

**METROPOLITAN WASHINGTON COUNCIL OF GOVERNMENTS  
NATIONAL CAPITAL REGION TRANSPORTATION PLANNING BOARD**

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**MINUTES OF THE  
TRANSPORTATION PLANNING BOARD  
April 21, 2004**

Members and Alternates Present

Chris Zimmerman, Arlington County Board  
Phil Mendelson, D.C. Council  
Mike Knapp, Montgomery County Council  
David C. Harrington, Prince George's County  
Bruce E. Tulloch, Loudoun County  
Michelle Pourciau, DDOT  
Marsha Kaiser, MDOT  
Carol Petzold, Maryland House of Delegates  
Cicero Salles, Prince George's DPW&T  
Catherine Hudgins, Fairfax County Board of Supervisors  
Kathy Porter, City of Takoma Park  
Bruce Reeder, Frederick County Commissioners  
JoAnne Sorenson, VDOT  
Jeff Jennings, Councilmember Jim Graham's office  
Karina Ricks, DC Office of Planning  
Linda Smyth, Fairfax County Board of Supervisors  
Eric Olson, City of College Park  
Ludwig Gaines, City of Alexandria  
Kanti Srikanth, VDOT  
Brian A. Glenn, FTA  
Bill Wren, City of Manassas Park  
Art Smith, Loudoun County  
Richard White, WMATA  
Rodney Roberts, City of Greenbelt

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Patrice Winter, City of Fairfax  
Edgar Gonzalez, Montgomery County Executive Branch  
Robert Dorsey, City of Rockville  
Sandra Jackson, FHWA  
John Giannetti, Maryland State Senate  
Skip Coburn, DC City Council  
David Moss, Montgomery County DPWT  
Hilda M. Barg, Prince William County  
Harry J. Parrish, II  
Ann Somerset, City of Gaithersburg  
Sharon Ambrose, DC City Council  
David Snyder, City of Falls Church  
Wayne Cooper, Charles County Commissioner  
Grady Ketron, VDOT  
Ron Spalding, MDOT  
Larry Marcus, City of Rockville  
Zak Krebeck, Charles County  
Rick Canizales, Prince William County

MWCOG Staff and Others Present

Ron Kirby	COG/DTP
Michael Clifford	COG/DTP
Gerald Miller	COG/DTP
Bob Griffiths	COG/DTP
Nicholas Ramfos	COG/DTP
Andrew Meese	COG/DTP
Andrew Austin	COG/DTP
Jane Posey	COG/DTP
Wendy Klancher	COG/DTP
Debbie Leigh	COG/DTP
Deborah Etheridge	COG/DTP
Daivamani Sivasailam	COG/DTP
Hailemariam Abai	COG/DTP
Robert Snead	COG/DTP
Joan Rohlfs	COG/DEP
Heather Nalbone	COG/OPA
Dave Robertson	COG/EO

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Paul DesJardin	COG/HSPPS
Dina Farina	COG/HSPPS
Greg Goodwin	COG/HSPPS
Lee Schoenecker	TPB/CAC
Allen Muchnick	TPB/CAC
Bob Chase	NVTA
John Mason	SAIC
Jocelyn Bauer	SAIC
Valencia Williams	FHWA-MD Division
Harry Sanders	Action Committee for Transit
Lora Byala	WMATA
Dolores Milmoe	Audubon Naturalist Society
Harriet Dietz	Arlington County
Deborah R. Burns	Federal Transit Administration
Fatimah Hasan	MDOT
Howard Chang	Tri-County Council for Southern Maryland
Randy Carroll	MDE
Kellie Gaver	MDOT
Jana Lynott	NVTC
Tina Brown	Solutions Not Sprawl
Tom Biesiadny	Fairfax County DOT
Bridget Hennesey	AMPO
Nicole Waldheim	AMPO
Betsy Johnson	MD Sierra Club
Stephen Cafilisch	MD Sierra Club
Michael Replogle	Environmental Defense
Chris Carney	Sierra Club
Ian Bean	MDOT
Doug Parrish	Metro Networks
Jim Maslanka	City of Alexandria
Brian Henry	Audubon Naturalist Society
Roger Plaut	Longmead Crossing Community Services Association
Gene Counihan	Committee for Montgomery
Alex Hekimian	M-NCPPC-Montgomery County
Mark Kehrl	FHWA/DC Division
David Goss	Montgomery County DPWT
Anne Ambler	

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## 1. Public Comment

Chairman Zimmerman announced that the meeting was starting earlier than normal because of the large interest in the provision of public comment related to Item 9 on the agenda.

Royal Buyer, President of the Intercounty Connector Master Plan Advocates, spoke in support of the Intercounty Connector. Copies of his remarks were submitted for the record.

Bob Pinkard, co-chair of the Greater Washington Board of Trade Transportation and Environment Committee, spoke in support of the Intercounty Connector. Copies of his remarks were submitted for the record.

Dan Wallace, co-chair of the Montgomery Interconnector County Coalition, spoke in opposition to the Intercounty Connector. Copies of his remarks were submitted for the record.

Jerry Garson spoke in support of the Intercounty Connector.

Gabriel Roth, civil engineer and transport economist, said he supports the Intercounty Connector, but he was concerned about its high costs. He suggested costs might be reduced if the state of Maryland would seek bids from private road providers to build, maintain and operate a road financed entirely through tolls. Copies of his remarks were submitted for the record.

Janet Buyer spoke in support of the Intercounty Connector. Copies of her remarks were submitted for the record.

Roger Plout, representing the Homeowners Association for the community of Longmeade Crossing in Silver Spring, spoke in opposition to the Intercounty Connector.

Stan Doore spoke in support of the Intercounty Connector. Copies of his remarks were submitted for the record.

Richard Parsons, representing the Montgomery County Chamber of Commerce, spoke in support of the Intercounty Connector. Copies of his remarks were submitted for the record.

