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I-495 AND I-270 MANAGED LANE STUDIES  
MARYLAND DEPARTMENT OF TRANSPORTATION  
STATE HIGHWAY ADMINISTRATION  
Joint Public Comment Hearing  
Tuesday, September 1, 2020  
12:00 p.m.  
HOMEWOOD SUITES BY HILTON  
9301 Basil Court  
Largo, Maryland 20774

Reported by:  
ROBERT DOUGLAS CHAMBERS

1 P R O C E E D I N G S

2 (12:00 p.m.)

3 MR. BING: Good afternoon. I am Andrew  
4 Bing with the Maryland Department of  
5 Transportation, State Highway Administration,  
6 abbreviated MDOT SHA. Today is the fourth of the  
7 six public hearings that MDOT SHA will be  
8 conducting for the I-495 and I-270 Managed Lanes  
9 Study Draft Environmental Impact Statement or  
10 D-E-I-S, the Draft section 4(f) Evaluation, and  
11 Joint Permit Application, or J-P-A.

12 I will be the Hearing Officer and am  
13 responsible for running today's public hearing.  
14 Today's hearing is being held jointly by MDOT SHA,  
15 the Federal Highway Administration, and the  
16 Maryland Department of the Environment (MDE). On  
17 behalf of these agencies and the Federal Highway  
18 Administration as the lead agency, I welcome you.

19 The purpose of this hearing is for  
20 interested parties to provide official testimony  
21 and comments on the Study's proposed alternatives

1 and associated impacts as detailed in the DEIS,  
2 and the floodplain, waterway, and nontidal wetland  
3 impacts detailed in the Federal/State JPA.

4 Today I'll provide a brief overview of  
5 the Managed Lanes Study background and the aquatic  
6 resource impacts documented in the JPA. I will  
7 introduce the panelists and identify ways for you  
8 to comment on the DEIS and JPA. Some panelists  
9 will then give statements on behalf of their  
10 agency. Finally, I will review the hearing  
11 procedures and start calling on participants to  
12 provide testimony.

13 The purpose of the I-495 & I-270 Managed  
14 Lanes Study is to develop a travel demand  
15 management solution or solutions that addresses  
16 congestion, improves trip reliability on I-495 and  
17 I-270 within the study limits, and enhances  
18 existing and planned multimodal mobility and  
19 connectivity. The needs for the Study are:  
20 Accommodate existing traffic and long-term traffic  
21 growth; enhance trip reliability; provide

1 additional roadway choices; improve the Movement  
2 of goods and services; and accommodate Homeland  
3 Security.

4 In addition, two goals were identified  
5 for the Study; incorporate alternative funding  
6 sources to achieve financial viability and  
7 environmental responsibility.

8 The study limits include I-495 from south  
9 of the George Washington Memorial Parkway in  
10 Fairfax County, Virginia, including improvements  
11 to the American Legion Bridge over the Potomac  
12 River to west of MD 5 and along 270, from I-495 to  
13 north of I-370, including the east and west I-270  
14 spurs in Montgomery and Prince George's Counties,  
15 Maryland.

16 In addition to the no-build alternative,  
17 there are six Build Alternatives under  
18 consideration for improvements within these  
19 limits. Alternatives 8, 9, 9 Modified, 10, 13B  
20 and 13C.

21 Aquatic resource impacts would range from

1 between 155,229 and 156,948 Linear Feet of  
2 streams, between 16.1 and 16.5 acres of nontidal  
3 wetlands, between 52.7 and 53.6 acres of wetland  
4 buffers, between 116.5 and 120 acres of  
5 FEMA100-year floodplains.

6 Detailed impacts by alternative can be  
7 found in the DEIS, the JPA, and the JPA Public  
8 Notice. Please be reminded that all hearing  
9 materials, including the online narrative display  
10 materials, are available on the Program website  
11 which is 495-270-p3. Com/DEIS.

12 Today's public hearing is being  
13 audio-recorded. The official transcript of the  
14 Joint Public Hearing testimony will become part of  
15 the Project record and will be available for  
16 public review on the Program website.

17 I will now introduce representatives of  
18 MDOT SHA, FHWA and MDE who are in attendance for  
19 today's hearing:

20 Lisa Choplin, I-495 & I-270 P3 Program  
21 Director, MDOT SHA. Jeff Folden, I-495 & I-270 P3

1 Program Deputy Director, MDOT SHA. Caryn  
2 Brookman, I-495 & I-270 P3 Program Environmental  
3 Program Manager, MDOT SHA.

4 Shabnam Izadi, Title VI Coordinator, MDOT  
5 SHA. Shabnam is listening live to the hearings  
6 remotely. Jeanette Mar, FHWA Project  
7 Delivery/Environment Team Environmental Manager.  
8 Keilyn Perez, FWHA Maryland Division, Area  
9 Engineer; Amanda Sigillito, Nontidal Wetlands  
10 Division Chief, Maryland Department of the  
11 Environment, and Bill Seiger, Chief Waterway  
12 Construction Division, Maryland Department of the  
13 Environment.

14 And now on behalf of Shabnam Izadi, the  
15 Title VI Officer for today's public hearing, I  
16 will explain the significance of Title VI and how  
17 it relates to the transportation project planning  
18 process.

19 Title VI of the Civil Rights Act of 1964  
20 was put into effect to prohibit discrimination on  
21 the basis of race, color, or national origin. To

1 support the Act, the United States government  
2 designated additional statues, laws, regulations  
3 and executive orders to provide guidance for the  
4 effective execution of the objectives of Title VI.

5 As a recipient of federal funds, MDOT SHA  
6 is responsible for upholding the principles of  
7 Title VI of the Civil Rights Act of 1964 and  
8 related guidance. MDOT SHA's policies and  
9 programs should not discriminate against people on  
10 the grounds of race, color, national origin, sex,  
11 age, English proficiency, income level, or  
12 disability. The MDOT SHA policies and programs  
13 should avoid disproportionately high or adverse  
14 impacts on minority populations and low-income  
15 populations.

16 MDOT SHA seeks to provide citizens,  
17 stakeholder groups, and other interested parties  
18 with reasonable opportunities to be involved in  
19 the planning process.

20 With that said, MDOT is required to  
21 capture this data to demonstrate its compliance

1 with Federal Regulation 23 CFR 200.9 (b)(4), and  
2 more importantly, to consider the transportation  
3 needs of the community by hearing from you.  
4 Compliance is voluntary.

5           However, in order to demonstrate  
6 compliance with the federal regulations, the  
7 information requested must be documented when  
8 provided. It will not be used for any other  
9 purpose, except to show that those who are  
10 affected by the project or have an interest in the  
11 project or have an interest in the project have  
12 been given an opportunity to provide input  
13 throughout the planning process.

14           We invite you to take our Voluntary  
15 Demographic Survey. This survey will help us to  
16 ensure that we are reaching the communities that  
17 are affected by the I-495 and I-270 Managed Lanes  
18 studies. If you have questions or need  
19 assistance, you can call 410-545-0377 for more  
20 information regarding Title VI of the Civil Rights  
21 Act of 1964 and other non-discrimination laws,



1 review the civil rights under Title VI brochure.

2 Both the survey and brochure can be found  
3 on the Program website by visiting the Participate  
4 and Provide Feedback page, and they're available  
5 here as well.

6 Lastly, any member of the public has the  
7 right to file a discrimination complaint against  
8 MDOT SHA if he or she feels MDOT SHA does not  
9 comply with the Title VI of the Civil Rights Act  
10 of 1964 and the related statutes. The process for  
11 filing a complaint is outlined in the Title VI  
12 brochure, which again is located on the website  
13 and also here.

14 Lastly, if you or someone that you know  
15 speaks limited English and may need a translation  
16 services to get project information, please call  
17 833-858-5960 for assistance.

18 At this time, I will turn the proceedings  
19 to Amanda Sigillito to provide her statement on  
20 behalf of the Maryland Department of the  
21 Environment.

1 MS. SIGILLITO: Thank you. My name is  
2 Amanda Sigillito and I am Chief of the Nontidal  
3 Wetlands Division of Maryland Department of the  
4 Environment, abbreviated MDE. I am the Panelist  
5 representing MDE at this public informational  
6 hearing for the I-495 & I-270 Managed Lane Study,  
7 Joint Permit Application. MDE appreciates both  
8 your interest and participation in the public  
9 comment process.

10 It is the responsibility of MDE to  
11 evaluate applications that propose impacts to  
12 nontidal wetlands, the nontidal wetland buffer and  
13 waterways, including the 100-year nontidal  
14 floodplain.

15 MDE's authority is found in Subtitles 5  
16 and 9 of the Environment Article. Each  
17 application received through the regulatory  
18 process has specific and unique issues and impacts  
19 that must be considered in relationship to  
20 weighing the potential benefits and detriments of  
21 the Project.

1 MDE is neither a proponent nor opponent  
2 of any project. This public informational hearing  
3 is being conducted pursuant to 5-204 of the  
4 Environment Article and Code of Maryland  
5 Regulations 26.23.02.02 and 26.17.04.13.

6 The purpose of this public informational  
7 hearing is to provide the applicant with an  
8 opportunity to present an analysis of impacts that  
9 may be associated with the proposed activity. In  
10 addition, the hearing provides the MDE with an  
11 opportunity to solicit additional information from  
12 interested persons.

13 This public informational hearing is for  
14 the Nontidal Wetlands and Waterways Permit  
15 Application No. 20-NT-0114/202060649 submitted for  
16 the Maryland Department of Transportation, State  
17 Highway Administration for the proposed  
18 construction of managed lanes along the I-495 and  
19 I-270 corridors within Montgomery and Prince  
20 George's Counties.

21 Please note that when MDE issues its

1 decision on the permit application, the  
2 accompanying information will be sent to the  
3 interested persons list, as well as to the  
4 applicant. At that time MDE's decision will be a  
5 final agency determination. There will be no  
6 further opportunity for administrative review.

7 Any person with standing who is either  
8 the applicant or who participated in the public  
9 participation process through the submission of  
10 written or oral comments may petition for judicial  
11 review in Circuit Court. The petition for  
12 judicial review must be filed within 30 days of  
13 the publication of the MDE permit decision. At  
14 this time I will turn the proceedings back to Mr.  
15 Bing. Thank you.

