



For Immediate Release

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MDOT SHA, Federal Highway Administration Announce Record of Decision for I-495 & I-270 Managed Lanes Study

USDOT Independent Review Finds No ‘Scientific Fraud’ in Toll Lane Traffic Model

BALTIMORE, MD (August 25, 2022) – The Maryland Department of Transportation State Highway Administration (MDOT SHA) and the U.S. Department of Transportation’s (USDOT) Federal Highway Administration (FHWA) today announced approval of the Record of Decision (ROD) for the I-495 & I-270 Managed Lanes Study (MLS). Approval of the ROD marks the final milestone in a National Environmental Policy Act (NEPA) process that spanned more than four years and included 16 public workshops and seven public hearings with an extended public comment period totaling more than six months. Additionally, more than 200 stakeholder, community, elected official and business meetings were held to present study information and hear concerns and feedback.

Prior to the ROD approval, MDOT SHA and FHWA published the Final Environmental Impact Statement (FEIS) in June 2022. The FEIS provided responses to more than 5,000 comments received on the Draft Environmental Impact Statement (DEIS) and the Supplemental DEIS, as well as final traffic, engineering and environmental analyses related to Alternative 9 – Phase 1 South.

As part of its review of public comments, FHWA, as the lead federal agency, engaged USDOT’s Volpe National Transportation Systems Center (Volpe Center) to conduct an independent review of allegations of “Possible Scientific Fraud in Toll Lane Traffic Model” claimed in a July 11, 2022, letter from the Maryland Transit Opportunities Coalition. Volpe Center experts did not find “scientific integrity fraud in the Toll Lane Traffic Model,” as noted in their [independent review](#) included in the ROD appendix. Volpe Center is a resource providing world-renowned multidisciplinary, multimodal transportation expertise on behalf of USDOT, other federal agencies, and external organizations.

The ROD documents the reasons for selecting Alternative 9 – Phase 1 South as the Selected Alternative. The ROD also details efforts to avoid and minimize impacts, and describes the final mitigation and commitments agreed to by MDOT SHA and FHWA.

As noted in the FEIS, the Selected Alternative **avoids all residential and business displacements and significantly reduces impact on parkland, right of way and other resources** within the study area. The ROD details the comprehensive final mitigation plan for natural, cultural, historic property and socio-economic impacts.

Environmental Resource Avoidance/Minimization: Total Impact Reductions			
	DEIS	SDEIS	FEIS
• No residential or business displacements:	34/4	0	0
• Right-of-way requirements reduced:	313.4 ac	115.9	92.8 (78.2 permanent)
• Park impacts further reduced:	133.1 ac	36.1	30.2 (15.7 permanent)
• Nat'l Park Service impacts minimized:	29.4 ac	17.0	16.2 (2.7 permanent)
• M-NCPPC park impacts minimized:	29.0 ac	9.2	8.2 (7.5 permanent)
• Wetland impacts reduced:	16.3 ac	4.3	3.9 (3.5 permanent)
• Floodplain impacts reduced:	119.5 ac	48.8	31.6 (24.2 permanent)
• Forest Canopy impacts reduced:	1,497.0 ac	500.1	455.0 (438.5 permanent)
• Waterway impacts reduced:	155,922 lf*	46,553	42,286 (39,933 permanent)

*Linear Feet

The Selected Alternative would **replace the 60-year-old American Legion Bridge, address** existing traffic and long-term traffic growth, reduce congestion, enhance trip reliability, improve the movement of goods and services, support regional transit improvements, foster new opportunities for transit and

increase carpool/vanpool/ridesharing opportunities to reduce reliance on single occupancy vehicles in the National Capital Region.

Along with other new or upgraded pedestrian and bicycle improvements within the area of Phase 1 South, the Selected Alternative creates new transportation options with a shared-use bicycle and pedestrian path on the east side of the American Legion Bridge across the Potomac River, connecting miles of existing trail networks in Maryland and Virginia. A direct connection of the shared-use path from the bridge to the Chesapeake and Ohio Canal towpath is included in the alternative.

On I-495, the Selected Alternative would include two new High Occupancy Toll (HOT) managed lanes in each direction from south of the George Washington Memorial Parkway in Fairfax County, Va., to west of MD 187 (Old Georgetown Road) in Montgomery County, Md.

On I-270, the alternative would convert the existing high occupancy vehicle (HOV) lane in each direction to a HOT managed lane, and add one new HOT managed lane in each direction on I-270 from I-495 to north of I-370, and on the I-270 east and west spurs. No action or improvements would be included at this time on I-495 east of I-270.

NEW OPPORTUNITIES TO SUPPORT, EXPAND TRANSIT

NEPA-Related Improvements:

The Selected Alternative will create new opportunities for regional transit bus service through a reliable trip in the HOT managed lanes and would support carpooling by allowing HOV3+ vehicles and transit vehicles to travel in the HOT managed lanes toll free.

Other multimodal benefits identified in the FEIS and ROD include commitments to increase the number of bus bays at WMATA Shady Grove Metrorail Station and parking capacity at Westfield Montgomery Mall Transit Center.

Improvements after BPW and Financial Close of Phase 1 South Section P3 Agreement:

Additional commitments have been made by the Developer (Accelerate Maryland Partners) or MDOT SHA if the project is delivered as a Public Private Partnership (P3) with a Section Developer controlled by Accelerate Maryland Partners using private funding.

If Phase 1 South Section P3 Agreement with Accelerate Maryland Partners is approved by the Maryland Board of Public Works and financial close is achieved,

- Accelerate Maryland Partners would provide \$300 million for additional transit investment funding to implement high priority transit projects in Montgomery County over the operating term of Phase 1 South;
- MDOT would construct and equip the Metropolitan Grove Bus Operations and Maintenance Facility, including the necessary bus fleet; and
- after financial close, MDOT would fund not less than \$60 million from the Development Rights Fee, provided by the developer, for design and permitting of high priority transit investments in Montgomery County.

While these commitments are included in the ROD to disclose efforts the Developer and MDOT SHA have made to advance the project in an environmentally responsible manner taking into account input received from stakeholders, these commitments are not mitigation for direct environmental impacts, are in addition to the NEPA-related commitments outlined above, and are tied to project delivery under a P3 contractual agreement with Accelerate Maryland Partners.

The ROD, FEIS and Final Section 4(f) Evaluation are available online at OpLanesMD.com/ROD.