Ann Ferro, representing the Maryland Motor Truck Association, spoke in support of the Intercounty Connector. Copies of her remarks were submitted for the record.

Byrne Kelly, Prince George's Chamber of Commerce, spoke in support of the Intercounty Connector. Copies of his remarks were submitted for the record.

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Adol Owen Williams, on behalf of Chuck Floyd, candidate for Congress from Maryland's 8th Congressional District, spoke in support of the Intercounty Connector. Copies of his remarks were submitted for the record.

Bernardine Karns, on behalf of the citizens association in Calverton, spoke in support of the Intercounty Connector. Copies of her remarks were submitted for the record.

Bob Ferrano, president of ISA Paint Branch, spoke in opposition to the Intercounty Connector.

Jenny Forehand, Maryland state senator from Rockville and Gaithersburg and Maryland Senate chair of the Regional Transportation Commission with Virginia and the District of Columbia, spoke in support of the Intercounty Connector.

Meredith Weisel, representing the Greater Capital Area Association of Realtors, the Greater Washington Commercial Association of Realtors and the Washington, D.C. Association of Realtors, spoke in support of the Intercounty Connector. Copies of his remarks were submitted for the record.

Michael Replogle, Environmental Defense, spoke in opposition to the Intercounty Connector. He said a no-build air quality analysis should be done for the Intercounty Connector. Copies of his remarks were submitted for the record.

Steve Caflisch, transportation chair for the Maryland Sierra Club, spoke in opposition to the Intercounty Connector.

Dan Emerine, D.C. Chapter of the Sierra Club, spoke in opposition to the Intercounty Connector. Copies of his remarks were submitted for the record.

Daithi Htun, council member from the town of Berwyn Heights in Prince George's County and a representative of Prince George's Advocates for Community-Based Transit, spoke in opposition to the Intercounty Connector.

Tina Brown, representing Solutions Not Sprawl, spoke in opposition to the Intercounty Connector. Copies of her remarks were submitted for the record.

Karen Coakely, president of the Beltsville Citizens Association, spoke in support of the Intercounty Connector.

Roy Peck, resident of Rockville, questioned the need for and price of the Intercounty Connector.

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Stewart Schwartz, Coalition for Smarter Growth, spoke in opposition to the Intercounty Connector. Among other points, he urged the Board to delay action because the coalition's comments had not been included in the materials provided to the Board in the mailout item, although the comments from the Maryland Department of Transportation had been provided. Copies of his remarks were submitted for the record.

Anne Ambler spoke in opposition to the Intercounty Connector. Copies of her remarks were submitted for the record.

Dolores Milmoie, drawing her comments from letters submitted by both the Audubon Naturalist Society and the Chesapeake Bay Foundation, spoke in opposition to the Intercounty Connector. Copies of her remarks were submitted for the record.

Bob Chase, Northern Virginia Transportation Alliance, spoke in support of the Intercounty Connector. Copies of his remarks were submitted for the record.

David Guernsey, member of the Greater Washington Board of Trade, the Northern Virginia Business Roundtable Region and the Northern Virginia Transportation Alliance, spoke in support of the Intercounty Connector. Copies of his remarks were submitted for the record.

Jim Hurysz, candidate for Congress in the 8th Congressional District of Virginia, said he believes it is time for the region to focus on new transportation models, including inexpensive, high-quality light rail. He said Congress needs to pass legislation to support such efforts. Copies of his remarks were submitted for the record.

Nancy Florine, chair of the Montgomery County Council's Transportation and Environment Committee, spoke in support of the Intercounty Connector.

John Parrish, representing the Maryland Native Plant Society, spoke in opposition to the Intercounty Connector.

Paul Kuhn spoke in opposition to the Intercounty Connector.

Jim Connolly, executive director of the Anacostia Watershed Society, spoke in opposition to the Intercounty Connector.

Howard Denis, Montgomery County Councilmember, spoke in support of the Intercounty Connector.

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Leo Sheffer, president of the Washington Airports Task Force, spoke in support of the Intercounty Connector. Copies of his remarks were submitted for the record.

## **2. Approval of Minutes of March 17, 2004 Meeting**

The minutes were approved by unanimous consent.

## **3. Report of Technical Committee**

Referring to the mailout material, Mr. Rybeck reported that the Technical Committee met on April 2. He said the committee approved the project submissions for the Constrained Long-Range Plan (CLRP) conformity testing. He said the committee was briefed on the scope of work for air quality conformity assessment and recommended that the TPB approve that scope of work. The committee also received briefings on the updated Census information and on the Regional Mobility and Accessibility Study.

## **4. Report of Citizens Advisory Committee**

Referring to the handout report, Mr. Muchnick, CAC vice chair, reported that the committee met on April 15. The meeting featured presentations on emergency preparedness and on the Access for All Advisory Committee's report for 2003. On emergency preparedness, the committee was briefed by Falls Church Councilmember David Snyder, who has been a leader on transportation elements of the regional emergency preparedness efforts.

After discussing Mr. Snyder's presentation, the CAC passed a resolution calling upon the TPB and its member agencies and jurisdictions to act expeditiously upon the four recommendations of the Regional Emergency Evacuation Transportation Coordination (REETC) Annex of the Regional Emergency Coordination Plan.

The four recommendations call upon regional leaders to:

1. Carry out regional emergency management coordination efforts on a continuing basis.
2. Conduct a coordinated regional public education campaign on emergency preparedness.
3. Ensure that timely information is provided to the public during incidents.
4. Strengthen emergency communications and coordination in the transportation sector.

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Under recommendation number 4, the CAC urged the TPB to give full consideration to different methods for strengthening communications and coordination, including the creation of a new regional transportation communications and coordination organization.