16 MR. BING: Okay. There are multiple  
17 ways to comment on the DEIS and JPA. You can  
18 provide oral testimony through the public hearing  
19 or leave your testimony by voicemail. You can  
20 also complete a Comment Form online and send in an  
21 email or a written letter.

1                   Details on ways to comment can be found  
2                   on the Program website by visiting the Participate  
3                   and Provide Feedback page. Comments related to  
4                   the JPA can be mailed or emailed to USACE  
5                   Baltimore District or MDE Wetlands and Waterways  
6                   Program.

7                   Comments must be received before 11:59 PM  
8                   on November 9, 2020. Please continue to visit the  
9                   Program website, [495-270-p3.com/DEIS](http://495-270-p3.com/DEIS) for updates.  
10                  All comments received, whether at the hearing  
11                  through oral testimony or through other methods  
12                  such as a Comment Form, voicemail, email and  
13                  letter, will be given equal consideration.

14                  Again, the purpose of this public hearing  
15                  is to allow interested parties to provide public  
16                  comments on the DEIS and JPA. Today's joint  
17                  public hearing is available to listen live by  
18                  phone. Call-in information is available in the  
19                  hearing brochure.

20                  My role as the Hearing Officer is to run  
21                  a professional and orderly joint public hearing.

1 I understand how important the issues are related  
2 to the DEIS and the JPA and I take my role as  
3 Hearing Officer seriously.

4 I am committed to providing members of  
5 the public an opportunity to provide comments in  
6 an organized, fair, professional and orderly  
7 manner. Offensive or profane language will not be  
8 allowed.

9 I also want to let everyone know that the  
10 Agency representatives as well as myself will not  
11 be answering questions or responding to any  
12 comments made during the hearing. Responses to  
13 comments will be included in the Final  
14 Environmental Impact Statement.

15 If you have joined us today to listen to  
16 the public hearing and would like to provide  
17 testimony, you may leave recorded testimony via  
18 voicemail by calling 855-432-1483. Registration  
19 is not required to leave recorded testimony via  
20 voicemail.

21 The panelists are interested in hearing

1 comments about the Study from all interested  
2 individuals. Please remember that we are  
3 recording this hearing. Speak directly and  
4 clearly into the microphone, and provide your full  
5 name, spell your name, and also provide your  
6 address, and any organization you may represent.

7 To ensure all will be heard there will be  
8 a three-minute testimony and a five-minute time  
9 limit for elected officials. The time clock will  
10 start after you introduce yourself. As a Hearing  
11 Officer, if you are unable to complete and  
12 conclude your comments at the end of your time  
13 period, I will ask you to finish your testimony.

14 Okay. That's the end of the prepared  
15 statements. We're now going to go to our first  
16 person who signed up to provide public testimony.  
17 That would be Prince George's County Department of  
18 Public Works and Transportation Director Terry  
19 Bellamy.

20 So Terry, if you could come on up. If  
21 you could talk directly into the microphone and

1 while you are providing testimony you can take  
2 your mask off just to provide the testimony, and  
3 then we ask you to put it back on once the  
4 testimony is over.

5 So again, say your name, spell your name,  
6 and provide your address and talk directly into  
7 the microphone.

8 MR. BELLAMY: All right. Good  
9 afternoon. Good evening once again.

10 Good afternoon. Terry Bellamy,  
11 T-E-R-R-Y. B-E-L-L-A-M-Y. Director of Public  
12 Works and Transportation, Prince George's County,  
13 9400 Peppercorn Place, Suite 300, Largo, Maryland.

14 Prince George's County appreciates the  
15 opportunity to speak as the I-495 and I-270  
16 Managed Lanes Study moves toward the National  
17 Environmental Protection process and is currently  
18 open for comments on the Draft Environmental  
19 Statement.

20 The lengthy document is now nearing  
21 19,000 pages, since additional elements was added



1 after we publicly released. When agencies and  
2 large organizations are challenged to pour through  
3 a document of this size, it was not reasonable to  
4 expect it to impact a resident or concerned  
5 individual to read, analyze and comment on such a  
6 voluminous, technical document during the  
7 Pandemic, by the initial October 8, 2020 deadline,  
8 and therefore we appreciate the very recent  
9 extension to November 9, 2020.

10           However, we note our concerns about the  
11 overall manner of the transparency and timing for  
12 public outreach. Covering the public outreach  
13 portion of the comment period, the repeat of some  
14 and having the document available in a Maryland  
15 container type trailer is of significance and some  
16 concern as was the release of the document without  
17 notifying the public.

18           This does not fulfill the high standard  
19 of transparency from the state and we can  
20 understand public trust in this process. As we  
21 move forward the County wants to be assured that

1 the state is meeting the impacted individuals and  
2 provided ample and accessible notification  
3 throughout the process.

4 The need for a holistic approach that  
5 reduced congestion, incorporate the transit in  
6 support of balanced sustainable development. We  
7 wish to cooperate reasonably to address the  
8 American Legion Bridge and the Woodrow Wilson  
9 Bridge through this project, bringing Maryland and  
10 Virginia together on both sides of the Potomac  
11 River.

12 It is critical that the project is  
13 context sensitive, making a more appropriate  
14 connection to establish and plan major economic  
15 drivers as specified by the County through the  
16 I-495 corridor. And it's a project timely and  
17 just west of MD 5 Interchange. We continue to  
18 believe that additional work is needed to ensure a  
19 complete and comprehensive project.

20 The County has strongly advocated for  
21 connectivity from Managed Lane Project to major

1 employment, activity centers, and especially  
2 downtown Largo would contain a University of  
3 Maryland Capitol Region Medical Center slated to  
4 open next year.

5 The new draft contained pulsar assets and  
6 points in 202 and 214, however, insufficient to  
7 address the need of the community.

8 MR. BING: Just a reminder. You need to  
9 wrap up. That's three minutes.

10 MR. BELLAMY: Aren't we doing three to  
11 five?

12 MR. BING: Three minutes.

13 MR. BELLAMY: Thank you.

14 MR. BING: Thank you. At this time I've  
15 not been given any card indicating that anyone  
16 else has shown up who wants to speak. I know we  
17 have some people here who are here to observe.

18 So this session of our public hearing,  
19 our September 1st public hearing will remain open  
20 but we will be in recess until someone shows up to  
21 provide testimony. And this session of the public

1 hearing will end at 1:30 where we will welcome the  
2 new group of people who have signed up to provide  
3 testimony.

4 So we are in recess. Right now it is  
5 12:25, and I will come back periodically just to  
6 provide the updates. Thank you very much.

7 (In Recess)

8 MR. BING: Okay. It's 1:02 p.m. We are  
9 still recessed. We have not had any new people  
10 come into the hearing room to provide testimony.  
11 We do anticipate having at least one more person  
12 provide testimony prior to 1:30. Someone is here,  
13 they are taking notice and they haven't come into  
14 the hearing room. So we will remain in recess  
15 until either 1:30 when we will close this session  
16 of today's hearing, or we will come back when  
17 someone does come into the hearing room to provide  
18 testimony.

19 (In Recess)

20 MR. BING: We're back from recess. It  
21 is 1:05 p.m. We do have someone who has entered

1 the hearing room and signed up to provide public  
2 testimony. At this time I'm going to call up the  
3 President of the Regional Policy Advisors, Gary  
4 Hodge, to provide testimony.

5 Gary, come on up and as you're coming up,  
6 just a couple of quick reminders. You will have  
7 three minutes. There is a clock in front of you  
8 that will start to count down. Please state your  
9 name, spell your name, and provide your address.  
10 And just one final reminder. The panelists are  
11 obviously here to hear what you have to say but  
12 they will not respond to any questions. Okay.

13 MR. HODGE: My name is Gary Hodge. I'm  
14 a former Charles County Commissioner and Executive  
15 Director of the Tri-County Council for Southern  
16 Maryland and Chairman of that body.

17 I've been engaged in state and regional  
18 Transportation planning and advocacy for 50 years.

19 MR. BING: If you could just spell your  
20 name and then state your address.

21 MR. HODGE: Gary Hodge, G-A-R-Y.

1 H-O-D-G-E. P.O. Box 148, White Plains, Maryland.

2 Today I'm speaking as a citizen of Maryland.

3 I oppose the 495-270 Managed Lanes P. 3

4 and I support the No Build option.

5 On June 5th 2019 I gave testimony on this

6 Project to the Board of Public Works. I said then

7 that there were three questions that needed to be

8 answered before proceeding with the proposed

9 project.

10 First, will it work? Second, is it worth

11 the risk? And third, is it the best we can do.

12 The governor said those were good

13 questions. Fourteen (14) months ago, the answer

14 to all three questions was no. It still is no.

15 The EIS hasn't changed that. It's confirmed.

16 This Project can result in more traffic

17 congestion, not less, defeating the stated purpose

18 and need, and in spite of assurances, the P.3 will

19 probably need to be subsidized by the state's

20 taxpayers.

21 Puzzling, since transit alternatives were

1 discarded because the state has no money. Even if  
2 one accepts the optimistic cost estimates of 9 and  
3 a half billion dollars, the few minutes saved in  
4 commute times are hardly worth the costs. In the  
5 cruel ordeal that lies ahead, years of  
6 construction-related delays and traffic snarls,  
7 entrance and exit ramps, interchanges, bridges,  
8 detours, rerouting of traffic and high tolls.

9           How much longer will the thousands of  
10 people who live in the long shadow of this Project  
11 be dangling on tenterhooks waiting for the Sword  
12 of Damocles to fall on them, their homes, their  
13 neighborhoods, their daily lives, their security.  
14 I've itemized 18 critical concerns with this  
15 Project in my written testimony.

16           In the history of bad ideas, this came as  
17 still just a footnote that could be quickly  
18 forgotten, don't make it a whole chapter with  
19 potentially dire and long-lasting consequences for  
20 decades to come.

21           MR. BING: You have 30 seconds.

1 MR. HODGE: Take a cool, hard look at  
2 the critical mass of facts. It's your own  
3 analysis. Disenthrall yourselves and let it go.  
4 All these hearings are doing now is bouncing the  
5 rubble to quote Winston Churchill. Past  
6 testimony, letters, opinions, et cetera, confirm  
7 that this is a fatally fought Project.

8 MR. BING: Gary, you need to wrap up.

9 MR. HODGE: The only thing preventing  
10 this project from collapsing is the wreckage and  
11 debris of the unconvincing arguments put forward  
12 to support it. Not even 20,000 pages and a  
13 million words can do that. Thank you very much.

14 MR. BING: Thank you. Okay. Again, the  
15 time is 1:10. We do not have anyone else who has  
16 signed in and is in the hearing room to provide  
17 testimony. So we're going to go back in recess  
18 until 1:30.

19 Again, this session of our public hearing  
20 ends at 1:30. This public hearing is open till 9  
21 o'clock tonight, but at 1:30 this session will end



1 and we will then have a second session begin and  
2 we will go over our statements again. So at this  
3 point we are in recess. Thank you very much.

4 (In Recess)

5 MR. BING: Okay. It is 1:30 p.m. This  
6 concludes the first session of our public hearing  
7 on September 1st 2020. We will start our second  
8 session which will run from 1:30 to 3 o'clock.

9 We do have some people here who are going  
10 to provide some public testimony but we are going  
11 to first take a quick break, allow people to come  
12 into the room and get settled, and then we will  
13 come back on and make my opening statement as well  
14 as allow an agency representative to make their  
15 statement. So we will be back in a few minutes to  
16 start our 1:30 to 3 o'clock session. Thank you.

17 (Long Pause)

18 MR. BING: Okay. We're going to get  
19 started on our 1:30 to 3 o'clock session. It's  
20 today's public hearing. I'm going to read the  
21 opening statement by one of our agency

1 representatives will also make a statement. We'll  
2 go over a couple of ground rules and then we will  
3 hear from the members of the public that are here  
4 to provide the public testimony.

5 So good afternoon. I am Andrew Bing with  
6 the Maryland Department of Transportation State  
7 Highway Administration abbreviated MDOT SHA.

8 Today's the fourth of six Joint Public Hearings  
9 that MDOT SHA will be conducting for the I-495 and  
10 I-270 Managed Lane Study Draft Environmental  
11 Impact Statement or D-E-I-S. The Draft Section is  
12 for our evaluation and Joint Permit Application or  
13 JPA.

14 I'll be the Hearing Officer and am  
15 responsible for running today's public hearing.  
16 Today's hearing is being held jointly by MDOT SHA,  
17 the Federal Highway Administration and the  
18 Maryland Department of the Environment. On behalf  
19 of these agencies and the Federal Highway  
20 Administration as the lead agency, I welcome you.

21 The purpose of this hearing is for

1 interested parties to provide official testimony  
2 and comments on the Study's proposed alternatives  
3 and associated impacts as detailed in the DEIS and  
4 the Floodplain Waterway and Nontidal Wetland  
5 impacts detailed in the Federal/State JPA.

6 They will provide a brief overview of the  
7 Managed Lane Study background and the aquatic  
8 resource impacts document in the JPA.

9 I will introduce the panelists and identify ways  
10 for you to comment on the DEIS and JPA.

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12 on behalf of their agency. Finally, I will review  
13 the hearing procedures and start calling up  
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16 Managed Lanes Study is to develop a travel demand  
17 management solution or solutions that addresses  
18 congestion and improves trip reliability on I-495  
19 and I-270 within the Study limits and enhances  
20 existing and planned multimodal mobility and  
21 connectivity.

1           The needs for the Study are: Accommodate  
2 existing traffic and long-term traffic growth;  
3 enhance trip reliability; provide additional  
4 roadway travel choices; improve the Movement of  
5 goods and services; and accommodate Homeland  
6 Security.

7           In addition, two goals were identified  
8 for this Study. Incorporate alternative funding  
9 sources to achieve financial viability and  
10 environmental responsibility. The Study limits  
11 include I-495 from south of the George Washington  
12 Memorial Parkway in Fairfax County, Virginia,  
13 including the existing American Legion Bridge over  
14 the Potomac River, to west of MD 5 and along I-270  
15 from I-495 to north of I-370, including east and  
16 west of I-270's spurs in Montgomery and Prince  
17 George's Counties, Maryland.

18           In addition to the No Build Alternative  
19 there are 6 Build Alternatives under consideration  
20 for improvements within these limits.

21 Alternatives 8, 9, 9 Modified, 10, 13B and 13C.

1           Aquatic resource impacts would range from  
2 between 155,229 and 156,948 linear feet of  
3 streams. Between 16.1 and 16.5 acres of Nontidal  
4 Wetlands, between 52.7 and 53.6 acres of wetland  
5 buffers. And between 116.5 of 120 acres of  
6 FEMA100-year floodplains.

7           Detailed impacts by each alternative can  
8 be found in the DEIS, the JPA and the JPA public  
9 Notice. Please be reminded that all hearing  
10 materials, including online narrative display  
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13           Today's public hearing is being audio  
14 recorded. The official transcript of the Joint  
15 Public Hearing testimony will become part of the  
16 Project records and will be available for public  
17 review on the Program website.

18           I will now introduce representatives of  
19 the MDOT SHA, Federal Highway Administration, and  
20 the Maryland Department of the Environment in  
21 attendance for today's hearing. Lisa Choplin,

1 I-495 and I-270 P.3 Program Director, MDOT SHA;  
2 Jeff Folden,  
3 I-495 and I-270 P.3 Program Deputy Director, MDOT  
4 SHA; Caryn Brookman, I-495 and I-270 P.3 Program  
5 and Environmental Program Manager, MDOT SHA;  
6 Shabnam Izadi, Title VI Coordinator MDOT SHA.  
7 Shabnam is listening live to the hearings  
8 remotely. Keilyn Perez, FHWA Maryland Division  
9 Area Engineer; Amanda Sigillito, Nontidal Wetlands  
10 Division Chief, Maryland Department of the  
11 Environment; Bill Seiger, Chief Waterway  
12 Construction Division, Maryland Department of the  
13 Environment.

14 And now on behalf of Shabnam Izadi, the  
15 Title VI Officer for today's public hearing, I'll  
16 explain the significance of Title VI and how it  
17 relates to the Transportation Project Planning  
18 process.

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20 was put into effect to prohibit discrimination on  
21 the basis of race, color, or national origin. To

1 support the Act, the United States Government  
2 designated additional statutes, laws, regulations  
3 and executive orders to provide guidance for the  
4 effective execution of the objectives of Title VI.

5 As a recipient of federal funds MDOT SHA  
6 is responsible for upholding the principles of  
7 Title VI of the Civil Rights Act of 1964 and  
8 related guidance. MDOT SHA's policies and  
9 programs should not discriminate against people on  
10 the grounds of race, color, national origin, sex,  
11 age, English proficiency, income level, or  
12 disability.

13 The MDOT SHA policies and programs should  
14 avoid disproportionately high or adverse impacts  
15 on minority populations and low-income  
16 populations.

17 MDOT SHA seeks to provide citizens,  
18 stakeholder groups, and other interested parties  
19 with reasonable opportunities to be involved in  
20 the planning process. With that said, MDOT SHA is  
21 required to capture this data to demonstrate its

1 compliance with federal regulation 23 CFR 200.9  
2 Section (b)(4). And more importantly, to consider  
3 the transportation needs of the community by  
4 hearing from you.

5 Compliance is voluntary. However, in  
6 order to demonstrate compliance with the federal  
7 regulation, the information requested must be  
8 documented when provided. It will not be used for  
9 any other purpose except to show that those who  
10 are affected by the Project or have an interest in  
11 the Project have been given an opportunity to  
12 provide input throughout the planning process.

13 We invite you to take our voluntary  
14 demographic survey. This survey will help us to  
15 ensure that we are reaching the communities that  
16 are affected by the I-495 and I-270 Managed Lane  
17 Study. If you have questions or need assistance,  
18 call 410-545-0377.

19 For more information regarding Title VI  
20 of the Civil Rights Act of 1964, and other  
21 non-discrimination laws, review the Civil Rights



1 under Title VI brochure. The survey and brochure  
2 can be found on the program website by visiting  
3 the Participate and Provide Feedback page as well  
4 as it is here at the registration table.

5 Lastly, any member of the public has the  
6 right to file a discrimination complaint against  
7 MDOT SHA, if he or she feels that MDOT SHA does  
8 not comply with Title VI of the Civil Rights Act  
9 of 1964 and the related statutes. The process for  
10 filing a complaint is outlined in the Title VI  
11 brochure located on the program website as well as  
12 here at the registration table.

13 Lastly, if you or someone you know speaks  
14 limited English and may need translation services  
15 to get project information, please call  
16 833-858-5960 for assistance. At this time I will  
17 turn the proceedings over to Amanda Sigillito from  
18 the Maryland Department of the Environment to  
19 provide her statement.

20 MS. SIGILLITO: Hello and good  
21 afternoon. My name is Amanda Sigillito and I am

1 Chief of the Nontidal Wetlands Division at the  
2 Maryland Department of the Environment. I'm the  
3 panelist representing MDE at the public  
4 informational hearing for the I-495 and I-270  
5 Managed Lane Study Joint Permit Application.

6 MDE appreciates both your interest and  
7 participation in the public comment process. It  
8 is the responsibility of MDE to evaluate  
9 applications of proposed impacts to Nontidal  
10 Wetlands and Nontidal Wetland buffer and waterways  
11 including the 100 Year Nontidal Floodplain.

12 MDE's authority is found in subtitles 5  
13 and 9 of the Environmental Article. Each  
14 application received through our regulatory  
15 program has specific and unique issues and impacts  
16 that must be considered in relationship to any  
17 potential benefits and detriments of the project.

18 MDE is neither a proponent or opponent of  
19 any project. This public informational hearing is  
20 being conducted pursuant to Subsection 5-204 of  
21 the Environment Article and Code of Maryland

1 Regulations 26.23.02.02 and 26.17.04.13.

2 The purpose of this public informational  
3 hearing is to provide the applicant with an  
4 opportunity to present an analysis impact that may  
5 be associated with the proposed activity. In  
6 addition, the hearing provides MDE with an  
7 opportunity to solicit additional information to  
8 interested persons.

9 This public informational hearing is for  
10 the Nontidal Wetlands and Waterways Permit  
11 Application number 20-NT-0114/2020 620649  
12 submitted by the Maryland Department of  
13 Transportation State Highway Administration for  
14 the proposed construction of managed lanes along  
15 the I-495 and I-270 corridors within Montgomery  
16 and Prince George's Counties.

17 Please note that when MDE issues its  
18 decision on the permit application, the  
19 accompanying information will be sent to the  
20 interested persons list as well as the applicant.  
21 At that time MDE's decision will be a final agency

1 determination. There will be no further  
2 opportunity for administrative review. Any person  
3 with standing, who's either the applicant or who  
4 participated in the public participation process  
5 through the submission of written or oral comments  
6 may petition for judicial review in Circuit Court.  
7 The petition for judicial review must be filed  
8 within 30 days of the publication of MDE's permit  
9 decision.

10 At this time I will now turn the  
11 proceedings back to Mr. Bing.

12 MR. BING: Thank you, Amanda. There are  
13 multiple ways to comment on the DEIS and JPA. You  
14 can provide oral testimony through the public  
15 hearing or leave your testimony by voicemail.

16 You could also complete a comment form  
17 online or send an email or a written letter.

18 Details on ways to comment can be found on the  
19 program website by visiting Participate and  
20 Provide Feedback page.

21 Comments related to the JPA can be mailed or

1       emailed to the U.S. Army Corps of Engineers,  
2       Baltimore District or Maryland Department of the  
3       Environment, Wetlands and Waterways Program.

4               Comments must be received before 11:59  
5       p.m. on November 9, 2020. Please continue to  
6       visit the program website 495-270 p3.com/DEIS for  
7       updates. All comments received whether they're at  
8       the hearing through oral testimony or through  
9       other methods such as a Comment Form, a voicemail,  
10      email and letter will be given equal  
11      consideration.

12              Again the purpose of this public hearing  
13      is to allow interested parties to provide public  
14      comments on the DEIS and JPA.

15      Today's Joint Public Hearing is available to  
16      listen live by phone. Call in information is  
17      available in the hearing brochure.

18              My role as the Hearing Officer is to run  
19      a professional and orderly Joint Public Hearing.  
20      I understand how important the issues are related  
21      to the DEIS and the JPA and I take my role as

1 Hearing Officer seriously. I am committed to  
2 providing members of the public an opportunity to  
3 provide comments in an organized, fair,  
4 professional and orderly manner.

5           Offensive or profane language will not be  
6 allowed. I also want to let everyone know that  
7 the agency representatives as well as myself, will  
8 not be answering questions or respond to any  
9 comments made during the hearing. Responses to  
10 comments will be included in the Final  
11 Environmental Impact Statement.

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13 the public hearing, if you would like to provide  
14 testimony, you may leave recorded testimony via  
15 voicemail by calling 855-432-1483. Registration  
16 is not required when you leave recorded testimony  
17 in voicemail.

18           The panelists are interested in hearing  
19 comments about the Study from all interested  
20 individuals.

21           Please remember that we are recording

1 this hearing. Speak directly and clearly into the  
2 microphone and provide your full name, address,  
3 and any organization you may represent. To ensure  
4 all will be heard, there will be a three-minute  
5 time limit on the public testimony and a  
6 five-minute time limit for elected officials.  
7 That time will be on the clock in front of you  
8 when you are speaking. The time will start after  
9 you introduce yourself.

10 As the Hearing Officer if you are unable  
11 to conclude your comments at the end of your time  
12 period, I will ask you to finish your testimony.

13 So that ends the prepared statements that  
14 we have. We're now going to go to our public  
15 testimony from our caller's first person and that  
16 is Bill Orleans. Bill, come on up to the podium.  
17 You can take your mask off to provide the public  
18 testimony on the microphone that's on. Please  
19 state your name and spell your name and state your  
20 address.

21 MR. ORLEANS: Bill Orleans. B-I-L-L.

1 O-R-L-E-A-N-S. P. O. Box 292, Greenbelt,  
2 Maryland, 20768.

3 We've just been told there will be no  
4 answer to any questions. Ms. Sigilitto, am I  
5 pronouncing that correctly, indicated that MDE  
6 will be sending its Final Determination to all  
7 interested parties. She then went on to say that  
8 her parties of record could pursue it in Court.

9 At one point while she may not be able to  
10 answer this question now, it should be in the form  
11 for all of us here today and listening how we can  
12 become interested parties and how, in fact, you  
13 can become parties of record if there's a  
14 distinction between the two.

15 I have spoken with Ms. Choplin briefly  
16 before this hearing was convened and I had spoken  
17 with her a year ago and indicated at time I was  
18 looking forward to the release of the Draft DEIS  
19 and obtaining a copy. I had no idea that it would  
20 be affirmed extensive as it is and I know that's  
21 hard work for MDOT to print. But I appreciate



1 publicly my desire to have a hard copy. It's  
2 inaccessible to me online. While I have a Smart  
3 device, I can't read anything on that small device  
4 beyond a relatively short email. A short email.  
5 And my library which is a five-minute walk from my  
6 house is not open so I can't go there nor do I  
7 have regular transportation, can I go anywhere  
8 where there may be a hard copy for me to look at.

9 In the past on major projects I would  
10 request a hard copy and obtain a hard copy. I'm  
11 restating that request today. I haven't read  
12 anything within the DEIS. I'm not prepared to  
13 comment on anything that is contained within it.

14 I will repeat myself in part from the  
15 public hearing on the ICC many years ago, I am an  
16 automobile enthusiast. I like to drive. I like  
17 good roads. This is not, this so-called relief  
18 plan, it is not an improvement to the existing  
19 Beltway nor I-270, and I oppose it in its  
20 entirety, again without having read anything in  
21 it, the plans to widen the Beltway in part or in

1 total or I-495 or I-270 in part or in total.

2 I don't know how much of our landscape is  
3 given over to pave roadways which I would like to  
4 (Inaudible). Yes, I see that. But, in fact, too  
5 much of our landscape is given over to good roads  
6 and also bad roads. And what we collectively know  
7 as species as the residents of Maryland and to the  
8 United States of America, we need to come up with  
9 a way that we can transport ourselves or be  
10 transported in a way that is more conducive to  
11 maintaining the landscape as landscape and not  
12 paved road. So again I'm asking publicly for a  
13 copy, a hard copy of the DEIS and since I'm told  
14 I'm not precluded from speaking in Rockville next  
15 week or in 10 days, I hope to have at least a  
16 chance to peruse it before that public hearing.  
17 Thank you.

18 MR. BING: Okay. Thank you. At this  
19 point I have not been given any additional names  
20 of people who wish to testify at this time. So we  
21 will go into recess. It is 1:53 p.m. This

1 session, this is Session 2 of our public hearing  
2 today, and this will run from 1:30 to 3 o'clock.  
3 I've just been handed a name so we will not go  
4 into recess and we will continue on.

5 So at this point our next speaker will be  
6 Denvia Johnson. Just give me one second. Ms.  
7 Johnson, as you come up, you will have three  
8 minutes. Please state your name and spell your  
9 name and state your address.

10 MS. JOHNSON: Good afternoon. It's  
11 Denvia, D-E-N-V-I-A. Middle initial is B. And  
12 Johnson, J-O-H-N-S-O-N. I'm at 1709 Pine Cone  
13 Court in Bowie, which happens to be (Inaudible)  
14 from where we are.

15 So I've been living in this area using  
16 the Beltway for the last 40 years and I have a  
17 couple of concerns. I have a concern with the  
18 (inaudible) list, I believe it is where you're  
19 going to have possibly tolls on the road. I'm  
20 told the expansion is going to need take money.  
21 So I'm sure the tolls will pay for that. But I

1 don't know exactly where they're going to be.

2 I get on at Landover Road or the Central  
3 Avenue. So I don't want to have to pay a toll to  
4 go to Landover Road to Greenbelt or to get on the  
5 Central Avenue to go to Branch Avenue.

6 The most important thing I'm concerned  
7 about is people's property. So if you're going to  
8 expand the road, that means someone's property, I  
9 don't know how many, I have been told yet, come in  
10 these back yards or property that's going to be  
11 taken away from them.

12 And that involves also their property for  
13 their home, what their homes are worth, and that's  
14 a major concern for me. And I tell you the truth,  
15 I'd rather go ahead and just deal with the  
16 community traffic that I've been dealing with.

17 I've worked from here going up to Bethesda to  
18 Walter Reed.

19 I was, you know, in different things. I've  
20 traveled many roads. I just deal with the  
21 traffic.

1 Thank you so much. Have a good day.

2 MR. BING: Thank you. So at this time  
3 again, I have not been given any indication that  
4 we have any additional people who would like to  
5 speak. So we are going to go into recess. It is  
6 1:55 p.m. We are going to go in recess. I will  
7 come back and provide updates to people but again,  
8 this session goes until 3 o'clock, but I will  
9 provide updates before then or if someone comes in  
10 who is looking to provide testimony, we will come  
11 back from recess. So thank you very much.

12 (In Recess)

13 MR. BING: Okay. It's 2:30 p.m. We are  
14 in recess. We have not had any additional people  
15 arrive in order to provide public testimony. We  
16 will remain in session for the second session of  
17 the September 1st public hearing until 3 o'clock.

18 If someone comes in wishing to provide  
19 public testimony, obviously we will do that. If  
20 not, we will end this session at 3 o'clock and  
21 then start our Session 3, again at 3 o'clock. So

1 we will remain in recess. Thank you.

2 (In Recess)

3 MR. BING: Okay. Good afternoon again.

4 It is now 3 o'clock p.m. We are now going to  
5 conclude our second session of our public hearing  
6 and it will run until 9 o'clock tonight.

7 Our next session, Session 3 will begin in  
8 a few minutes and run from 3 o'clock until 4:30.  
9 So in a few minutes I will come back on and we'll  
10 read our opening statements as well as hear from  
11 one of the agency representatives with her  
12 statement and then if we have anyone here to  
13 provide public testimony, we'll take that  
14 testimony.

15 So we are in recess for a few minutes  
16 until we start Session number 3. Thank you.

17 (In Recess)

18 MR. BING: Okay. Good afternoon,  
19 everyone. We are going to start Session 3 of our  
20 public hearing which runs from 3 o'clock till  
21 4:30. So I'm going to read a prepared statement.

1 One of our agency representatives will also read  
2 her prepared statement, and then we will see if  
3 there are people here to provide public testimony.

4 So good afternoon. I am Andrew Bing with  
5 the Maryland Department of Transportation State  
6 Highway Administration, abbreviated MDOT SHA.  
7 Today is the fourth of six public hearings that  
8 MDOT SHA will be conducting for the I-495 and  
9 I-270 Managed Lanes Study Draft Environmental  
10 Impact Statement or DEIS, the Draft section 4(f)  
11 Evaluation, and Joint Permit Application for JPA.

12 I'll be the Hearing Officer and am  
13 responsible for running today's public hearing.  
14 Today's hearing is being held jointly by MDOT SHA,  
15 the Federal Highway Administration and the  
16 Maryland Department of the Environment. On behalf  
17 of these agencies and the Federal Highway  
18 Administration as the lead agency, I welcome you.

19 The purpose of this hearing is for  
20 interested parties to provide official testimony  
21 and comments on the Study's proposed alternatives

1 and associated impacts as detailed in the DEIS on  
2 Floodplain, Waterways and Nontidal Wetland impacts  
3 detailed in the Federal/State JPA.

4 Today I will provide a brief overview of  
5 the Managed Study background and the aquatic  
6 resource impacts documented in the JPA. I will  
7 introduce the panelists and identify ways for you  
8 to comment on the DEIS and JPA.

9 Some panelists will then give statements  
10 on behalf of their agency. Finally, I'll review  
11 the hearing procedures and start calling for  
12 participants to provide testimony. The purpose of  
13 the I-495 and  
14 I-270 Managed Lane Study is to develop a travel  
15 demand management solution or solutions that  
16 addresses congestion, improves trip reliability on  
17 I-495 and I-270 within the study limits, and  
18 enhances existing and planned multimodal mobility  
19 and connectivity. The needs for the Study are:  
20 Accommodate existing traffic and long-term traffic  
21 growth; enhance trip reliability; provide



1 additional roadway travel choices; improve the  
2 Movement of goods and services; and accommodate  
3 Homeland Security.

4 In addition, two goals were identified  
5 for the Study: Incorporate alternative funding  
6 sources to achieve financial viability and  
7 environmental responsibility. The study limits  
8 include:

9 I-495 from south of the George Washington Memorial  
10 Parkway in Fairfax County Virginia, including  
11 improvements to the American Legion Bridge over  
12 the Potomac River, to west of MD 5 and along I-270  
13 from I-495 to north of I-370, including the east  
14 and west I-270 spurs in Montgomery and Prince  
15 George's Counties, Maryland.

16 In addition to the no-build alternative,  
17 there are six Build Alternatives under  
18 consideration for improvements within these  
19 limits: Alternatives 8, 9, 9Modified, 10, 13B and  
20 13C. Aquatic resource impacts would range from:  
21 Between 155,229 and 156,948 Linear Feet of

1 streams; between 16.1 and 16.5 acres of nontidal  
2 wetlands; between 52.7 and 53.6 acres of wetland  
3 buffers; between 116.5 and 120 acres of  
4 FEMA100-year floodplains.

5 Detailed impacts by alternative can be  
6 found in the DEIS, the JPA, and the JPA Public  
7 Notice. Please be reminded that all hearing  
8 materials, including online narrated display  
9 materials, are available on the Program website,  
10 495-270-p3.com/DEIS.

11 Today's public hearing is being  
12 audio-recorded. The official transcript of the  
13 joint public hearing testimony will become part of  
14 the project record and will be available for  
15 public review on the Program website.

16 I will now introduce representatives of  
17 MDOT SHA, FHWA, and Maryland Department of the  
18 Environment who are in attendance for today's  
19 hearing. Lisa Choplin, I-495 & I-270 P3 Program  
20 Director, MDOT SHA; Jeff Folden, I-495 & I-270 P3  
21 Program Deputy Director, MDOT SHA; Caryn Brookman,

1 I-495 & I-270 P3 Program Environmental Program  
2 Manager, MDOT SHA; Shabnam Izadi, Title VI  
3 Coordinator, MDOT SHA. Shabnam is listening live  
4 to the hearings remotely. Keilyn Perez, FHWA  
5 Maryland Division, Area Engineer; Amanda  
6 Sigillito, Nontidal Wetlands Division Chief,  
7 Maryland Department of the Environment. Bill  
8 Seiger Chief, Waterways Construction Division,  
9 Maryland Department of the Environment.

10 And now on behalf of Shabnam Izadi, the  
11 Title VI Officer for today's public hearing, I  
12 will explain the significance of Title VI and how  
13 it relates to the transportation project planning  
14 process.

15 Title VI of the Civil Rights Act of 1964  
16 was put into effect to prohibit discrimination on  
17 the basis of race, color, or national origin. To  
18 support the Act, the United States Government  
19 designated additional statutes, laws, regulations,  
20 and executive orders to provide guidance for the  
21 effective execution of the objectives of Title VI.

1           As a recipient of federal funds, MDOT SHA  
2 is responsible for upholding the principles of  
3 Title VI of the Civil Rights Act of 1964 and  
4 related guidance. MDOT SHA's policies and  
5 programs should not discriminate against people on  
6 the grounds of race, color, national origin, sex,  
7 age, English proficiency, income level, or  
8 disability.

9           The MDOT SHA policies and programs should  
10 avoid disproportionately high or adverse impacts on  
11 minority populations and low-income populations.  
12 MDOT SHA seeks to provide citizens, stakeholder  
13 groups, and other interested parties with  
14 reasonable opportunities to be involved in the  
15 planning process.

16           With that said, MDOT is required to  
17 capture this data to demonstrate its compliance  
18 with Federal Regulation 23 CFR 200.9 (b)(4), and  
19 more importantly, to consider the transportation  
20 needs of the community by hearing from you.  
21 Compliance is voluntary.

1                   However, in order to demonstrate  
2 compliance with the federal regulation, the  
3 information requested must be documented when  
4 provided. It will not be used for any other  
5 purpose except to show that those who are affected  
6 by the project or have an interest in the project  
7 have been given the opportunity to provide input  
8 throughout the planning process.

9                   We invite you to take our Voluntary  
10 Demographic Survey. This survey will help us to  
11 ensure that we are reaching the communities that  
12 are affected by the I-495 & I-270 Managed Lanes  
13 Study. If you have questions or need assistance,  
14 call 410-545-0377. For more information regarding  
15 Title VI of the Civil Rights Act of 1964 and other  
16 non-discrimination laws, review the Civil Rights  
17 under Title VI brochure. Both the survey and  
18 brochure can be found on the Program website by  
19 visiting the Participate and Provide Feedback  
20 page. Or, you can grab it at the registration  
21 table, here at the hearing.

1           Lastly, any member of the public has the  
2 right to file a discrimination complaint against  
3 MDOT SHA if he or she feels MDOT SHA does not  
4 comply with Title VI of the Civil Rights Act of  
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6 filing a complaint is outlined in the Title VI  
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8 registration table.

9           If you or someone that you know speaks  
10 limited English and may need translation services  
11 to get project information, please call  
12 833-858-5960 for assistance.

13           At this time I will turn the proceedings  
14 over to Amanda Sigillito from the Maryland  
15 Department of the Environment to provide her  
16 statement.

17           MS. SIGILLITO: Hello. My name is  
18 Amanda Sigillito, Chief of the Nontidal Wetlands  
19 Division at the Maryland Department of the  
20 Environment abbreviated MDE. I am the Panelist  
21 representing MDE at this public informational

1 hearing for the I-495 and I-270 Managed Lane  
2 Study, Joint Permit Application. MDE appreciates  
3 both your interest and participation in the public  
4 comment process.

5 It is the responsibility of MDE to  
6 evaluate applications that propose impacts to  
7 nontidal wetlands, the nontidal wetland buffer,  
8 and waterways, including the 100-year nontidal  
9 floodplain. MDE's authority is found in Subtitles  
10 5 and 9 of the Environment Article. Each  
11 application received through our regulatory  
12 program has specific and unique issues and impact  
13 that must be considered in relationship to  
14 weighing the potential benefits and detriments of  
15 the project. MDE is neither a proponent nor  
16 opponent of any project.

17 This public informational hearing is  
18 being conducted pursuant to Subsection 5-204 of  
19 the Environment Article and Code of Maryland  
20 Regulations 26.23.02.02 and 26.17.04.13. The  
21 purpose of this public informational hearing is to

1 provide the applicant with an opportunity to  
2 present an analysis of impacts that may be  
3 associated with the proposed activity.

4 In addition, the hearing provides MDE  
5 with an opportunity to solicit additional  
6 information from interested persons

7 This public informational hearing is for  
8 the Nontidal Wetlands and Waterways Permit  
9 Application No. 20-NT-0114/202060649 submitted by  
10 the Maryland Department of Transportation State  
11 Highway Administration for the proposed  
12 construction of Managed Lanes along the I-495 and  
13 I-270 corridors within Montgomery and Prince  
14 George's Counties.

15 Please note that when MDE issues its  
16 decision on the permit application, the  
17 accompanying information will be sent to the  
18 interested persons list, as well as to the  
19 applicant. At that time MDE's decision will be a  
20 final agency determination; there will be no  
21 further opportunity for administrative review.



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2 applicant or who participated in the public  
3 participation process through the submission of  
4 written or oral comments may petition for judicial  
5 review in Circuit Court. The petition for  
6 judicial review must be filed within 30 days of  
7 the publication of MDE's permit decision. At this  
8 time I will turn the proceedings back to Mr. Bing.

9 MR. BING: Thank you, Amanda. There are  
10 multiple ways to comment on the DEIS and JPA. You  
11 can provide oral testimony through the public  
12 hearing or leave your testimony by voicemail. You  
13 can also complete a Comment Form online or send an  
14 email or written letter. Details on ways to  
15 comment can be found on the Program website by  
16 visiting the Participate and Provide Feedback  
17 page.

18 Comments related to the JPA can be mailed  
19 or emailed to U.S. Army Corps of Engineers,  
20 Baltimore District or Maryland Department of the  
21 Environment, Wetlands and Waterways Program.

1 Comments must be received before 11:59 p.m. on  
2 November 9, 2020. Please continue to visit the  
3 Program website, 495-270-p3.com/DEIS, for updates.  
4 All comments received, whether at the hearing  
5 through oral testimony or through other methods,  
6 such as a Comment Form, voicemail, email, and/or  
7 letter will be given equal consideration.

8           Again, the purpose of this public hearing  
9 is to allow interested parties to provide public  
10 comments on the DEIS and JPA. Today's joint  
11 public hearing is available to listen live by  
12 phone. Call-in information is available in the  
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14           My role as the Hearing Officer is to run  
15 a professional, orderly joint public hearing. I  
16 understand how important the issues are related to  
17 the DEIS and I take my role as Hearing Officer  
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20 an organized, fair, professional and orderly  
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1 allowed.

2 I also want to let everyone know that the  
3 agency representatives as well as myself will not  
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5 made during the hearing. Responses to comments  
6 will be included in the Final Environmental Impact  
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1 and a five-minute time limit for elected  
2 officials. The time clock will start after you  
3 introduce yourself. As the Hearing Officer if you  
4 are unable to conclude your comments at the end of  
5 your time period, I will ask you to finish your  
6 testimony.

7 So that ends our prepared statements. At  
8 this point there are no individuals here who would  
9 like to provide public testimony, so we are going  
10 to go into recess. As a reminder, this session of  
11 our public hearing will stay open until 4:30.  
12 However, I will come back on periodically to  
13 provide updates if we do not have anyone coming in  
14 to provide public testimony. If we do we will  
15 come back from recess right away.

16 So again right now it is 3:20 and we are  
17 in recess.

18 (In Recess)

19 MR. BING: Good afternoon, everyone.

20 It is 3:45 p.m. We are still in recess. We have  
21 not had anyone show up to provide public testimony

1 so we are going to remain in recess until 4:30  
2 which is when this session, Session 3 ends. And  
3 then we will be back at 5:30 for Session 4. So  
4 there will be a break from 4:30 to 5:30. But  
5 again, this session is still open and we'll just  
6 stay in recess for the next 45 minutes or until  
7 someone comes in to provide public testimony.

8 I will come back at 4:30, if we have not  
9 had anyone come in, to close out this session.

10 Thank you.

11 (In Recess)

12 MR. BING: Okay. Good afternoon,  
13 everyone. It is 4:30 p.m. This is going to wrap  
14 up our third session which was from 3 o'clock to  
15 4:30. So just as a reminder, this is a public  
16 hearing that started at 12 o'clock. We've been in  
17 session from 12 to 4:30. We are going to take a  
18 brief break until 5:30, and then the hearing will  
19 continue from 5:30 to 9 o'clock tonight. We will  
20 have two sessions. The first one, Session 4, will  
21 be from 5:30 to 7:30, and then we'll end with a

1 session from 7:30 to 9 o'clock.

2 So we're going to take a brief break and  
3 then I will be back at 5:30. Thank you very much.

4 (Break)

5 MR. BING: Good evening, everyone.

6 Welcome back. We're about to start our Session 4  
7 of our public hearing today on September 1st. This  
8 session will run from 5:30 to 7:30 p.m.

9 (inaudible) and if there are any members of the  
10 public who have joined us (inaudible).

11 Today is the fourth of the six public  
12 hearings that MDOT SHA will be conducting for the  
13 I-495 and I-270 Managed Lanes Study Draft  
14 Environmental Impact Statement, or D-E-I-S.  
15 The Draft Section 4(f) Evaluation, and Joint  
16 Permit Application or J-P-A. (Inaudible)

17 I will be the Hearing Officer and am  
18 responsible for running today's public hearing.  
19 Today's hearing is being held jointly by MDOT SHA,  
20 the Federal Highway Administration, and the  
21 Maryland Department of the Environment (MDE). On

1 behalf of these agencies, and the Federal Highway  
2 Administration as the lead agency, I welcome you.

3 The purpose of this hearing is for  
4 interested parties to provide official testimony  
5 and comments on the Study's proposed alternatives  
6 and associated impacts as detailed in the DEIS,  
7 and the floodplain, waterway, and nontidal wetland  
8 impacts detailed in the Federal/State JPA.

9 Today I'll provide a brief overview of  
10 the Managed Lanes Study background and the aquatic  
11 resource impacts documented in the JPA. I will  
12 introduce the panelists and identify ways for you  
13 to comment on the DEIS and JPA.

14 Some panelists will then give statements  
15 on behalf of their agency. Finally, I will review  
16 the hearing procedures and start calling on  
17 participants to provide testimony.

18 The purpose of the I-495 and I-270  
19 Managed Lanes Study is to develop a travel demand  
20 management solution or solutions that addresses  
21 congestion, improves trip reliability on I-495 and

1 I-270 within the study limits and enhances  
2 existing and planned multimodal mobility and  
3 connectivity. The needs for the Study are:

4 Accommodate existing traffic and  
5 long-term traffic growth; enhance trip  
6 reliability; provide additional roadway travel  
7 choices; improve the Movement of goods and  
8 services; and accommodate Homeland Security.

9 (Buzzing on tape. Can't hear enough to piece it  
10 together)

11 (Technical difficulties.)

12 MR. BING: At this time I will turn the  
13 proceedings over to Amanda Sigillito to provide  
14 her statement.

15 MS. SIGILLITO: Hello. Good evening.  
16 My name is Amanda Sigillito, Chief of the Nontidal  
17 Wetlands Division at the Maryland Department of  
18 the Environment, abbreviated MDE. I am the  
19 Panelist representing MDE at this public  
20 informational hearing for the I-495 and I-270  
21 Managed Lane Study Joint Permit Application. MDE



1 appreciates both your interest and participation  
2 in the public comment process.

3 It is the responsibility of MDE to  
4 evaluate applications that propose impacts to  
5 nontidal wetlands, the nontidal wetland buffer and  
6 waterways, including the 100-year nontidal  
7 floodplain. MDE's authority is found in Subtitles  
8 5 and 9 of the Environment Article. Each  
9 application received through our regulatory  
10 program has specific and unique issues and impacts  
11 that must be considered in relationship to  
12 weighing the potential benefits and detriments for  
13 the Project. MDE is neither a proponent nor  
14 opponent of any Project. This public  
15 informational hearing is being conducted pursuant  
16 to Subsection 5-204 of the Environment Article and  
17 Code of Maryland Regulations 26.23.02.02 and  
18 26.17.04.13.

19 The purpose of this public informational  
20 hearing is to provide the applicant with an  
21 opportunity to present an analysis of impacts that

1 may be associated with the proposed activity. In  
2 addition, the hearing provides MDE with an  
3 opportunity to solicit additional information from  
4 interested persons.

5 This public informational hearing is for  
6 the Nontidal Wetlands and Waterways Permit  
7 Application No. 20-NT-0114/202060649 submitted by  
8 the Maryland Department of Transportation, State  
9 Highway Administration for the proposed  
10 construction of managed lanes along the I-495 and  
11 I-270 corridors within Montgomery and Prince  
12 George's Counties.

13 Please note that when MDE issues its  
14 decision on the permit application, the  
15 accompanying information will be sent to the  
16 interested persons list, as well as to the  
17 applicant. At that time MDE's decision will be a  
18 final agency determination; there will be no  
19 further opportunity for administrative review.  
20 Any person with standing who is either the  
21 applicant or who participated in the public

1 participation process through the submission of  
2 written or oral comments may petition for judicial  
3 review in Circuit Court. The petition for  
4 judicial review must be filed within 30 days of  
5 the publication of any permit decision. At this  
6 time I will turn the proceedings back to Mr. Bing.

7 MR. BING: Thank you, Amanda. There are  
8 multiple ways to comment on the DEIS and JPA. You  
9 can provide oral testimony through the public  
10 hearing or leave your testimony by voicemail. You  
11 can also complete a Comment Form online or send an  
12 email or written letter. Details on ways to  
13 comment can be found on the Program website by  
14 visiting the Participate and Provide Feedback  
15 page.

16 Comments related to the JPA can be mailed  
17 or emailed to United States Army Corps of  
18 Engineers, Baltimore District or Maryland  
19 Department of the Environment Wetlands and  
20 Waterways Program. Comments must be received  
21 before 11:59 p.m. on November 9, 2020. Please

1 continue to visit the Program website,  
2 495-270-p3.com/DEIS, for updates. All comments  
3 received, whether at the hearing, through oral  
4 testimony or through other methods such as a  
5 Comment Form, voicemail, email and letter, will be  
6 given equal consideration.

7 Again, the purpose of this public hearing  
8 is to allow the interested parties to provide  
9 public comments on the DEIS and JPA.

10 Today's joint public hearing is available  
11 to listen live by phone. Call-in information is  
12 available in the hearing brochure.

13 My role as a Hearing Officer is to run a  
14 professional and orderly joint public hearing. I  
15 understand how important the issues are related to  
16 the DEIS and the JPA and I take my role as Hearing  
17 Officer seriously. I am committed to providing  
18 members of the public an opportunity to provide  
19 comments in an organized, fair, professional and  
20 orderly manner.

21 Offensive or profane language will not be

1 allowed. I also want to let everyone know that  
2 the agency representatives as well as myself, will  
3 not be answering questions or responding to any  
4 comments made during the hearing. Responses to  
5 comments will be included in the Final  
6 Environmental Impact Statement.

7 If you have joined us today to listen to  
8 the public hearing and would like to provide  
9 testimony, you may leave your recorded testimony  
10 via voicemail by calling 855-432-1483.  
11 Registration is not required to leave recorded  
12 testimony via voicemail.

13 The panelists are interested in hearing  
14 comments about the Study from all interested  
15 individuals. Please remember that we are  
16 recording this hearing. Speak directly and  
17 clearly into the microphone, and provide your full  
18 name, address, and any organization you may  
19 represent.

20 To ensure all will be heard there will be  
21 a three-minute time limit for public testimony and

1 a five-minute time limit for elected officials.  
2 The time clock will start after you introduce  
3 yourself. As the Hearing Officer, if you are  
4 unable to conclude your comments at the end of  
5 your time period. I will ask you to finish your  
6 testimony.

7 So that ends our prepared statements.  
8 We're now into public testimony, for those who  
9 have shown up to provide public testimony so I'm  
10 going to call up Prince George's County Department  
11 of Public Works and Transportation Major Projects  
12 Manager, Victor Weissberg.

13 So Victor, as you come up please state  
14 your name and spell your name and provide your  
15 address. You will have three minutes although we  
16 will give you a little bit more time. I'm going  
17 to call you up in one second.

18 So then we are going to give you five  
19 minutes by virtue of the fact that I know that  
20 when your colleague was here earlier representing  
21 our County Executive and so we're going to give

1 you the extra two minutes that you should have had  
2 this morning. Okay?

3 Before I go I just want to make sure that  
4 our Court Reporter is recording. Yes? Okay. So  
5 then if you can state your name, spell your name,  
6 and provide your address.

7 MR. WEISSBERG: Victor Weissberg.  
8 V-I-C-T-O-R. W-E-I-S-S-B-E-R-G. Okay. The  
9 address is 9400 Peppercorn Place, Upper Marlboro,  
10 Maryland 20774.

11 I'm Victor Weissberg on behalf of the  
12 Prince George's County Department of Public Works  
13 and Transportation. We appreciate the opportunity  
14 to speak at this hearing on the I-495 and I-270  
15 Managed Lanes Study and go through the National  
16 Environmental Protection Act process and is  
17 currently open for comment on the DEIS.

18 The lengthy document is now nearing  
19 19,000 pages and some additional elements were  
20 added then after the initial release. While  
21 agencies and large organizations are challenged to

1     pour through a document of that size, it's an even  
2     greater burden to the average impacted resident or  
3     concerned individuals or analyzing comment on such  
4     a voluminous technical document. Especially during  
5     the Pandemic.

6             We do appreciate that. Some recognition  
7     has been made and that timeline has been extended  
8     from October 8th to November 9th and we do  
9     appreciate that.

10            We do also have some concerns with some  
11    elements of the outreach process. Just the length  
12    of the document itself is just no more than what I  
13    think an average citizen can realistically be  
14    expected to sift through, and, you know, I  
15    understand that some of the documents, since  
16    buildings such as libraries and things like that  
17    were not open during the Pandemic, if there were  
18    metal containers that could get really hot that  
19    were in parking lots, that was a concern as well.  
20    We just don't think that that's up to the level of  
21    standard and transparency that we've come to



1 expect from the state.

2 So as we move forward, the County does  
3 want to be assured that the state is meeting with  
4 impacted individuals and providing ample and  
5 acceptable notification throughout the process and  
6 we really want to emphasize that point.

7 The County does reiterate the need for a  
8 holistic approach that reduces congestion and  
9 incorporates transit and supports a balanced,  
10 sustainable development. We wish to collaborate  
11 regionally to address the American Legion Bridge  
12 and Woodrow Wilson bridge through this project,  
13 bringing Maryland and Virginia together on both  
14 sides of the Potomac River. It is critical that  
15 the project is context sensitive and will make  
16 more appropriate connections to establish major  
17 economic drivers as specified by the County  
18 throughout the 1-495 corridor and has been  
19 recognized by the state (inaudible) projects as  
20 imperative for both the County and the State. The  
21 project currently is just west of the MD 5

1 Interchange, we continue to believe that  
2 additional work is needed to ensure complete and  
3 comprehensive project development.

4 The County has strongly advocated for  
5 connectivity through major employment and activity  
6 centers, especially downtown Largo, which contains  
7 for the University of Maryland Capitol Region  
8 Medical Center which is slated to open next year.

9 The most recent Draft of the DEIS does  
10 contain partial access points at MD 202 and MD  
11 215, but not direct access at Arena Drive. The  
12 partial access is a concern because we can see  
13 it's just a ride in and a ride out, and would not  
14 actually allow for the predominant flow creating  
15 the most accessible access to downtown Largo and  
16 the Regional Hospital. (Inaudible) Interchange to  
17 serve that employment center.

18 The County believes it is critical for  
19 this Project to be comprehensive and multimodal  
20 and appreciate extending the Public Transportation  
21 opportunity are being considered within the

1 Project's framework. But we really think that  
2 needs a lot more flushing out and a lot more  
3 development.

4 We must ensure the transit connects key  
5 communities and economic centers without the  
6 circumference of the Capitol Beltway. While  
7 transit is mentioned in the document, greater  
8 specificity and comprehensive integration of  
9 transit is needed.

10 MR. BING: You have a couple seconds  
11 left.

12 MR. WEISSBERG: Okay.

13 Okay. And in addition the project must  
14 enable bicycle and pedestrian connectivity along  
15 the alignment, particularly at points like the  
16 continuation of the Hansen Creek Trail, the  
17 Central Avenue Connector Trail, and the  
18 (inaudible) trail. Thank you.

19 MR. BING: Okay. It is 5:55 p.m. and at  
20 this time we do not have any individuals who are  
21 here to provide public testimony. This session of

1 our public hearing today will remain open from  
2 5:30 to 7:30. We will have a final session from  
3 7:30 to 9. But right now we will go into recess.

4 I will come back periodically, probably  
5 the next time will be 6:30 to provide an update  
6 unless we have someone who shows up to provide  
7 public testimony. In that case we'll come back  
8 right away to hear that person's testimony.

9 So at this point we are in recess. Thank  
10 you very much.

11 (In Recess)

12 MR. BING: We still do not have any  
13 additional people who have shown up to provide  
14 public testimony so we are going in recess again.  
15 This session is open until 7:30, so I will come  
16 back on at 7 o'clock to provide an update unless  
17 someone shows up and wants to give public  
18 testimony.

19 So again we will remain in recess and I  
20 would come back on at 7 o'clock. Thank you.

21 (In Recess)

1 MR. BING: Okay. It's 7 o'clock p.m.  
2 and we still do not have any folks who have shown  
3 up to provide public testimony. We're in recess.  
4 This session will run till 7:30 so I will come  
5 back on at 7:30 unless we have someone show up and  
6 then we will obviously take their testimony and  
7 we'll remain in recess until 7:30. At 7:30 we  
8 will begin our final session which will run from  
9 7:30 to 9 o'clock. We will remain in recess at  
10 this point. Thank you very much.

11 (In Recess)

12 MR. BING: Okay. It is now 7:30. We  
13 are now ending our Session 4 which ran from 5:30  
14 to 7:30 and you will be starting  
15 our final session for the evening which would be  
16 Session 5 which will start in just a few minutes  
17 so we will take a one or two-minute break and then  
18 we'll come back on and we will complete our  
19 statements for the final session and this hearing  
20 will close at 9 o'clock.

21 As a reminder for those listening by

1 phone, you can leave testimony via voicemail and  
2 anyone who's looking to testify in person, we will  
3 be here till 9 o'clock. Thank you very much.

4 (In Recess)

5 Welcome. We are going to start our 7:30  
6 session which is Session No. 5. This will run  
7 from 7:30 till 9. We will make some opening  
8 statements, and then if we have anyone here to  
9 provide testimony we will offer that opportunity  
10 for folks to provide their public testimony.

11 So good afternoon. I am Andrew Bing with  
12 the Maryland Department of Transportation, State  
13 Highway Administration, abbreviated MDOT SHA.

14 Today's the fourth of six joint public  
15 hearings that MDOT SHA will be conducting for the  
16 I-495 and I-270 Managed Lanes Study Draft  
17 Environmental Impact Statement, or D-E-I-S, the  
18 Draft Section 4(f) Evaluation and Joint Permit  
19 Application, or J-P-A.

20 I will be the Hearing Officer and am  
21 responsible for running today's public hearing.

1 Today's hearing is being held jointly by MDOT SHA,  
2 the Federal Highway Administration, and the  
3 Maryland Department of the Environment. On behalf  
4 of these agencies and the Federal Highway  
5 Administration as the lead agency, I welcome you.

6 The purpose of this hearing is for  
7 interested parties to provide official testimony  
8 and comments on the Study's proposed alternatives  
9 and associated impacts as detailed in the DEIS,  
10 and the floodplain, waterway, and nontidal wetland  
11 impacts detailed in the Federal/State JPA.

12 Today, I will provide a brief overview of  
13 the Managed Lanes Study background and the aquatic  
14 resource impacts documented in the JPA. I will  
15 introduce the panelists and identify ways for you  
16 to comment on the DEIS and JPA. Some panelists  
17 will then give statements on behalf of their  
18 agencies.

19 Finally, I will review the hearing  
20 procedures and start calling on participants to  
21 provide testimony.

1           The purpose of the I-495 & I-270 Managed  
2 Lanes Study is to develop a travel demand  
3 management solution or solutions that addresses  
4 congestion, improves trip reliability on I-495 and  
5 I-270 within the study limits and enhances  
6 existing and planned multimodal mobility and  
7 connectivity. The needs for the Study are:  
8 Accommodate existing traffic and long-term traffic  
9 growth; enhance trip reliability; provide  
10 additional roadway travel choices; improve the  
11 Movement of goods and services; and accommodate  
12 Homeland Security.

13           In addition, two goals were identified  
14 for the Study: Incorporate alternative funding  
15 sources to achieve financial viability and  
16 environmental responsibility.

17           The Study limits include: I-495 from  
18 south of the George Washington Memorial Parkway in  
19 Fairfax County Virginia, including improvements to  
20 the American Legion Bridge over the Potomac River,  
21 to west of MD 5 and along I-270 from I-495 to



1 north of I-370, including the east and west I-270  
2 spurs in Montgomery and Prince George's Counties,  
3 Maryland.

4 In addition to the no-build alternative  
5 there are six Build Alternatives under  
6 consideration for improvements within these  
7 limits:

8 Alternatives 8, 9, 9Modified, 10, 13B,  
9 and 13C. Aquatic resource impacts would  
10 range from between 155,229 and 156,948 Linear  
11 Feet of streams: Between 16.1 and 16.5 acres of  
12 nontidal wetland buffers; between 116.5 and 120  
13 Acres of FEMA100-year floodplains.

14 Detailed impacts by alternative can be  
15 found in the DEIS, the JPA, and the JPA Public  
16 Notice. Please be reminded that all hearing  
17 materials including online narrated display  
18 materials, are available on the Program website,  
19 495-270-p3.com/DEIS.

20 Today's public hearing is being  
21 audio-recorded. The official transcript of the

1 joint public hearing testimony will become part of  
2 the project record and will be available for  
3 public review on the Program website.

4 I will now introduce representatives of  
5 MDOT SHA, Federal Highway Administration and  
6 Maryland Department of the Environment who are in  
7 attendance for today's hearing: Lisa Choplin,  
8 I-495 & I-270 P3 Program Director, MDOT SHA. Jeff  
9 Folden, I-495 &  
10 I-270 P3 Program Deputy Director, MDOT SHA. Caryn  
11 Brookman, I-495 & I-270 P3 Program Environmental  
12 Program Manager, MDOT SHA. Shabnam Izadi, Title  
13 VI Coordinator, MDOT SHA.

14 Shabnam is listening live to the hearings  
15 remotely.

16 Keilyn Perez, FHWA Maryland Division,  
17 Area Engineer; Amanda Sigillito, Nontidal Wetlands  
18 Division Chief, Maryland Department of the  
19 Environment. Bill Seiger Chief, Waterways  
20 Construction Division, Maryland Department of the  
21 Environment.

1           On behalf of Shabnam Izadi, the Title VI  
2 Officer for today's public hearing, I will explain  
3 the significance of Title VI and how it relates to  
4 the Transportation Project planning process.

5           Title VI of the Civil Rights Act of 1964  
6 was put into effect to prohibit discrimination on  
7 the basis of race, color, or national origin. To  
8 support the Act, the United States government  
9 designated additional statutes, laws, regulations,  
10 and executive orders to provide guidance for the  
11 effective execution of the objectives of Title VI.

12           As a recipient of federal funds, MDOT SHA  
13 is responsible for upholding the principles of  
14 Title VI of the Civil Rights Act of 1964 and  
15 related guidance. MDOT SHA's policies and  
16 programs should not discriminate against people on  
17 the grounds of race, color, national origin, sex,  
18 age, English proficiency, income level or  
19 disability. The MDOT SHA policies and programs  
20 should avoid disproportionately high or adverse  
21 impacts among minority populations and low-income

1 populations.

2 MDOT SHA seeks to provide citizens,  
3 stakeholder groups and other interested parties  
4 with reasonable opportunities to be involved in  
5 the planning process.

6 With that said, MDOT is required to  
7 capture this data to demonstrate its compliance  
8 with Federal Regulation 23 CFR 200.9(b)(4) and  
9 more importantly, to consider the transportation  
10 needs of the community by hearing from you.  
11 Compliance is voluntary.

12 However, in order to demonstrate  
13 compliance with the Federal regulation, the  
14 information requested must be documented when  
15 provided. It will not be used for any other  
16 purpose except to show that those who are affected  
17 by the project or have an interest in the project  
18 have been given an opportunity to provide input  
19 throughout the planning process.

20 We invite you to take our Voluntary  
21 Demographic Survey. This survey will help us to

1 ensure that we are reaching the communities that  
2 are affected by the I-495 & I-270 Managed Lanes  
3 Study. If you have questions or need assistance,  
4 call 410-545-0377.

5 For more information regarding Title VI  
6 of the Civil Rights Act of 1964 and other  
7 non-discrimination laws, review the Civil Rights  
8 under Title VI brochure. Both the survey and  
9 brochure can be found on the Program website by  
10 visiting the Participate and Provide Feedback page  
11 as well as it is available at the registration  
12 table.

13 Any member of the public has the right to  
14 file a discrimination complaint against MDOT SHA  
15 if he/she feels MDOT SHA does not comply with the  
16 Title VI of the Civil Rights Act of 1964 and the  
17 related statutes. The process for filing a  
18 complaint is outlined in the Title VI brochure  
19 located on the website and also at the  
20 registration table.

21 Lastly, if you or someone that you know

1 speaks limited English and may need translation  
2 services to get project information, please call  
3 833-858-5960 for assistance.

4 At this time I will turn the proceedings  
5 over to Amanda Sigillito to provide her statement.

6 MS. SIGILLITO: Hello. Good evening.  
7 My name is Amanda Sigillito, Chief of the Nontidal  
8 Wetlands Division at the Maryland Department of  
9 the Environment, abbreviated MDE. I am the  
10 Panelist representing MDE at this public  
11 informational hearing for the I-495 and I-270  
12 Managed Lanes Study, Joint Permit Application.  
13 MDE appreciates both your interest and  
14 participation in the public comment process.

15 It is the responsibility of MDE to  
16 evaluate applications that propose impact to  
17 nontidal wetlands, the nontidal wetland buffer and  
18 waterways, including the 100-year nontidal  
19 floodplain. MDE's authority is found in Subtitles  
20 5 and 9 of the Environment Article. Each  
21 application received through our regulatory

1 program has specific and unique issues and impacts  
2 that must be considered in relationship to  
3 weighing the potential benefits and detriments of  
4 the project. MDE is neither a proponent nor  
5 opponent of any project.

6 This public informational hearing is  
7 being conducted pursuant to Subsection 5-204 of  
8 the Environment Article and Code of Maryland  
9 Regulations 26.23.02.02 and 26.17.04.13. The  
10 purpose of this public informational hearing is to  
11 provide the applicant with an opportunity to  
12 present an analysis of impacts that may be  
13 associated with the proposed activity. In  
14 addition, the hearing provides MDE with an  
15 opportunity to solicit additional information from  
16 interested persons.

17 This public informational hearing is the  
18 for Nontidal Wetlands and Waterways Permit  
19 Application No. 20-NT-0114/202060649 submitted by  
20 the Maryland Department of Transportation, State  
21 Highway Administration for the proposed

1 construction of managed lanes along I-495 and  
2 I-270 corridors within Montgomery and Prince  
3 George's Counties.

4 Please note that when MDE issues its  
5 decision on the permit application, the  
6 accompanying information will be sent to the  
7 interested persons list, as well as to the  
8 applicant. At that time, MDE's decision will be a  
9 final agency determination; there will be no  
10 further opportunity for administrative review.  
11 Any person with standing, who is either the  
12 applicant or who participated in the public  
13 participation process through the submission of  
14 written or oral comments may petition judicial  
15 review in Circuit Court. The petition for  
16 judicial review must be filed within 30 days of  
17 the publication of any permit decision. At this  
18 time, I will turn the proceedings back to Mr.  
19 Bing. Thank you.

20 MR. BING: Thank you, Amanda. There are  
21 multiple ways to comment on the DEIS and JPA. You



1 can provide oral testimony through the public  
2 hearing or leave your testimony by voicemail. You  
3 can also complete a Comment Form online or send an  
4 email or written letter. Details on ways to  
5 comment can be found on the Program website by  
6 visiting the Participate and Provide Feedback  
7 page.

8 Comments related to the JPA can be mailed  
9 or emailed to United States Corps of Engineers,  
10 Baltimore District or Maryland Department of the  
11 Environment, Wetlands and Waterways Program.  
12 Comments must be received before 11:59 p.m. on  
13 November 9, 2020.

14 Please continue to visit the Program  
15 website, [495-270-p3.com/DEIS](http://495-270-p3.com/DEIS) for updates. All  
16 comments received, whether at the hearing through  
17 oral testimony or through other methods, such as a  
18 Comment Form, voicemail, email or letter, will be  
19 given equal consideration.

20 Again, the purpose of this public hearing  
21 is to allow interested parties to provide public

1 comments on the DEIS and JPA.

2 Today's joint public hearing is available to  
3 listen live by phone. Call-in information is  
4 available in the hearing brochure.

5 My role as the Hearing Officer is to run  
6 a professional, orderly joint public hearing. I  
7 understand how important the issues are related to  
8 the DEIS and the JPA and I take my role as Hearing  
9 Officer seriously. I am committed to providing  
10 members of the public an opportunity to provide  
11 comments in an organized, fair, professional and  
12 orderly manner.

13 Offensive or profane language will not be  
14 allowed. I also want to let everyone know that  
15 the agency representatives, as well as myself,  
16 will not be answering questions or responding to  
17 any comments made during the hearing. Responses  
18 to comments will be included in the Final  
19 Environmental Impact Statement.

20 If you have joined us today to listen to  
21 the public hearing and would like to provide

1 testimony you may leave recorded testimony via  
2 voicemail by calling 855-432-1483. Registration  
3 is not required to leave recorded testimony via  
4 voicemail.

5 The panelists are interested in hearing  
6 comments about the Study from all interested  
7 individuals. Please remember that we are  
8 recording this hearing. Speak directly and  
9 clearly in the microphone. Give your full name and  
10 address and any organization you may represent.

11 To ensure all will be heard, there will  
12 be a 3-minute time limit for public testimony and  
13 a 5-minute time limit for elected officials. The  
14 time clock will start after you introduce  
15 yourself. As the Hearing Officer, if you are  
16 unable to conclude your comments at the end of  
17 your time period, I will ask you to finish your  
18 testimony.

19 So at this time it is 7:45. We do not  
20 have any individuals present who wish to provide  
21 public testimony. This hearing will remain open

1 until 9 o'clock p.m. tonight.

2 I will come back and provide an update in  
3 approximately 30 minutes at 8:15. If we receive  
4 someone who wants to provide public testimony  
5 before that, we will come back and take that  
6 testimony. At this point we will remain in recess  
7 until 8:15. Thank you.

8 (In Recess)

9 MR. BING: Okay. It is 8:15 p.m.  
10 We're still in recess. We have not had anyone  
11 sign in to provide public testimony so we will  
12 remain in recess. This hearing will conclude at 9  
13 o'clock tonight. I will not come back for any  
14 other updates unless we have someone who shows up  
15 to provide testimony.

16 So we will remain in recess until 9  
17 o'clock when the hearing closes, and I will give  
18 some final concluding remarks at that time. Thank  
19 you.

20 (In recess)

21 MR. BING: It's approaching 9 o'clock

1 p.m. which is the closing hour for our public  
2 hearing today on September 1st. We do have two  
3 more public hearings. The next one will be on  
4 Thursday, September 3rd, and then the final one  
5 will be Thursday, September 10th in Montgomery  
6 County.

7 The public hearing will remain open until  
8 November 9, 2020, and again we thank everyone who  
9 took the time to provide public testimony today  
10 and listening to the public testimony and this  
11 hearing is now closed. Thank you.

12 (Whereupon, at 9:00 p.m., the public  
13 comment hearing was adjourned.)  
14  
15  
16  
17  
18  
19  
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21

1 STATE OF MARYLAND SS:

2 I, a Notary Public of the State of  
3 Maryland, do hereby certify that this transcript  
4 is as true a record of the proceedings as is  
5 audible on the recording.

6 I further certify that I am not of  
7 counsel to any of the parties nor an employee of  
8 counsel nor related to any of the parties nor in  
9 any way interested in the outcome of this action.

10 As witness my hand and notarial seal this  
11 14th day of September, 2020.

12  
13 My commission expires:  
14 September 21, 2022

15 ROBERT DOUGLAS CHAMBERS  
NOTARY PUBLIC STATE OF MARYLAND  
My Commission Expires July 8, 2022  
16 *Robert Douglas Chambers*  
This Commission Expires July 08, 2022

17 Notary Public  
18  
19  
20  
21

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