P3.com/DEIS](http://495-270-P3.com/DEIS) to register. You may also leave recorded testimony via voicemail by calling 855-432-1483. Registration is not required to leave recorded testimony via voicemail.

The panelists are interested in hearing comments about the Study from all interested individuals. Please remember that we are recording this hearing. Speak directly and clearly into your phone and provide your full name and address and any organization you may represent. To ensure all will be heard, there will be a 3-minute time limit for public testimony and a 5-minute time limit for elected officials. The time will start after you introduce yourself. A single tone will sound when there are 30 seconds remaining. A double tone will sound when you have 10 seconds remaining. And at this point, you should wrap up your testimony. As the Hearing Officer, if you are unable to conclude your comments at the end of your time period, I will end the call and move on to the next person in the queue. So, that ends the prepared statements. I do want to just before we start introducing our callers, I do apologize in advance if I mispronounce anyone's name.

And we're going to go to our first caller. So, first up will be Jennifer Spreitzer. After Jennifer will be Daniel Ring. Jennifer, hold on for one second, I'm sorry I made a mistake. So, Jennifer, you will be first up. After Jennifer, we do have someone. We don't have a name. We have them identified by a phone number with the last four digits, 2195. So, Jennifer, after the automated message, please state your name, spell your name, and state your address.

**JENNIFER SPREITZER:** Jennifer Spreitzer (S-P-R-E-I-T-Z-E-R). I live at 8212 Thomlinson Avenue, Bethesda, Maryland. I'm a board member of the Carderock Springs Citizens Association, which will be submitting written comments and providing additional testimony in these hearings. Today, I'm speaking primarily as a resident of Carderock Springs South, which lies directly south of the Beltway. First, let me say, we are strongly in favor of the No Build option until the State has a much clearer idea of what future traffic patterns will be. Should the state vote to proceed with construction, the three issues of most concern to us in Carderock Springs South are the mitigation of noise, traffic, and construction impacts caused by Beltway expansion. First – noise barriers. My house is approximately 250 yards from I-495. Beltway noise now is loud enough that we rarely open our windows or socialize in our yard and expanding the number of lanes on the Beltway and increasing traffic will make it much louder. The DEIS confirms this, deeming it reasonable and feasible for noise barriers to be built both north and south of I-495 between Persimmon Tree and Seven Locks Roads. I'm here today to ask the SHA to ensure that these noise barriers be constructed and at no cost to local residents. The noise barrier design should be advanced in the Final EIS to provide much more information to our community about the noise barriers to be built. Additionally, the DEIS must also include barrier optimization guidance, directing the P3 contractor to construct right-sized barriers that maintain as many trees and plantings as possible.

My second area of concern today regards construction impacts for our neighborhood. The DEIS appears to indicate that the bridges over I-495 at Persimmon Tree at Seven Locks Road will need to be replaced. The Final EIS needs to adequately describe the disruptions that residents will experience. These disruptions should be mitigated through appropriate construction, communication, and

coordination activities documented in a construction management plan shared with impacted residents.

Third, my final comment regards the long-term traffic impacts for our neighborhood. The DEIS indicates that should Beltway expansion proceed, drivers on both River Road and the Claire Barton Parkway will see a greater than 10 percent increase in traffic delay. This is a major adverse impact for residents of our neighborhood and adjoining communities since these are the two major roads used by residents to access Washington, D.C.. The impacts to these local roads must be further documented and discussed and must be mitigated either through improvements to these roadways or policies to reduce their levels of traffic congestion. In summary, the No Build option is preferable until future traffic patterns have been adequately assessed. Should construction proceed, the Final EIS needs to include appropriate noise barriers to be built at no cost to residents, minimization of construction impacts, and mitigation for traffic delays on River Road and the Clara Barton Parkway. Thank you.

**ANDREW BING:** Thank you very much, Jennifer. Okay, before we go to phone number 2195 to provide testimony, I do want to point out that we do see that there are three registrants that have called in but are not in the speaker queue. So what we're gonna do in case there's an issue to it, we are going to automatically add them to the speaker queue because they have registered. So, Bob, you and Frank Pierce and Gabriela Kock, we are going to add you to the speaker queue and in a couple of speakers, your turn will come, just so you know. So, at this time we're going to go to phone number 2195 and then e will go to Daniel Ring. Again, phone number 2195 after the automated message, please state your name, spell your name, and state your address.

**JOSEPH ESPOSITO:** My name is Joseph (J-O-S-E-P-H), P as in Paul, Esposito (E-S-P-O-S-I-T-O). I live at 8412 Comanche Court in the Carderock Springs neighborhood of Bethesda. I appreciate the opportunity to be heard in opposition to the proposed toll road expansion. I wish to make five points. First, no one knows or can know what traffic patterns will be in one, five, or 10 years from now. And thus, no one knows or can know whether there will be any need for the proposed toll lines, toll lanes. The reason the pandemic is unprecedented and its long-term effects on traffic and congestion are unknown. My recent conversations with several people involved in commercial real estate in the area; people who make their living in this, indicate that they expect a significant long-term term downturn as the private and public sectors shift to working from home and hoteling. That would mean less traffic. And there have been several studies, including, including one specifically about 270, that show that it doesn't take much of a reduction in traffic to eliminate congestion. Like the bridge to nowhere, no one would want to build toll lanes for nothing. Accordingly, it would be prudent to put this project on hold until the facts become clear. Let's hit the pause button.

Second, it is wishful and naive to think that there will be no cost to taxpayers if this project proceeds, which was one of the selling points. The EIS itself raises the prospect that one billion in tax dollars

could be needed to subsidize the project if revenues are lower and costs are higher. The State is already projecting many millions less in toll revenues on existing toll roads over the next several years. And the Purple Line project is Exhibit A for the proposition that public private partnerships mean that taxpayers end up footing the bill when there is an acknowledgment before the project even begins that taxpayers may subsidize the project. It's a safe bet we will.