Mr. Muchnick reported that Wendy Klancher of the COG staff made a presentation on the 2003 Report of the Access for All (AFA) Advisory Committee. Mr. Muchnick reported that the CAC supported the recommendations in the AFA report.

Mr. Muchnick reported that the CAC elected two vice chairs: Emmet Tydings from Maryland and himself from Virginia. He also said the CAC would hold its first public outreach meeting on light rail transit in the District of Columbia on April 28 at Benjamin Orr Elementary School, 2200 Minnesota Avenue, in Washington.

## **5. Report of Program Committee**

Referring to the mailout and handout material, Mr. Kirby reported that the Program Committee met on April 2. In addition to reviewing and approving the agenda for the TPB's April meeting, the committee approved a set of amendments to the FY 2004-2009 Transportation Improvement Program (TIP), as requested by Virginia. These amendments are exempt from the air quality conformity requirement and address nine highway projects, four transit projects, four transportation emission reduction measure (TERM) projects, and one Intelligent Transportation Systems (ITS) project.

Mr. Kirby said all public comments related to Action Item 9 on the agenda had been posted on the COG/TPB website. More than 2,500 comments were received and posted. He said the additional letters sent/received packet, which was handed out, included letters received after the close of public comment on April 10.

## **6. Chairman's Remarks**

Chairman Zimmerman briefly noted that a little more than one month had passed since the TPB issued the publication "Time to Act." He said that within approximately seven months Metro would have to make a decision about exercising options on rail cars. He said the region was still waiting on what levels of funding from the federal and state governments would be forthcoming to deal with the region's transportation funding shortfalls.



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## **7. Report on Transportation Recommendations of the Regional Emergency Evacuation Transportation Coordination Annex**

Referring to the mailout presentation materials, Mr. Snyder briefed the Board on the status of emergency preparedness coordination efforts related to transportation. He said the Council of Governments (COG) Board had approved an important revision to the Transportation Coordination Annex in the Regional Emergency Coordination Plan (RECP). He said that document is on the COG website. He described key findings in that document and four key recommendations:

1. Carry out regional emergency management coordination efforts on a continuing basis.
2. Conduct a coordinated regional public education campaign on emergency preparedness.
3. Ensure that timely information is provided to the public during incidents.
4. Strengthen emergency communications and coordination in the transportation sector.

Mr. Snyder said there was agreement to move forward on these four recommendations. He described different institutional alternatives for addressing recommendation number 4.

He said that without objection from the TPB, he proposed to go forward with the following recommendations to the Emergency Preparedness Council on May 1.

- The region should immediately pursue improvements to transportation communications and coordination during incidents.
- The region should support and work on a combination of technical and procedural improvements, training and duty rotation of the region's transportation agencies staffs as the first structural or organizational steps that should be taken.
- The region should address funding requirements for these activities. He said he believed the necessary money could be identified through a variety of sources.

Mr. Snyder said he has received commitments from each of the three major state level transportation agencies and Metro that they will provide high-level staff to work on a task force to design improvements to the coordination and communications among those agencies.

Finally, Mr. Snyder said that if implementation of the above actions proves insufficient, then he would come back to TPB for discussion and consideration of a new agency to accomplish the necessary coordination tasks.

Chairman Zimmerman called attention to the presence of John Mason, former mayor of the City of Fairfax and a former chairman of the TPB.

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Chairman Zimmerman said he understood that Mr. Snyder would be bringing forward these recommendations to the Emergency Planning Council on May 6, assuming the concurrence of the TPB.

Mr. Snyder said that was correct.

Chairman Zimmerman said that he understood that although there has been discussion of creating a coordinating body similar to TRANSCOM in New York, a decision has been made not to pursue that option, and instead to try to establish a coordination system that would not require the establishment of a new agency.

Mr. Snyder said that was correct. However, he said he believed that the option of following the TRANSCOM model needs to stay on the table with the possibility of picking it up later. He said he was hopeful that effective improvements in coordination could be achieved, and he also recognized that these improvements were needed very quickly.

Mr. Gonzalez asked whether in addition to the commitments from the states, there has been any involvement and commitment from the local jurisdictions. He noted Montgomery County's traffic signal responsibilities and its road network which is far more extensive than the state's.

Mr. Snyder said they would be open to local participation.

Mr. White said that he understood the thrust of Mr. Snyder's report was that the region has done an excellent job in making progress in developing a plan for regional emergency communications and coordination, but the region's ability to fully operationalize the improvements is sketchy. He said that agencies seemed to be failing at this point in their ability to get past the crisis that they might be managing and think through coordination needs with other agencies on a real-time basis. He said that incidents literally spin out of control within ten or 15 minutes. He said he believed Mr. Snyder is wise to go slow on pursuing the TRANSCOM approach so that greater consensus could be achieved. He said he supported Mr. Snyder's plan to bring together high-level staff to begin a process to improve coordination. He urged the TPB to understand the significance of this issue and he said he supported Mr. Snyder's report.

Vice Chairman Knapp commended Mr. Snyder for his leadership. He said he wanted to assure the Board that Mr. Snyder has done extensive legwork to try to get buy-in from the wide diversity of different agencies. He urged the Board's support of the report.

Ms. Somerset said she is a facility and security director for a building on the Mall. She said that on September 11, coordinated information about transportation was lacking. She said that the sheltering capacity of buildings on the Mall were insufficient in the event of a large-scale catastrophe at a major event. She there are very serious problems on the demand side with what the region's infrastructure is

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expected to carry.

Mr. Kirby said Mr. Snyder's presentation was an information item, which, without objection, would be taken to the Emergency Preparedness Council on May 6 and brought back to the TPB as an action item in May.

Chairman Zimmerman said it was his sense that the Board supported that approach.

### **8. Briefing on 2003 Report of TPB Access for All Advisory Committee**

Referring to the mailout material, Ms. Porter briefed the Board on the 2003 report of the Access for All Advisory Committee, which was established by the TPB to provide advice on transportation issues of concern to low-income and minority communities and persons with disabilities. She said this is the second report of the committee and it expands on issues that were laid out in the first report from 2002.

Ms. Porter described the four key recommendations included in the report:

1. Develop more effective communication of regional transit information.
2. Prioritize regional and local transportation services for low-income populations.
3. Improve transit services for people with disabilities.
4. Promote more development around transit stations, but take care of the communities that are already there.

Chairman Zimmerman called attention to the fact that much of the region's low-income population was not simply transit-dependent, but more specifically bus-dependent. He said this was a very important point, especially as Metro is facing more fare increases. He asked if there were any more specific recommendations regarding the need to be equitable to people who are most dependent on this transportation.

Ms. Porter said this is an area the committee will continue to focus on.

Chairman Zimmerman emphasized that the bus-dependent population also faces considerable pedestrian safety issues. He said he hoped the committee would pursue this issue in the future.

Ms. Hudgins called attention to the needs of bus-dependent people in outlying areas, where ridership may not be very high, but is still very necessary to some people.

Ms. Porter said that was an excellent point that would lead to the thought that evaluations of bus service

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should not only look at ridership, but at dependency.

Ms. Kaiser commended Ms. Porter for the work of the committee. She said MDOT has focused considerable attention on transit-oriented development (TOD). She agreed with the committee's recommendation that transit-oriented development must serve communities that already exist and she expressed concern that in some cases, TOD has caused the dislocation of residents because of high housing costs.

Ms. Kaiser asked if Ms. Porter would come to a meeting of the governor's Pedestrian and Bicycle Advisory Committee to share some of the concerns of the AFA committee regarding pedestrian access.

Chairman Zimmerman said he appreciated the committee's comments regarding the need to promote more development around transit stations, but also to take care of the communities that are already there. He said this was a concern in his community and it warranted more extensive study throughout the region. He said that this may seem to be a housing issue, but it is also related to transportation because when people are pushed out, they still have to travel to jobs that may be much farther from home.

Mr. Harrington congratulated the committee for a very insightful report. He said he would like to hear more dialogue tailored to looking at transit oriented development and how access can be provided to low income communities. He said TOD should be an economic development tool to serve low-income people. He asked if the committee would look at zoning issues or WMATA policies that sometimes are impediments to creating TOD policies. He said he was interested in particular sites in Prince George's County, such as the Suitland station, that have not seen much economic development.

Ms. Porter said the committee had not gotten down to that level of detail. She said she would be happy to pursue further work along these lines.

Ms. Ricks commended Ms. Porter for the report. She said they would work in the District of Columbia to adopt the recommendations. Regarding bus service, she said that the challenge is not to simply maintain service, but also to pay attention to fares. She said the issue of increasing fares would soon be coming before the board of the Washington Metropolitan Area Transit Authority (WMATA). She noted that a lot of low-income people sometimes spend a larger percentage of their income on transportation than on housing.

## **9. Review of Comments Received and Approval of Project Submissions for Inclusion in Air Quality Conformity Assessment for 2004 Constrained Long-Range Plan (CLRP) and FY 2005-2010 Transportation Improvement Program (TIP)**

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Mr. Kirby said the mailout packet included a summary of the projects that would be submitted for this year's air quality analysis. He said there are ten major projects. Two alignments for the Intercounty Connector (ICC) would be analyzed separately. He said that most of the material had been provided to the Board last month.

Mr. Kirby noted that the mailout packet included a memorandum from himself to the Board responding to comments that were received on these proposals through April 10. He said this memorandum summarized public comments into 23 basic comments. He noted that the letter from the Maryland Department of Transportation was included in the packet because it was part of the project description for the Intercounty Connector. He said that all the public comments were made available on the COG/TPB website.

Mr. Kirby highlighted a few key points. He said Comments 1 and 2 in the memorandum argued that the TPB should not include the ICC in the air quality conformity analysis until the final Environmental Impact Statement (EIS) is completed and the Record of Decision is entered by the U.S. Department of Transportation. In his response, Mr. Kirby noted that the National Environmental Policy Act (NEPA) process and the air quality regulations require not only the air quality conformity analysis to be completed, but also that the long-range transportation plan and the TIP be amended to include a project before the final EIS and record of decision can be completed.

Mr. Kirby said that Comments 21 and 22 related to details that are required by federal law and regulation before projects may go in the CLRP. He said funding must be reasonably expected to be available in order for projects to go into the CLRP. He said that for the Intercounty Connector, MDOT had submitted a financial plan which staff believes was adequate for inclusion in the plan. He said it was comparable to financial plans that had been submitted for other projects, including Rail to Dulles and the Woodrow Wilson Bridge.

Mr. Kirby said that projects also must be sufficiently detailed to permit them to be coded in the air quality analysis. He said that MDOT had provided alignments, number of lanes, a managed facility concept employing tolls and specifications on bus service. He said that additional details regarding interchange configuration and transit information will need to be included in the modeling. He said that staff understands that MDOT will be sending that information in the near future. He said that the level of information regarding the project was very similar to the information that was available for Rail to Dulles and the Wilson Bridge when they were included in the CLRP.

Chairman Zimmerman clarified that the item for action was Resolution R15-2004, which would approve all the submitted projects for inclusion in the air quality conformity analysis.

Vice Chairman Knapp moved adoption of Resolution R15-2004.

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The motion was seconded by Ms. Kaiser.

Mr. Harrington asked Mr. Kirby to clarify his statement regarding the NEPA process and its relation to the ICC's inclusion in the CLRP.

Mr. Kirby said the NEPA process in this instance is being conducted in parallel with the air quality conformity process. He said the NEPA process is performed by MDOT and is currently going through detailed studies at the corridor level. He said the air quality test, which is done at the TPB because it is a regional test, must be done in order for a project to complete the NEPA process. He said the air quality conformity analysis will take several months to complete.

Mr. Harrington asked if this meant the NEPA report is not necessary for consideration as part of the TPB resolution under consideration.

Mr. Kirby said the resolution on the table was just a decision on whether to proceed with the regional air quality analysis.

Mr. Harrington made a motion to amend the resolution to exclude the ICC from the projects that would be included in the air quality conformity analysis.

The motion was seconded by Mr. Olson.

Mr. Harrington said the Prince George's County Council voted unanimously to oppose the ICC for several reasons. One, the council believes the ICC would be detrimental to economic development in Prince George's County. He said the ICC would actually undermine support for transit and for transit-oriented development. He said he believed Montgomery County was mistaken to have listed the Purple Line as a second priority. He said he was still concerned that funding the ICC would reduce funding for pressing transportation needs in the region, including Metro maintenance. He said he was also concerned that no funding had been identified to mitigate potential air quality impacts of the ICC. He said he was not trying to kill the ICC, but to slow it down so that these outstanding questions could be better answered, particularly as they relate to Prince George's County.

Ms. Salles said that the Maryland State Highway Administration (SHA) had formed an expert land use panel whose preliminary findings are that the ICC will actually cause an increase in jobs and housing in Prince George's and Montgomery Counties. He said the panel's other finding was that most of those jobs would actually come from outside these jurisdictions, not from within, which he said would indicate that if the ICC were constructed, there would be less sprawl and people would be driving shorter distances. He also emphasized that environmental stewardship has been designated a very high priority since the

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beginning of the study. He said the project would open hundreds of acres in Prince George's County, which would generate economic development. He said that regional leaders owed it to citizens to conduct a full study of the ICC, including air quality analysis, to fully understand its impacts and benefits.

Mr. Olson said the ICC should be rejected in the interests of regionalism. He said it will exacerbate disparities. It will move economic growth to outer areas of the region at the expense of growth in inner Beltway areas in both Montgomery and Prince George's counties, and in the District of Columbia. He said the ICC would also take future federal transportation dollars from Maryland to pay for this one project and that would leave numerous other worthy projects to languish. He spoke of the importance of improvements to Route 1, and he said that funding for this and other projects will be jeopardized if the ICC is built. He noted that leaders across the state have opposed the ICC because they believe it will imperil other transportation initiatives.

Mr. Olson said the Purple Line and continued funding for Metro are better ways to promote economic development and fight sprawl. He said that in March, the College Park City Council passed a resolution in opposition to the ICC by a vote of 7-1. He said the ICC has been shown in past studies to have no significant impact on traffic. He emphasized that the region still has serious air quality problems, which is a continuing public health issue. He urged the Board to support Mr. Harrington's motion.

Chairman Zimmerman welcomed a new alternate member on the TPB, Mr. Bruce Tulloch from Loudoun County.

Ms. Porter spoke in support of Mr. Harrington's motion. She endorsed the concerns about the ICC that had been expressed, both about its environmental impacts and about the impacts that it may have on sprawl and the development of housing in parts of the county that are not currently developed. She said her biggest concern related to funding. She said that funding the ICC would inevitably take funding away from other important projects. She said there is not currently enough funding to maintain the transportation infrastructure that is already in place. She said the priority in lower Montgomery County is not roads, it is transit, especially the Purple Line. She said the proposed funding mechanism for the project, Grant Anticipation Revenue Vehicle (GARVEE) bonds, were a particular concern because this funding approach would claim federal funding for a considerable time into the future.

Ms. Petzold said the project directly affects the district she represents. She said that traffic cutting through these neighborhoods creates serious safety problems. She said the findings of the original Draft Environmental Impact Statement (DEIS) for the ICC showed it would divert approximately 78,000 cars a day off existing local roads and up to 21,000 cars off the Beltway. It showed 553 fewer accidents per year in her neighborhood. She said that many people, such as workmen, cannot use transit, and their livelihoods are being undermined by congestion. She said she has supported the ICC since the early 1980s. She said it will require significant funding, but that the project has waited 40 years. She suggested

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that other projects might need to get in line behind the ICC instead of in front of it.

Mr. Roberts said the ICC has been opposed by the Greenbelt City Council at least for the 12 years he has been on the council. He said he disagreed with the suggestion that the ICC would make neighborhoods safer and would improve quality of life. He said highways have diminished quality of life in Greenbelt. He said that building another highway is not going to reduce cut-through traffic. He said this issue boils down to whether this massive project should be built or whether municipal officials will be able to do the numerous things that are important to building better communities. He said the traffic generated by the ICC is going to come to Greenbelt and back to the Beltway, which overall will generate more traffic in his community. He said that for ten years, they have tried to get a pedestrian overpass on Kenilworth Avenue to no avail. He urged support for Mr. Harrington's amendment.

Mr. Giannetti said he has always been a proponent of the ICC despite the fact that it would terminate practically in his backyard. He said that the City of Laurel used to be against the road, but this year the city council passed a resolution in support of the road because people now understand what the ICC will be. He said it will bring economic development not just to Laurel but to the whole state of Maryland. He spoke about the inadequacy of east-west connections that the ICC will address. He said his district is screaming for new roads and screaming for development. He said he believes the ICC can be built in an environmentally sound manner. He noted the examples of roads across the Florida Everglades and Louisiana bayous. He said that despite continual efforts to kill the project, the Maryland House and the Senate has always decided that this project should go forward. He emphasized that this is a project that is being funded within Maryland. He urged members to vote against Mr. Harrington's amendment.

Ms. Hudgins noted that several speakers during public comment said that Metro funding would be jeopardized if approval of the ICC goes forward. She asked for a clarification that Maryland is supporting its commitment to the Metro system.

Ms. Kaiser said that Maryland General Assembly had in this legislative session granted a large portion of Governor Ehrlich's transportation revenue package, including a commitment for funding for Metrorail cars.

Ms. Kaiser said that the ICC is Governor Ehrlich's number-one transportation priority, and it was an important campaign commitment for him. In addition to the ICC, the governor is committed to providing funding to keep the Bicounty Transitway and the Corridor Cities Transitway moving forward. She emphasized that the vote before the TPB was to study the ICC, among projects, for inclusion in the CLRP. The vote was not to include the projects, but to study them. By studying it, she said that MDOT would be able to answer many questions about it. She said the TPB was established to do regional transportation planning and therefore it should fully study projects before deciding whether or not to include them in the long-range plan. Because air quality is an issue in the region, she said the TPB has an obligation to study air quality.



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Ms. Kaiser said the NEPA process could not be completed until the project was included in the region's conformity determination and in the CLRP. Therefore the argument that the NEPA process should be completed before the project was put in the CLRP was ridiculous. She further said the project met the financial constraint requirements for inclusion in the CLRP. She noted that other large projects in the region had been included in the CLRP at a similar stage in their development process. She asked why the ICC should be held to a different standard. She asked the TPB not to prejudge a project that has not been comprehensively studied.

Vice Chairman Mendelson asked Ms. Kaiser if, given her stated desire to study air quality impacts, she would be willing to have a no-build scenario tested for the ICC.

Ms. Kaiser said the no-build scenario would mean not allowing the ICC to be in the CLRP and she said she did not think that was a scenario.

Vice Chairman Mendelson said that the no-build scenario would be intended to provide a full study so that the options can be fully understood when it comes time to approve the CLRP. He said that if the Board later decided that it does not want to include the ICC, a new conformity finding would need to be run at that time, which would delay the process two months or more.

Mr. Kirby said that was correct.

Ms. Kaiser said she was following the federal guidelines for conformity analysis, which calls for a regional analysis. She said that Vice Chairman Mendelson was asking that the ICC be held to a different standard than other projects. If the ICC were separated out, she asked, why not separate out every project to understand its impacts.

Vice Chairman Mendelson said that it would be separated out because it has gotten an enormous amount of attention. Further, he said that ordinarily the conformity analysis does not include separate analyses for a single project, but in the case of the ICC, at the request of MDOT, two alignments were being analyzed.

Vice Chairman Mendelson said he had heard the Maryland legislature had limited the funding authority for GARVEE bonds. He asked if this were correct and what it meant.

Ms. Kaiser said the General Assembly limited the GARVEE funding to 13 percent of federal funding, which is about \$78 million a year, and they limited it to a 15-year time frame, with the provision that it can be continued after that, if necessary, if it goes through the legislature's budget deliberations.

Vice Chairman Mendelson noted that in the funding plan that was included in the mailout packet, MDOT

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indicated that funding for the ICC from GARVEE bonds would range between \$900 million and \$1 billion. He asked if this aggregate represented the total GARVEE financing given the legislature's limit on borrowing.

Ms. Kaiser said she had not figured out what the cap would be as far as the total dollar amounts. But she emphasized that the financial plan was very flexible. She said that the financial plan met the requirements of the CLRP, which requires funding to be reasonably expected to be available.

Vice Chairman Mendelson said he was not trying to be argumentative, but he felt the TPB had a duty to understand the information provided and he did not fully understand whether the funding table provided was still valid.

Ms. Kaiser said it was still valid because it represented a range of funding.

Vice Chairman Mendelson asked if Ms. Kaiser could tell him specifically whether the Maryland legislature's action limits the GARVEE bond funding below \$900 million or whether that \$900 million is still attainable under the action of the legislature.

Ms. Kaiser said she would have this question reviewed. But she said that if sufficient GARVEE funding were not available, the toll financing and bonding would have to be changed.

Vice Chairman Mendelson said he supported the amendment. He said he asked a number of questions in February, and he said he was not satisfied on several of the answers provided. He said he was concerned about the project's potential impact on air quality and in particular, what the impact will be in terms of cost that is borne by other jurisdictions. He said he would be more comfortable with the air quality issue if Maryland had agreed to a suballocation of the mobile emissions budget, so that the other jurisdictions would be held harmless from any air quality impacts that would come from the ICC. He said he was also dissatisfied on the funding issue. He was concerned that other projects would be jeopardized, including important maintenance and rehabilitation funding for WMATA. Finally, he said he was concerned about impacts on economic development, including the negative impacts on inner jurisdictions.

Vice Chairman Mendelson said the proponents and opponents of the ICC should not look to the TPB to be its savior. He said the TPB plays a necessary role, because as the metropolitan planning organization under federal law, the TPB is required to approve all projects that are put in the long range plan. But ultimately, he said he viewed this as an issue that needs to be worked out within the jurisdiction that is proposing it.

Finally, Vice Chairman Mendelson said he believed this debate is a healthy sign of regionalism. He noted that he disagreed with a speaker during the public comment period who said that regionalism is mutual

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respect for local decision-making. Instead, Vice Chairman Mendelson said that regionalism is mutual respect for regional needs, not automatic agreement with whatever any jurisdiction wants and brings to the table. He said that projects like Rail to Dulles and the Wilson Bridge clearly benefit many jurisdictions. He said he believes a \$1.7 billion investment on the northern boundary of the region does not well serve the entire region, particularly when the questions he mentioned earlier remain unanswered. He said it his right to express this position; it is not anti-regional.

Chairman Zimmerman asked Mr. Kirby if it was correct that the air quality conformity analysis does not include a sensitivity analysis to show what emissions impacts each project is contributing.

Mr. Kirby said the conformity analysis is a test of the region network as a whole. He said the current item was for an annual update cycle, which tests a number of projects. He said there have been occasions when projects have been submitted off cycle and they have been treated as singular amendments. For example, the last time the Wilson Bridge and the Redskins stadium were addressed by the TPB they were singular amendments. He said that when a project comes in as one project, by definition, that project's discrete impacts are known.

Chairman Zimmerman said that ideally, there would be a sensitivity analysis that would identify the effects of each project.

Chairman Zimmerman asked to what degree the modeling was dependent on details, such as whether the facility in question would be a toll road.

Mr. Kirby said this was a critical factor in the modeling.

Chairman Zimmerman asked if that meant the modeling would have to be redone if the decision were made later to not make it a toll road.

Mr. Kirby said yes, the conformity analysis would have to be redone. He said that such a situation had occurred with the Woodrow Wilson Bridge, which was originally modeled as a toll road.

Ms. Smith said that speakers had mentioned that trees would be cut down on 500 acres to build the ICC. She asked if the loss of trees would be factored into the air quality analysis.

Mr. Kirby said the air quality analysis looks only at mobile emissions. He said these impacts would be addressed through the NEPA process. He said that when the CLRP amendments come to the TPB in the fall for final approval, much more information will be available from the NEPA process.

Mr. Snyder asked Ms. Kaiser to describe safety issues related to the ICC.

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Ms. Kaiser said that Ms. Petzold had earlier quoted from the 1997 Draft Environmental Impact Statement (DEIS) that provided statistics on the reduction in accidents that would occur with the ICC. She said the NEPA process has looked at traffic accidents, but she did not think those numbers were available at the present time because of legal concerns about potential tort claims. She emphasized that the local network is carrying traffic it was not designed to carry, which causes safety problems.

Mr. Snyder said that some concerns had been raised during the public comment period that the information provided to the Board did not include all comments received. He asked Mr. Kirby if the information provided is complete and would put the Board in a position ready to make a decision.

Mr. Kirby said all public comments had been made fully available. He said that because there were so many comments, they were all posted on the COG/TPB website instead of being provided in paper copies. He said that staff had gone through each comment and summarized them in the broad points that were described in his memorandum to the Board. He said that some of the comments addressed issues that would be dealt with through the NEPA process. Other comments related directly to the TPB responsibilities as a Metropolitan Planning Organization. These comments were important to the decision that was currently before the TPB.

Mr. Snyder said he wanted to associate himself with the concerns expressed by Vice Chairman Mendelson although his conclusions for this meeting were different. He said that air quality is important and would like to see it studied, and therefore his vote should not be considered an endorsement of the project, but rather a vote to study air quality. He also said he would like to see Maryland make an explicit commitment to Metro funding before the final vote on including the ICC in the CLRP. Finally, he said he was concerned about safety issues. He said it was clear that some of the region's traffic accidents result from inadequate highway and transit capacity.

Vice Chairman Knapp thanked Chairman Zimmerman for his leadership in the debate before the Board. He reiterated that the ICC is the top highway project for Montgomery County and for Maryland. He said it will not solve all their transportation needs, which is why the county also supports two major transit projects. He emphasized that the vote before the Board was to obtain information on air quality so the Board could make an informed decision on whether to include the project in the CLRP. He said the information on the project regarding its alignment and financing met the requirements for inclusion in the CLRP. He said that many questions raised regarding the project would be met through the TPB studies and the NEPA process. He said he was interested in the questions of economic impact that were raised by Mr. Harrington and Ms. Porter. He said he believed the project would provide an important economic development link between the I-270 corridor and Prince George's County. He said regionalism is important, but to apply stricter standards to this project runs counter to how the TPB should operate as a regional body. He urged the members to vote against Mr. Harrington's amendment.

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Mr. Harrington called the question.

Mr. Giannetti asked to provide additional information on GARVEE bonds.

Mr. Harrington called the question.

Chairman Zimmerman asked if Mr. Giannetti would prefer to vote or to provide information.

Mr. Giannetti said he would prefer to provide the information that \$78 million in GARVEE bonds over 15 years is \$1.1 billion, which would be enough money to fund the project.

Mr. Harrington said the issue regarding funding related to the prioritization of projects. He said that if the ICC is the priority, then other projects would be secondary. He said it should be the concern of the TPB, as a regional body, to consider whether this project would jeopardize funding for Metro. He again asked to call the question.

Chairman Zimmerman said it was time to vote on the amendment to delete the ICC from the project submissions that would analyzed for air quality conformity.

Mr. Gonzalez asked for a weighted vote.

Ms. Kaiser asked for a clarification of the motion.

Chairman Zimmerman clarified that this was a vote on Mr. Harrington's motion: A "yes" vote would be to delete the ICC; a no vote would be the opposite.

The Board members from the jurisdictions and agencies voted as follows:

- District of Columbia Department of Transportation: No
- District of Columbia Office of Planning: No
- District of Columbia Council (Mendelson): Yes
- District of Columbia Council (Ambrose): Yes
- District of Columbia Council (Graham): Yes
- Maryland Department of Transportation: No.
- Charles County: No
- City of College Park: Yes
- Frederick County: No
- City of Gaithersburg: No

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- City of Greenbelt: Yes
  - Montgomery County Executive: No
  - Montgomery County Council: No
  - Prince George's Executive: No
  - Prince George's County: Yes
  - City of Rockville: No
  - City of Takoma Park: Yes
  - Maryland Senate: No
  - Maryland House of Delegates: No
  - Virginia Department of Transportation: No
  - City of Alexandria: No
  - Arlington County: Yes
  - City of Fairfax: No
  - Fairfax County Board of Supervisors (Smith): No
  - Fairfax County Board of Supervisors (Hudgins): No
  - City of Falls Church: No
  - Loudoun County: No
  - City of Manassas: No
  - City of Manassas Park: No
  - Prince William County: No
  - Virginia Senate: Absent
  - Virginia House: Absent

Mr. Kirby said that WMATA does not vote on a proportional vote.

Mr. Kirby read back the votes.

Mr. Kirby explained the weighted voting system. He said that under proportional voting, there are five votes for each of the District of Columbia, Maryland and Virginia. In the case of the District, there's one vote for each representative: three council members, the Department of Transportation and the Office of Planning. For Maryland and Virginia, one of the five votes goes to the Department of Transportation, and one is split evenly between the House and Senate representatives. The remaining three votes are allocated in proportion to population amongst the jurisdictions, so there are a total of 15 votes. In each case, the votes for the District, Maryland or Virginia are factored up to a total of five. So in the vote before the Board, for which the Virginia Senate and House representatives were absent, the votes for Virginia would be computed and then factored up so there will be a total of five and a grand total of 15 votes.

While the weighted voting was being tabulated, Chairman Zimmerman asked Mr. Kirby how projects

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included in WMATA's Infrastructure Renewal Program (IRP) would be reflected in the TPB's air quality modeling.

Mr. Kirby said that in the case of Metro, there is a provision in the current analysis that reflects the inability to have rail cars to accommodate ridership demand in the future. The model currently constrains transit ridership into and through the core area of the region to the 2005 levels. This constraint was based on guidance the TPB received from Metro several years ago, which said that the 2005 forecasts can be accommodated, but in 2015 and 2025, ridership would have to be capped. For those years, the model reallocates those potential riders back to the highway system with a resulting increase in mobile emissions. This constraint remains in place. However, he said the model does not currently have any other component to reflect deteriorating service levels which might cause ridership to decline in the future.

Chairman Zimmerman said it would be useful to be able to compare the effects of continued overcrowding on the system versus a scenario that would fully fund the "Metro Matters" needs, including things like eight-car trains.

Mr. Kirby said those kinds of sensitivity tests can be done if the Board were interested.

Mr. Kirby reported on the weighted vote on the motion by Mr. Harrington: Yes: 4.13; No: 10.87.

Chairman Zimmerman said the motion fails.

Vice Chairman Mendelson moved an amendment to include a third scenario for the air quality conformity analysis that would provide a no-build scenario for the Intercounty Connector. He said he was offering this amendment because MDOT said it wanted a full analysis of air quality impacts, and therefore a no-build scenario of the ICC should be included. He also said this additional analysis should be done now so that the Board would be fully free later in the year to discuss this issue without facing a potential delay in the process if a new conformity analysis would be required.

The motion was seconded by Ms. Porter.

Ms. Kaiser questioned whether such a policy decision was best made in these circumstances. She asked the members to consider whether they would wish to isolate other projects. She said that is not what regional transportation conformity analysis is, according to the federal regulations and guidelines, and if it is done for one project, she said it is something that the TPB should consider and approve for every project.

Chairman Zimmerman said he thought that kind of analysis would be helpful.

Ms. Kaiser said she was not sure that funding would be available to do that kind of analysis all the time.

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She said the NEPA process conducts air quality analysis for the individual project and that is where it should be done.

Ms. Hudgins asked if a no-build analysis was done for other projects, such as the Springfield Interchange, Woodrow Wilson Bridge or Dulles Corridor projects.

Mr. Kirby said that in two instances mentioned earlier, projects have been isolated: the Wilson Bridge and the Redskins Stadium. They were isolated because they came in off cycle. The Disney Park project was submitted as part of a package including other projects as part of the regular amendment cycle. At that time, the question was raised, "Can we isolate it?" But the decision was to not isolate it.

Ms. Porter said that proponents of the ICC have argued that the analysis will provide information on the effects of the project on air quality, but if a no-build scenario is not done, then that information will not be provided.

Mr. Olson said that ICC proponents had been arguing earlier for more information, and this amendment was about getting more information and should therefore be accepted.

Ms. Ricks said she understood that the removal later of a project from the package of amendments would require a new conformity analysis. She asked how much this new analysis would delay the amendment process and affect the obligations of the TPB to meet federal deadlines.

Mr. Kirby said a new analysis would delay the process a couple of months. He said this would only delay those projects that are not yet in the CLRP. He said the current 2003 CLRP and FY 2004-2009 TIP were approved by federal agencies as of February of this year. The CLRP is valid for three years; the TIP for two years.

Vice Chairman Knapp said he supported Ms. Kaiser's statements. He said the TPB might want to have a policy discussion in the future as to whether it would want to conduct different types of analysis, but it was shortsighted to single out the ICC at this point.

Chairman Zimmerman called for a voice vote on Vice Chairman Mendelson's amendment to include a third scenario for the air quality conformity analysis that would provide a no-build scenario for the Intercounty Connector.

Following the vote, Chairman Zimmerman said that in the opinion of the chair, the "no's" were in the majority.

Vice Chairman Mendelson called for a weighted vote.



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The Board members from the jurisdictions and agencies voted as follows:

- District of Columbia Department of Transportation: Yes
- District of Columbia Office of Planning: Yes
- District of Columbia Council (Mendelson): Yes
- District of Columbia Council (Ambrose): Yes
- District of Columbia Council (Graham): Yes
- Maryland Department of Transportation: No
- Charles County: No
- City of College Park: Yes
- Frederick County: No
- City of Gaithersburg: No
- City of Greenbelt: Yes
- Montgomery County Executive: No
- Montgomery County Legislative: No
- Prince George's County Executive: No
- Prince George's County Council: Yes
- City of Rockville: No
- City of Takoma Park: Yes
- Maryland Senate: No
- Maryland House of Delegates: No
- Virginia Department of Transportation: No
- City of Alexandria: No
- Arlington County: Yes
- City of Fairfax: No
- Fairfax County Board of Supervisors (Smith): No
- Fairfax County Board of Supervisors (Hudgins): No
- City of Falls Church: Yes
- Loudoun County: No
- City of Manassas: No
- City of Manassas Park: No
- Prince William County: No
- Virginia Senate: Absent
- Virginia House: Absent

Mr. