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November 2, 2020

Ms. Lisa B. Choplin, DBIA
Maryland Department of Transportation
707 North Calvert Street, Mail Stop P-601
Baltimore, Maryland 21202

Dear Ms. Choplin:

We, the Mayor and Council of the City of Rockville, are writing to express our extreme concern with the Draft Environmental Impact Statement (DEIS) for the I-495 & I-270 Managed Lanes Study. The DEIS is severely flawed because it completely neglects the impact of the pandemic. The Travel Demand Model assumes traffic volumes will resume to pre-COVID levels, includes too many human health and environmental impacts, and does not include a public mass transit component. Therefore, the City of Rockville supports the only rational alternative in compliance with the National Environmental Policy Act: The No-Build Alternative.

The DEIS's faulty assumption that traffic will return to pre-COVID levels negates the entire DEIS process and project decision-making. The Environmental Impact Statement is supposed to convey not only the benefits of the project, but also the negative environmental impacts, so they can be properly weighed. An assumption which significantly overstates the benefits of a project (such as reduction of traffic congestion) will cause the impacts to be improperly compared.

Below are some of the City's major concerns, with more technical concerns attached to this letter.

- The potential toll rate of as much as \$0.77 per mile (for Alternative 9M) is high enough to deter significant number of drivers from using the toll lanes. This rate is the projected average throughout the day, which means that the rates during the peak periods will be significantly higher and expected to exceed \$2 per mile. This reveals a lack of transparency of the peak toll rates in the DEIS. Rates this high will certainly discourage usage. The DEIS also does not account for the high cost of utility relocation, specifically WSSC utilities.
- The current experience with the Purple Line P3 demonstrates the risks of such a P3 project. The state should not proceed with the even larger I-270/I-450 P3 project until it demonstrates that it can properly handle the fundamental Purple Line P3 difficulties. Further, the Purple Line experience shows that the state and its taxpayers may be required to make up large construction funding shortfalls when all costs are considered, and may have to make up large ongoing operational deficits.
- The DEIS fails to look at the human health and environmental impacts of the proposed expansion in order to understand the balancing and tradeoffs required. Instead, the DEIS repeatedly notes that many project details remain unknown. This is insufficient and prevents the public from understanding the true consequences of the proposed expansion.

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- The Mayor and Council vigorously advocate that MDOT and the Governor protect the homes, businesses, and infrastructure of the nine Rockville neighborhoods that abut I-270. Many residents are anxious about the uncertainty surrounding their homes, neighborhood, and community. It is essential that the State understand that even if a home is left untouched, the taking of a portion of a yard, playground, park, or other amenity would still damage our community. There also are several schools close to I-270 that would be adversely impacted due to the noise and air quality that this project brings.
- The recommended alternatives retained for detailed study do not include public mass transit. The DEIS did not analyze reasonable public transit options, smaller-scale roadway improvements, or transportation systems and transportation demand management options. Suggestions to improve Park & Ride lots and enhance current transit lines are not acceptable, since the benefit of those transit improvements is expected to be negligible.
- The I-270/I-495 P3 will further degrade the climate in major ways. This proposed project will add a devastating loss of parks, adverse impacts to the Chesapeake watershed, wetlands and tree canopy, as well as the air and noise pollution that comes with increased speed and traffic. Rockville's effort to develop a Climate Action Plan to reduce municipal and community-wide greenhouse gas emissions will be undermined by the widening of I-270, which will generate even more global warming pollution from increased traffic.
- The DEIS does not sufficiently address social equity as required under NEPA. The need to conduct an equity evaluation on the transportation benefits of each of the Alternatives is of utmost importance. The DEIS's conclusion that everyone benefits, particularly given the widely-held public perception that managed lanes are intended and feasible solely for those with the ability to pay, is just not acceptable.

The City of Rockville requests MDOT make the fiscally, environmentally, and socially responsible decision to not proceed further with this project. We endorse only the No-Build Alternative.

Sincerely,

Mayor and Council

City of Rockville

cc: Rockville City Manager
District 17 Delegation

Attachment A

Additional City comments and concerns:

1. The numbers included in the Executive summary (Table ES-2) are slightly different than those included in Table 2-3 in the main report.
2. Transit components are not adequate in the study: No standalone transit alternative has been proposed in the DEIS.
3. Rockville and Montgomery County question the validity of the Travel Demand Model used to project 2040 traffic volumes and patterns. Travel habits and the extensive use of video meetings, as well as the wide acceptance of teleworking during recent months, suggest that travel demand models should be revised taking into consideration all recent changes, and to project future demand accordingly.
4. The study is based on annual average daily traffic of 260,000 vehicles per day in 2018 (on I-270 between MD 28 and I-495). What is the current daily traffic in 2020? And how will it affect the purpose and need of this study? The forecasted 2045 traffic shown on page 1-5 (46 of 353) of the document should be revised accordingly.
5. The report did not include any data or specific analysis for Rockville's local networks and surrounding arterials, such as Wootton Parkway and Gude Drive, as well as traffic impact on neighborhoods.
6. The limits of disturbance (LOD) will likely need to be expanded because the LOD does not adequately address likely environmental impacts to natural resources. This includes inadequate allowance for stable outfall transitions, stormwater management, and rehabilitation of impacted resources, some that occur outside the limits of the LOD, in addition to other factors and incomplete analysis.
7. There are no sections of the DEIS which speak specifically to utility impacts. Concerns about utility relocation as well as cost associated with this task is significant.
8. Appendix B: Alternatives Technical Report section 5.5 Structures speaks to bridges but does not identify each specific bridge that would be impacted.
9. There are no specifics in the DEIS regarding utility impacts.
10. Appendix E: Community Effects Assessment (CEA)/Environmental Justice Technical Report: The Public Utilities section within the project limits makes no mention of any of Rockville's utility impacts or services.

11. The project would impact parkland, streams, wetlands, and forests in Rockville. At the current scale, the extent of impact to Rockville natural resources is difficult to determine. Additionally, the current LOD included in the Draft DEIS does not comprehensively reflect all the environmental impacts that will be needed to construct, restore and mitigate for the proposed project. The LOD needs adjustments in many locations to factor in access, construction, outfall stabilizations and transitions, stormwater management, and the mitigation of impacted assets.
12. The City is concerned that the DEIS does not address the expected impacts to Rockville's waterways and stormwater management (SWM). The DEIS provides inadequate stormwater management treatment for current and future impervious surfaces. Additionally, staff believes that proposed roadway changes and the increase in runoff added to already undersized and deteriorated SHA pipes may overwhelm our storm drain system, increase our stream erosion, and cause more issues for the City to deal with in the future.
13. Much of the DEIS is targeted to show compliance with State and federal regulatory requirements. However, Rockville's local SWM regulations have higher standards that require water quantity control or alternative mitigation for larger storms. These are not currently addressed in the DEIS.
14. Some onsite stream mitigation (meaning within the I-270 construction limits of disturbance) is proposed within the city limits at locations of expected impacts from I-270 storm drain outfalls, new or retrofitted stormwater management, culvert replacement, etc. However, it is not clear how this would address the downstream effects on Rockville streams and storm drains, nor is there information about what type of mitigation is planned.
15. Given that Rockville has an extensive section of I-270 that will be impacted, staff recommends that SHA also commit to addressing Rockville's waterway and stormwater impacts by providing mitigation projects located inside city limits.
16. City staff are concerned that adequate stormwater treatment is not provided and that multiple adjustments to the City's drainage system will result from the I-270 construction, many of which will not be compatible with existing downstream infrastructure or capacity. The DEIS does not account for how the meshing of new SHA infrastructure with older, lower-capacity City pipes and stream channels can be accomplished, and no downstream mitigation projects within Rockville are mentioned. We strongly urge SHA to add projects from the detailed list provided by the City in the spring of 2020, to help compensate closer to the source of increased runoff.
17. Appendix I, Air Quality Technical Report, suggests the project's added toll lanes to Washington-area highways would reduce air pollution, along with congestion, and have minimal impacts on greenhouse gases. The analysis doesn't account for the long-term likely increase in the number of vehicles traveling on the widened highways because of induced demand, which could offset reductions in congestion-related emissions. The study should assess the air quality and greenhouse gas impacts under the new SAFE Vehicles Rule.

18. The encroachments into parks are not well defined.
19. Since specific impacts are not defined in the documents, avoidance of impacts must be included, as well as justification acceptable to the Director of Recreation and Parks. Also, there is not enough detail for all park encroachments to identify wetlands, forest types, historical sites, significant trees, and cultural resources. A Natural Resource Inventory (NRI) shall be required prior to approval of all encroachments, and based on the resources, encroachment maybe denied.
20. Staff found that the DEIS report makes no mention of the City's Forest Conservation Act (FCA) requirements. The report is limited to discussion of State and County FCA issues.
21. Numerous sections of the report should be modified to include City of Rockville Forest and Tree Preservation Ordinance definitions, permitting requirements, existing easements, and the mitigation options.
22. The City requires the forest conservation easements (FCE) impacts be mitigated by planting trees or acquiring forested parcels within boundaries of the city or, as a last resort, via fee-in-lieu money paid to the City, not the County. The report should reflect this requirement.
23. For historic resource, 628 Great Falls Road is a designated historic house. It is a triangular lot at the corner of Great Falls Road and Maryland Avenue, and would be impacted if the project were to proceed as planned.