Third, while job creation is a laudable goal, there are plenty of other public works projects that can be undertaken as anyone who drives on Maryland roads can attest. Fourth, my home backs on the Carderock Springs Elementary School schoolyard, which sits closer to the Beltway than my house. In the 24 years that I have lived on Comanche Court, Beltway noise has increased dramatically in my backyard and the school yard. Thus, the students, even before the expansion, are already subjected to a steady, loud, droning noise before school, during PE, and during recess. Finally, if the project proceeds, the expansion should stay within the current right-of-way. An effective sound barrier should be constructed without cost to taxpayers for the affected communities. Thank you again for your consideration.

**ANDREW BING:** Thank you, Joseph. So the next caller we have is Daniel Ring. After Daniel will be Frank Pierce. Daniel, you will have three minutes to provide your public testimony. And after the automated message, please state your name, spell your name, and state your address.

**DANIEL RING:** Daniel Ring (D-A-N-I-E-L R-I-N-G). And my address is 4932 Arctic Terrace, Rockville, Maryland, 20853. I'm speaking in favor of the No Build option.

As a resident and educator in the area surrounding the central project, I want to say that I do not think that creating more highways, especially toll lanes, is the appropriate way to deal with congestion. I have sat in traffic on 270 and 495 and know it can be annoying. However, it is not as annoying as dramatic effects and climate change, which increase [inaudible] car traffic[inaudible]. This is a short-term solution to a long-term, to a long-term. When we actually need a long-term solution, we know that public transit is better than car traffic by every measure, in looking for the future of our planet, for the future of our communities, for livability in our communities. We know that highways historically have exacerbated social inequality and damaged communities. We need to wait on this issue and any further construction until we can find a better solution which will not exacerbate, exacerbate climate change. In addition, we know that toll lanes are aggressive tax on the economic future. And this means that poor citizens of our region are paying more of their income to use those toll lanes than wealthier residents. This only exacerbates socioeconomic inequality in our region, which we know, it was an issue of concern, especially for all of us these days. If we want to make changes in our region to help all residents equally, then we need to find different options. The No Build option is, in my opinion, the best way to look out for the future of our community, economically, environment and environmentally. Thank you.



**ANDREW BING:** Thank you, Daniel. Our next caller will be Frank Pierce. After Frank will be Gabriela Kock. Frank, you will have three minutes to provide your testimony. And just as a reminder, when there are 30 seconds remaining, you will hear one tone. And when there are 10 seconds remaining, you will hear two tones. So after the automated message, please state your name, spell your name, and state your address.

**FRANK PIERCE:** Hello, this is Frank Pierce of 1008 Shindler Drive in West Hillandale, Maryland, 20903. Nothing has as yet been mentioned about the terrible I didn't spell my name, did I? F-R-A-N-K P-I-E-R-C-E. All right.

Nothing has been mentioned about as yet, as yet about the impact of this road widening on my place of business, namely Holy Cross Hospital, Silver Spring. It seems that that another another lane would just about butt us right straight against the Beltway after the south building expansion and I can't see that. Secondly, I would like to know exactly what the interests of the of the private company is and how it would, how it would profit from its monopoly over these toll lanes. And I have my general opinion of this matter is that, is that this is not, this is not a good, a good transportation policy going forward. Governor Larry Hogan is a self-described road man, as per his interview on WTOP, and he doesn't understand, understand that we must urgently undertake other transportation means, an expanded public transportation zoning in accordance with public and, and bicycle transportation, for example.

And to me, this is not, this is not the way to go in the 21st century. As was mentioned earlier, we're going into a, we're going into an era of increased telecommuting. Less need for any of this, less burden on the roads. And to me, the whole, and of course, there is climate change. The whole thing sounds foolish. And it must be abandoned at once. Thank you very much for this opportunity to speak.

**ANDREW BING:** OK. Thank you, Frank. And next, we have Gabriela Kock. Gabriella, after the automated message, please state your name, spell your name, and state your address.

**GABRIELA KOCK:** Hello, my name is Gabriela Kock. It's G-A-B-R-I-E-L-A K-O-C-K. My address is 381030 Second Street, Mt. Rainier, Maryland, 20712. And I just want to clarify, I actually did register to provide testimony, so I'm not really sure why it was mentioned that I did not register. I did register and that's why I have the information for the call-in number. You know, my home is not immediately impacted by this roadway project. But to be honest, I am very surprised that with all that we're going through, the governor and Maryland State Department of Transportation, the State Highway is still thinking about moving forward. I support the No Build option at this point. I just want to say that my background, I'm actually a civil engineer and I've been working in transportation planning for more than 20 years. My first job here in this metropolitan area was with the Council of Governments. So for many years I've actually worked in transportation studies and the entire metropolitan region. And,

you know, as somebody who actually is familiar with this, I have, I don't really see the benefits of toll lanes. As somebody else mentioned, toll lanes are regressive. They impact, you know, people of lower incomes. Second, we have the Intercounty Connector (Maryland 200). And I would really love to see what the numbers on the usage of Maryland 200 are. They've actually support installing and operating toll lanes through 270 and 495. Additionally, I just want to say that, you know, I think for several years I think Marylanders have not supported the expansion of 495 or 270. I mean, it's just like it's an invitation for an increase in emissions, increase on our footprint. I mean, we just cannot afford to build more impermeable surfaces. Another impact that I see throughout, you know, just looking at a map of the area that would be needed for these toll lanes is businesses, schools, green spaces that would have to be eliminated to provide these lanes. And it's just unconscionable for us to be doing that and following that path. I just cannot, you know, understand why we are being told that this would not cost us. Of course, it has cost. Of course it has cost replacing those businesses, those schools. There is no way to replace the green spaces that were lost and the amount of money that will be needed for compensation for private properties. So I just want to put all this out there and I am strongly opposed to these toll lanes and the impacts that will have on our metropolitan region. Thank you.

**ANDREW BING:** OK. Thank you, Gabriela. And just to clarify, we we did see that you were registered. We were just trying to get you into the speaker queue. So we thank you for, for your, your testimony. So at this point, we do not have any additional callers that have entered the speaker's queue. We do have other people who have registered for the afternoon session. So as soon as they do sign in and get into the speaker queue, we will take their testimony.

Right now, it is approximately 1:35 PM. This afternoon session will stay open until 4:00. We also have an evening session from 5:00 to 8:00 tonight. But because we have no callers in the speaker's queue, we are going to go into recess. I will check back, probably the first time I'll check back will be at just about 2:00. But if we do get any callers in the meantime, I will bring us back and we will take their testimony. So, we are in recess until we get a caller or until 2:00. Thank you.

[IN RECESS]

**AUTOMATED MESSAGE:** Thank you for attending the I-495 & I-270 Managed Lanes Study, public hearing. Today's sessions begin at 9:00 AM, 1:00 PM, and 5:00 PM. Thank you for your patience.  
[REPEATS]

**ANDREW BING:** Good afternoon. It's 2:00 PM. We thank you for joining us for our afternoon session of the August 20th public hearing. Right now, we do not have any callers in the speaker queue, so we are going to remain in recess. I did want to just point out a couple things for anyone who is listening. If you are listening and you would like to register to provide oral testimony, you visit the Program website at [495-270-P3.com/DEIS](http://495-270-P3.com/DEIS). You then click on the 'joint public hearings' button and you click on

the 'click to register to provide virtual public testimony' button. You can also leave testimony by voicemail by calling 855-432-1483. There is no registration required to leave a voicemail. Once you are registered, I wanted to just provide some instructions for how to actually get into the speaker queue. You call the phone number 855-925-2801 and you enter your access code, you then will hear a welcome message. You need to listen to the entire welcome message and once it ends, you will end up pressing the star button and then the number 3 button to enter the speaker queue. So again, we don't have any callers in the speaker queue, so we are going to stay in recess. I will check back in in approximately 20 minutes to provide an update. But until then, we are in recess. Thank you.

[IN RECESS]

**AUTOMATED MESSAGE:** Thank you for attending the I-495 & I-270 Managed Lanes Study public hearing. Today's sessions begin at 9:00 AM, 1:00 PM, and 5:00 PM. Thank you for your patience.  
[REPEATS]

**ANDREW BING:** OK. Good afternoon, everyone. It is 2:20 PM. Right now, we do not have anyone in the speaker's queue, so we are going to remain in recess. I will check back and provide an update in approximately 20 minutes. If we do get anyone who does make it into the speaker's queue. we will come back and we will take that public testimony. But until then, we will stay in recess. Thank you.

[IN RECESS]

**AUTOMATED MESSAGE:** Thank you for attending the I-495 & I-270 Managed Lanes Study public hearing. Today's sessions begin at 9:00 AM, 1:00 PM, and 5:00 PM. Thank you for your patience.  
[REPEATS]

**ANDREW BING:** Good afternoon again. It is approximately 2:40. We are in recess and we will continue in recess. We do not have any callers who have entered the caller queue, the speaker's queue. So we are going to remain in recess. Again, I'll come back in approximately 20 minutes, in 20 minutes and provide an update. But until then, we will remain in recess. Thank you.

[IN RECESS]

**AUTOMATED MESSAGE:** Thank you for attending the I-495 & I-270 Managed Lanes Study public hearing. Today's sessions begin at 9:00 AM, 1:00 PM, and 5:00 PM. Thank you for your patience.  
[REPEATS]

**ANDREW BING:** Good afternoon. It's 3:00. We are in recess. Right now we do not have any callers who have entered the speaker queue, so we will remain in recess. I do at the top of the hour just want to provide a few updates for those of you who may be listening. If you would like to provide oral

testimony, you do need to go to the website at [495-270-P3.com/DEIS](http://495-270-P3.com/DEIS). Once there, you click on the 'joint public hearings' button and then you click on the link to 'register to provide virtual public testimony' button. You can also call in to leave testimony via voicemail by calling 855-432-1483. We do have one hour left in the afternoon session. At this point if you are looking to register, you will not be able to register for this afternoon session. You would have to register either for the evening session or for one of our later public hearings. But if you are someone who did pre-register for the afternoon session, you still can come on and provide public testimony. Once you enter the speaker queue, we will we will have you come on and provide that public testimony. So, again, we will be in recess now until approximately 3:20 when I'll provide another update. Thank you very much.

[IN RECESS]

**AUTOMATED MESSAGE:** Thank you for attending the I-495 & I-270 Managed Lanes Study, public hearing. Today's sessions begin at 9:00 AM, 1:00 PM, and 5:00 PM. Thank you for your patience.

[REPEATS]

**ANDREW BING:** OK, it is 3:20. We do not have any callers in the queue to provide public testimony. So, we are going to stay in recess. This afternoon session will end at 4:00. Just a reminder, we do have an evening session that will go from 5:00 to 8:00 tonight. So we hope some people can join us then. But right now, we will stay in recess. Thank you.

[IN RECESS]

**AUTOMATED MESSAGE:** Thank you for attending the I-495 & I-270 Managed Lanes Study, public hearing. Today's sessions begin at 9:00 AM, 1:00 PM, and 5:00 PM. Thank you for your patience.

[REPEATS]

**ANDREW BING:** Good afternoon, everyone. It is 3:40. We are in recess. We have not had anyone enter the speaker's queue, so we will remain in recess for the next 20 minutes, at which point this afternoon session will end. If someone does join the speaker's queue within the next 20 minutes, we will come back and take their public testimony. But until then, we will remain in recess. Thank you.

[IN RECESS]

**AUTOMATED MESSAGE:** Thank you for attending the I-495 & I-270 Managed Lanes Study, public hearing. Today's sessions begin at 9:00 AM, 1:00 PM, and 5:00 PM. Thank you for your patience.

[REPEATS]

**ANDREW BING:** OK, it is now 4:00 PM. The afternoon session of the August 20th public hearing is now closed. We thank everyone who provided public testimony. We will have an evening session that will

begin at 5:00 and end at 8:00. So, we do have people who have pre-registered for that session. So they will come on and provide public testimony. If you have not yet registered for the evening session, you still can do that by going to the Program website at [495-270-P3.com/DEIS](https://495-270-P3.com/DEIS). Once there you click on the 'joint public hearing's button and then click to 'register to provide virtual public testimony' button. Again, we are now wrapping up for this session. The public comment period will remain open until October 8th, 2020. And we look forward to seeing you at 5:00 tonight. Thank you.



**I-495 AND I-270 MANAGED LANES STUDY**

**JOINT PUBLIC HEARING**

**Thursday, August 20, 2020**

**Evening Session: 5:00 pm to 8:00 pm**

**Virtual/Online**

**ANDREW BING:** Good evening and welcome to the evening session for our August 20th public hearing. This session will run from 5:00 PM to 8:00 PM tonight. Before I make some introductory remarks, I would like to just make a couple of quick announcements.

If you have offered to provide testimony tonight, I just want to help with some instructions. After you call the 855-925-2801 phone number and enter your access code, you will listen to the welcome message. You must listen to the entire welcome message before you then press the star key. After pressing the star key, and when prompted, you'll press the number 3 key to enter the speaker queue. If you are listening and you have not registered yet to provide testimony and would like to, please visit the Program website at [495-270-P3.com/DEIS](http://495-270-P3.com/DEIS). Once there, you will click on the 'joint public hearings' button and then click on the 'click to register to provide virtual public testimony' button. You can also leave testimony via voicemail. You call the number 855-432-1483. Registration is not required and you can leave recorded testimony via voicemail.

So at this point, I'm going to read some introductory prepared statement remarks and then we will get to our callers who have joined us in the speaker queue. So, again, good evening. I'm Andrew Bing with the Maryland Department of Transportation State Highway Administration, abbreviated MDOT SHA. Today's the second of six joint public hearings that MDOT SHA will be conducting for the I-495 & I-270 Managed Lanes Study Draft Environmental Impact Statement, or DEIS, the Draft Section 4(f) Evaluation, and Joint Permit Application, or JPA. I am the Hearing Officer and am responsible for tonight's, for running tonight's public hearing. Tonight's hearing is being held jointly by MDOT SHA, the Federal Highway Administration, and the Maryland Department of the Environment. On behalf of these agencies and the Federal Highway Administration as the lead agency, I welcome you.

The purpose of this hearing is for interested parties to provide official testimony and comments on the Study's proposed alternatives and associated impacts as detailed in the DEIS, and the floodplain, waterway, and nontidal wetland impacts detailed in the Federal/State JPA. I will provide a brief overview of the Managed Lanes Study background and the aquatic resource impacts documented in the JPA. I will introduce the panelists and identify ways for you to comment on the DEIS and JPA. Some panelists will then give statements on behalf of their agency. Finally, I will review the hearing procedures and open the phone line for live testimony.

The purpose of the I-495 & I-270 Managed Lanes Study is to develop a travel demand management solution or solutions that addresses congestion, improves trip reliability on I-495 and I-270 within the study limits, and enhances existing and planned multimodal mobility and connectivity.

The needs for the Study are:

- Accommodate existing traffic and long-term traffic growth;
- Enhance trip reliability;
- Provide additional roadway travel choices;



- Improve the movement of goods and services; and
- Accommodate Homeland Security.

In addition, two goals were identified for the Study: incorporate all funding sources to achieve financial viability and environmental responsibility. The study limits include I-495 from south of the George Washington Memorial Parkway in Fairfax County, Virginia, including improvements to the American Legion Bridge over the Potomac River to west of MD 5 and along I-270 from I-495 to north of I-370, including the east and west I-270 spurs in Montgomery and Prince George's counties, Maryland. In addition to the No Build alternative, there are six build alternatives under consideration for improvements within these limits. Alternatives 8, 9, 9 Modified, 10, 13B, and 13C.

Aquatic resource impacts would range from:

- Between 155,229 and 156,948 linear feet of streams; Between 16.1 and 16.5 acres of nontidal wetlands;
- Between 52.7 and 53.6 acres of wetland buffers;
- Between 116.5 and 120 acres of FEMA 100-year floodplains.

Detailed impacts by alternative can be found in the DEIS, the JPA, and the JPA Public Notice. Please be reminded that all hearing materials included online narrated display materials are available on the Program website: [495-270-P3.com/DEIS](http://495-270-P3.com/DEIS). Tonight's public hearing is being live-streamed and audio-recorded. The official transcript of the joint public hearing testimony will become part of the project record and will be available for public review on the Program website. I will now introduce representatives of MDOT SHA, the Federal Highway Administration, and the Maryland Department of the Environment, who are in attendance for tonight's hearing. Lisa Choplin, I-495 & I-270 P3 Program Director, MDOT SHA; Jeff Folden, I-495 & I-270 P3 Program Deputy Director, MDOT SHA; Caryn Brookman, I-495 & I-270 P3 Program Environmental Program Manager, MDOT SHA; Shabnam Izadi, Title VI Coordinator, MDOT SHA; Jitesh Parikh, FHWA Project Delivery Environment Team Leader; and Amanda Sigillito, Nontidal Wetlands Division Chief, Maryland Department of the Environment.

And now, on behalf of Shabnam Izadi, the Title VI Officer for tonight's public hearing, I'll explain the significance of Title VI and how it relates the transportation project planning process. Title VI of the Civil Rights Act of 1964 was put into effect to prohibit discrimination on the basis of race, color or national origin. To support the Act, the United States government designated additional statutes, laws, regulations and executive orders to provide guidance for the effective execution of the objectives of Title VI. As a recipient of Federal Funds, MDOT SHA is responsible for upholding the purpose of Title VI of the Civil Rights Act of 1964 and related guidance. MDOT SHA's policies and programs should not discriminate against people on the grounds of race, color, national origin, sex, age, English proficiency, income level or disability. The MDOT SHA policies and programs should avoid disproportionately high or adverse impacts on minority populations and low-income populations.

MDOT SHA seeks to provide citizen stakeholder groups and other interested parties with reasonable opportunities to be involved in the planning process. With that said, MDOT is required to capture this data to demonstrate its compliance with Federal Regulation 23 CFR 200.9, Subsection (b)(4) and more importantly, to consider the transportation needs of the community by hearing from you. Compliance is voluntary, however, in order to demonstrate compliance with the federal regulation, the information requested must be documented when provided. It will not be used for any other purpose except to show that those who are affected by the project or have an interest in the project have been given an opportunity to provide input throughout the planning process. We invite you to take our Voluntary Demographic Survey. This survey will help us to ensure that we are reaching the communities that are affected by the I-495 & I-270 Managed Lanes Study. If you have questions or need assistance, call 410-545-0377.

For more information regarding Title VI of the Civil Rights Act of 1964 and other nondiscrimination rules, review the Civil Rights under Title VI brochure. Both the survey and brochure can be found on the program website by visiting the 'Participate and Provide Feedback' page. Any member of the public has the right to file a discrimination complaint against MDOT SHA, if he or she feels MDOT SHA does not comply with Title VI of the Civil Rights Act of 1964 and the related statutes. The process of filing a complaint is outlined in the Title VI brochure located on the website. Lastly, if you are someone that you know speaks limited English and may need translation services to get project information, please call 833-858-5960 for assistance. At this time, I will turn the proceedings over to Amanda Sigillito from the Maryland Department of the Environment to provide her statement.

**AMANDA SIGILLITO:** Hello and good evening. My name is Amanda Sigillito. I am Chief of the Nontidal Wetlands Division at the Maryland Department of the Environment, abbreviated MDE. I am the panelist representing MDE at this public informational hearing for the I-495 & I-270 Managed Lanes Study Joint Permit Application. MDE appreciates both your interest and participation in the public comment process. It is the responsibility of MDE to evaluate applications to proposed impacts to nontidal wetlands, the nontidal wetland buffer and waterways, including the 100-year non-tidal floodplain. MDE's authority is found in Subtitles 5 and 9 of the Environment article. Each application received through our regulatory program has specific and unique issues and impacts that must be considered in relationship to weighing the potential benefits and detriments of the project. MDE is neither proponent nor opponent of any project. This public informational hearing is being conducted pursuant to subsection 5-204 of the Environment Article and Code of Maryland regulations 26.23.02.02 and 26.17.04.13.

The purpose of this public informational hearing is to provide the applicant with an opportunity to present an analysis of impacts that may be associated with the proposed activity. In addition, the hearing provides MDE with an opportunity to solicit additional information from interested persons. This public informational hearing is for the Nontidal Wetlands and Waterways Permit Application No. 20-NT-0114/202060649, submitted by the Maryland Department of Transportation State Highway

Administration for the proposed construction of managed lanes along the I-495 and I-270 corridors within Montgomery and Prince George's counties. Please note that when MDE issues its decision on the permit application, the accompanying information will be sent to the interested persons list as well as to the applicant. At that time, MDE's decision will be a final agency determination. There will be no further opportunity for administrative review. Any person withstanding who is either the applicant or who participated in the public participation process through the submission of written or oral comments may petition for judicial review in Circuit Court. The petition for judicial review must be filed within 30 days of the application of the publication of the permit decision. At this time, I will turn the proceedings back to Mr. Bing. Thank you.

**ANDREW BING:** Thanks, Amanda. There are multiple ways to comment on the DEIS and JPA. You can provide oral testimony through the public hearing or leave your testimony by voicemail. You can also complete a comment form online or send an email or written letter. Details on ways to comment can be found on the Program website by visiting the 'Participate and Provide Feedback' page. Comments related to the JPA can be mailed or emailed to the U.S. Army Corps of Engineer – Baltimore District or Maryland Department of the Environment Wetlands and Waterways Program. Comments must be received before 11:59 PM on October 8th, 2020. However, the public comment period may be extended 30 days. Please continue to visit the Program website, [495-270-P3.com/DEIS](http://495-270-P3.com/DEIS), for updates. All comments received, whether at the hearing through oral testimony or through other methods, such as a comment form, voicemail, email and letter will be given equal consideration.

Again, the purpose of this public hearing is to allow interested parties to provide public comments on the DEIS and JPA. Tonight's joint public hearing is available for viewing online and also available by phone. The panelists and hearing officer will be visible on the screen and will be listening to all public comments. Although you may not see all panelists on screen at one time, all of the panelists will be listening to the testimony. My role as the Hearing Officer is to run a professional and orderly joint public hearing. I understand how important the issues are related to the DEIS and the JPA, and I take my role as Hearing Officer seriously. I'm committed to providing members of the public an opportunity to provide comments in an organized, fair, professional and orderly manner. Offensive or profane language will not be allowed. After one warning, if offensive or profane language continues, the call will be ended. I also want to let everyone know that the agency representatives, as well as myself, will not be answering questions, responding to any comments made during the hearing. Responses to the comments will be included in the Final Environmental Impact Statement. If you have joined us tonight to listen to the public hearing and would like to provide live testimony but have not yet registered, please go to the Program website at [495-270-P3.com/DEIS](http://495-270-P3.com/DEIS) to register. You may also leave recorded testimony via voicemail by calling 855-432-1483. Registration is not required to leave recorded testimony via voicemail. The panelists are interested in hearing comments about the Study from all interested individuals. Please remember that we are recording this hearing. Speak directly and clearly into your phone and provide your full name, address, and any organization you may represent. To ensure all will be heard, there will be a 3-minute time limit for public testimony.

*[silence] [music]*

Yes, the public can hear us. We are experiencing some technical difficulties. Are we back on now again?

So, I was just about at the end of my of my public statement. We were just going to start taking testimony. I have only one paragraph left to read, which was just some final instructions. So, again, to ensure that all will be heard, there will be a 3-minute, 3-minute time limit for public testimony and a 5-minute time limit for elected officials. The time will start after you introduce yourself. A single tone will sound when there are 30 seconds remaining. A double tone will sound when you have 10 seconds remaining. And at this point, you should wrap up your testimony. As the Hearing Officer, if you are unable to conclude your comments at the end of your time period, I will end the call and move on to the next person in the queue. I do apologize if I mispronounce anyone's names, but we're going to go to our first person that we have signed up. Just one moment. OK, we're going to go to Brian Ditzler. Brian, you'll have three minutes to provide your public testimony. After the automated message, please state your name, spell your name, and state your address.

**BRIAN DITZLER:** My name is Brian Ditzler, spelled B-R-I-A-N D-I-T-Z-L-E-R. I live at 1225 Noyes Drive in Silver Spring,. Noyes is N-O-Y-E-S, Drive in Silver Spring. I'm testifying on behalf of Maryland Sierra Club and its more than 70,000 members and supporters. I'll 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 that 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 WSOC says moving sewer and water infrastructure could cost as much as 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 a detailed study including public transit, traffic system management, and transportation demand management alternatives or a combination of them. We believe that the latter alternatives would cost less and serve residents needs so much better than the 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 as much as \$300,000 to conduct document searches is absurd and has handed 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 the cost to conduct the soil evaluations and so remove, 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 the stormwater runoff, inevitable degradation of parks, wetlands, waterways in 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 is amassed, so mitigation would be left affected municipalities and counties to handle and pay for. This is totally irresponsible and unacceptable.

**ANDREW BING:** Brian, I need you to wrap up.

**BRIAN DITZLER:** In summary, this project makes no sense. So the No Build option should be chosen. Thank you.

**ANDREW BING:** OK. Thank you very much. And again, I do apologize for the technical issues that we had at the end of the prepared statement. Our next caller is Jennifer Russel. Jennifer, you will have three minutes. And after the automated message, please state your name, spell your name, and state your address.

**JENNIFER RUSSEL:** My name is Jennifer Russel, J-E-N-N-I-F-E-R R-U-S, like in Sam, S-E-L, one L, 6208 Meadow, M-E-A-D-O-W Court, Rockville, Maryland, 20852. Good afternoon. I'm Jennifer Russel, Vice Chair of Suburban Maryland Transportation Alliance, also known as SMTA. I'm speaking on behalf of SMTA and its grass roots organization, Citizens for Traffic Relief. We wish to hardly support moving forward with the P3 project would seek, which seeks to improve I-495 and I-270. The DEIS is, of course, an overwhelming document and much has been said about time to respond in search of new information, the like. However, the bottom line remains the same. In the real world, as opposed to the current COVID nightmare, we will still be strangulating in traffic as data incorporated in the DEIS cites 2040 highway speeds of 15 miles per hour or less extended beyond traditional rush hour period because another 1.2 million people will be populating the region by that year. Efforts to delay the process for the PC, P3 seem to be the opposition's answer to this current non-pandemic congestion and congestion in the future. How does that make sense as an answer? More delay must not be the answer for a project that has been under study for 30 years as part of the region's long-range plan.

We must, must also not make the grievous error of thinking that recent increases in telework, which have reduced commuting trips in the short term, will rid us of congestion. Be aware that commuting only make up about 20 percent of all trips and their sectors of the economy that will never enjoy that opportunity. Several of the proposed alternatives will make significant impacts and congestion by reducing systemwide delays of up to 35 percent. This is a no brainer that we must embrace. It is vital that we recognize the unique value, the P3, as an instrument to provide the funding the State does not have the money or bonding capacity to produce. There is no other viable means to acquire the funds to underwrite such an ambitious road project. These key improvements to the American Legion Bridge has been needed in the region for years. We suggest that Alternatives 9 and 10 perform well with respect to metrics, with Alternative 9 offering the added benefits of boosting carpool and van pool usage due to the use of HOV lanes. It is also important to realistically evaluate the environmental impacts of the projects, which are less than other projects of this scale because importantly, the project only involves widening existing facilities. SMTA and Citizens for Traffic Relief say, let's be smart. Take the bull by the horns and use this opportunity to move forward with the region. Thank you for the opportunity to testify.

**ANDREW BING:** Thank you, Jennifer. OK. Our next caller is Frank Hartman. Frank, you will have three minutes. After the automated message, please state your name, spell your name, and state your address.

**ZAIDA JOCSON:** Hi, my name is Zaida Jocson. Frank Hartman is my husband, and he couldn't testify tonight, so I'm taking his place. Like I said, my name is Zaida Jocson (Z-A-I-D-A J-O-C-S-O-N). I live in Silver Spring at 710 Guilford Court, Silver Spring, Maryland, 20901. I support a No Build option. I live very close to a Beltway overpass, within sight of it. We already have a lot of noise to deal with and I know it will get much worse. Obviously the pollution would get worse. The construction going on in our neighborhoods would be awful and would likely go on for years. In addition, I don't think we have enough information about the environmental and monetary costs of this project. Mitigation measures were vague, insufficient, or missing. I also live close to Sligo Creek Park, which would be negatively impacted. We would have stormwater runoff issues worse than they are currently. Also, I'm a member of the Silver Spring YMCA, which provides vital services to the community and it would likely have to be shut down because it's right next to the Beltway. I also just don't see the reasoning given we don't know how commutes are going to be impacted at this point. As others have mentioned, with the pandemic, working from home is much more common. So I question how necessary expanding the Beltway is right now. Thank you.

**ANDREW BING:** Thank you, Zaida. OK, at this time, it is approximately 5:30 and we do not have any more callers in the queue to provide testimony. We do have people who have registered to provide testimony, but they have not actually entered the speaker's queue at this time. So, we will go into recess until we have someone enter the speaker's queue and then we will come back and allow them to provide their testimony. Again, this session will go on until 8:00 tonight. So you still have time to

register to provide testimony by visiting the project website. But at this point, it's 5:30 and we will be in recess. I will come back periodically, to provide updates. Thank you very much.

[IN RECESS]

**AUTOMATED MESSAGE:** Thank you for attending the I-495 & I-270 Managed Lanes Study public hearing. Today's sessions begin at 9:00 AM, 1:00 PM, and 5:00 PM. Thank you for your patience.  
[REPEATS]

**ANDREW BING:** OK, it is 6:00 PM. At this point, we are in recess and we have not had any other callers enter the speaker's queue, so we are going to remain in recess. However, we are going to play back some testimony that was done earlier. We had some technical issues, and even though anyone on by phone was able to hear Mr. Brian Ditzler's comments, if you were live-streaming through your computer, you were not able to hear a portion of that testimony. Again, that full testimony was recorded for the public record. But we did receive an e-mail from someone saying they would like to hear that testimony, who was live-streaming. So at this point, we are going to play back Mr. Ditzler's comments.

**BRIAN DITZLER:** My name is Brian Ditzler, spelled B-R-I-A-N D-I-T-Z-L-E-R. I live at 1225 Noyes Drive in Silver Spring,. Noyes is N-O-Y-E-S, Drive in Silver Spring. I'm testifying on behalf of Maryland Sierra Club and its more than 70,000 members and supporters. I'll 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 that 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 WSOC says moving sewer and water infrastructure could cost as much as 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 a detailed study including public transit, traffic system management, and transportation demand management alternatives or a combination of them. We believe that the latter alternatives would cost less and serve residents needs so much better than the 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 as much as \$300,000 to conduct document searches is absurd and has handed 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 the cost to conduct the soil evaluations and so remove, 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 the stormwater runoff, inevitable degradation of parks, wetlands, waterways in 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 is amassed, so mitigation would be left affected municipalities and counties to handle and pay for. This is totally irresponsible and unacceptable.

**ANDREW BING:** Brian, I need you to wrap up.

**BRIAN DITZLER:** In summary, this project makes no sense. So the No Build option should be chosen. Thank you.

**ANDREW BING:** So, again, those were comments that were made earlier during our evening session. OK, again, those were comments that were made earlier during our evening session. We had a problem with the live-stream only, not the phone.

Again, if you can hear me, we're having some technical difficulties, so please just stand by. OK, we're going to. We do not have any callers right now, so we are going to be in recess. I will provide an update at approximately 6:20. Thank you.

[IN RECESS]

**AUTOMATED MESSAGE:** Thank you for attending the I-495 & I-270 Managed Lanes Study public hearing. Today's sessions begin at 9:00 AM, 1:00 PM, and 5:00 PM. Thank you for your patience. [REPEATS]

**ANDREW BING:** OK, it is 6:15 PM. and we do have someone who has entered the speaker's queue, so I'm going to come back from recess and reconvene the hearing right now. We do have Nichole Salinger prepared to provide public comment. So, Nichole, I just want to give you a couple reminders. You will have three minutes to provide your testimony. There will be a single tone you will hear when



there are 30 seconds remaining and you'll hear a double tone when there are 10 seconds remaining. After, after you hear the automated message, please state your name, spell your name, and state your address.

**NICHOLE SALINGER:** Hello. My name is Nichole Salinger. What was the last bit of information, I couldn't quite hear you?

**ANDREW BING:** So you need to spell your name and state your address.

**NICHOLE SALINGER:** OK. So, my name is N-I-C-H-O-L-E. Last name is S-A-L-I-N-G-E-R. No middle name. I live at 4002 Lawrence Avenue in Kensington, Maryland. And the zip code is 20895.

**ANDREW BING:** Great. You can go ahead and start your comments. You'll have three minutes.

**NICHOLE SALINGER:** Great. I have been living in DC for approximately 10 years, five of which I have become a single homeowner. And I've become very familiar with that traffic in the 495 corridor as well as the GW Parkway. And, you know, reading over some of the DEIS materials, I was struck by the claims that were being made for time savings, you know, for the amount of money that is being spent or potentially being spent. You know, twenty-seven minutes. If you break down the budget for twenty-seven minutes, you're basically costing, you know, for each minute saved, for twenty-seven minutes, three hundred million dollars. You know, one minute costing three hundred million dollars. If you look at the budgets that have been, you know, disclosed, is, is just completely unsustainable. And in my point, in my view, the amount of money being dedicated doesn't go far enough. If you look at Europe, their traffic systems are dynamic. They change. They have digital displays. Speed limits often change on the same section of highways. They have controlled access so they limit the number of cars coming into the highway versus not coming in using traffic signals at the base of the ramps. There are lots of traffic management systems that have not even been broached before we came to this conclusion that we needed to completely repave and add lanes to 495. As the leader of the nation, you know, Montgomery County is very close to D.C., so this will have a direct impact on every single D.C. resident as well. This is just, it's, it's just a non-starter and really disadvantages minority groups as well as low-income residents. You're really putting the traffic burden on people who can't pay for Lexus lanes and the inclusion of HOT lanes, I'm sorry, HOV lanes, again, this doesn't really alleviate minority or, or low-income users as well. So you're really out-pricing, you know, the largest portion of the population that this should be moving to help. We should not be financing Lexus lanes just because, you know, the governor says traffic is a nightmare.

**ANDREW BING:** OK, well, we thank you for your comments. At this time, we do not have anyone else in the speaker's queue, so we are going to go back into recess. I just want to remind people that there is still time to register to provide comments tonight. You simply have to go to the Program website in order to do that, which is [495-270-P3.com/DEIS](http://495-270-P3.com/DEIS). And you can still register for tonight. At this point we

will go into recess until we get another person to enter the speaker's queue or I will be back in approximately 20 minutes to provide an update. Thank you very much.

[IN RECESS]

**AUTOMATED MESSAGE:** Thank you for attending the I-495 & I-270 Managed Lanes Study, public hearing. Today's sessions begin at 9:00 AM, 1:00 PM, and 5:00 PM. Thank you for your patience.  
[REPEATS]

**ANDREW BING:** OK. Good evening, everyone, it's 6:40 PM. We do not have any callers in the speaker queue, so we are going to remain in recess. If anyone does join us to provide testimony we will come back from recess. But if not, I will provide another update at 7:00 tonight. So, again, we remain in recess. Thank you.

[IN RECESS]

**AUTOMATED MESSAGE:** Thank you for attending the I-495 & I-270 Managed Lanes Study public hearing. Today's sessions begin at 9:00 AM, 1:00 PM, and 5:00 PM. Thank you for your patience.  
[REPEATS]

**ANDREW BING:** It is 7:00 PM. We do not have any additional callers who have entered the speaker's queue. So we are going to stay in recess. I do want to point out that we will be having additional hearings and they will take place on Tuesday, August 25th; Tuesday, September 1st; Thursday, September 3rd; and Thursday, September 10th.

This particular session will remain open for one more hour. So if you have pre-registered for the evening session for this hearing, you still can enter the speaker queue and provide testimony. Again, we are in recess.

[IN RECESS]

**AUTOMATED MESSAGE:** Thank you for attending the I-495 & I-270 Managed Lanes Study public hearing. Today's sessions begin at 9:00 AM, 1:00 PM, and 5:00 PM. Thank you for your patience.  
[REPEATS]

**ANDREW BING:** OK, it's 7:27. We're going to come out of recess because we do have an additional caller. We have Nichole Salinger, who I believe has called in previously, but is going to provide additional comment. Nichole, I think you know how this is done. But after the automated message, please state your name, spell your name, and state your address.

**NICHOLE SALINGER:** Hello, my name is Nichole Salinger. My name is spelled N-I-C-H-O-L-E S-A-L-I-N-G-E-R. No middle name. I live at 4002 Lawrence Avenue, Kensington, Maryland 20895. As you stated, I did call earlier and spoke to your operational team leader who is assisting the queue and he, she granted me an additional 3-minute testimony since no one was present. So I appreciate that offer.

**ANDREW BING:** So go ahead, Nichole. Your time starts now.

**NICHOLE SALINGER:** All right. Thank you. Elaborating a little bit on my previous comments regarding the pricing of this project. The use of value-based pricing to make up for profits for private contractors is a really, it's a, it's inherently not a government responsibility to predict profits off of a product that hasn't even been developed. And it just really embattles, you know, states against contractors. With ultimately the final ultimate effect being negative on taxpayers, you know, for the underreporting of moving utilities, water and waste utilities. It is estimated to cost, you know, almost a 300 percent rate increase for local residents. You know, there's a lot of discussion about these budgets being paid by contractors. But in the end, these budgets are being paid by local users and local users will then be further negatively impacted by the relocation of water and waste utilities, you know, well before their time is needed. As I said before, I don't believe MDOT and the State Highway Administration have adequately, you know, thought of advanced traffic mitigation systems. As I mentioned earlier, Europe is a whole host to a whole host. Europe is, uses of all these systems very closely because they realize that driving is not a right. It is a privilege. That's why every person on that highway has to have, by law, a driver's license given to it by each state. It does not entitle users to have, you know, a you know, a voyage that's traffic free. It does not entitle an elected official to dictate a whole host of budget and budgetary problems. This is really economically a terrible, terrible, terrible deal. I fully support legal action against MDOT and SHA, given that my, from my previous work employment, I have read through multiple DEISs provided by the State Highway Administration, as well as Federal Highway Administration, and they are, politely speaking, you know, a waste of time.

**ANDREW BING:** Nichole, I need you to wrap-up, your three minutes are up.

**NICHOLE SALINGER:** Sure. Thank you. They are wholly inefficient and based off of modeling projections that are decades old. I appreciate you allowing me to provide additional testimony. And I hope this will motivate the traffic study to be more inclusive and less costly. Thank you.

**ANDREW BING:** OK. Thank you, Nichole. Right now, we do not have any additional callers in the speaker queue. I do want to remind people that in addition to providing public testimony, which is what we're doing, you can also leave a recording via voicemail. And there are also other options including comment sheets, sending an e-mail, or even sending in a written comment through the U.S. mail. All comments are viewed equally in terms of whether it's spoken or written. They were all treated the same. It is right now 7:33. We are going to remain in recess. This, this session ends at 8:00. So we have about 27 minutes left. But I will not come back on for any other updates. I'll just

come back on at 8:00 to close out the hearing unless we have someone else enter the speaker's queue in the meantime. And then obviously I will come back in order to get that public testimony. So right now, we are in recess. Thank you.

[IN RECESS]

**AUTOMATED MESSAGE:** Thank you for attending the I-495 & I-270 Managed Lanes Study public hearing. Today's sessions begin at 9:00 AM, 1:00 PM, and 5:00 PM. Thank you for your patience.

[REPEATS]

**ANDREW BING:** OK. It is 8:00 PM. We are going to close today's public hearing. We thank everyone who attended and provided public comment. The next hearing will take place on Tuesday, August 25th. As a reminder, the public comment period will remain open until October 8th, 2020. We want to thank everyone and good night.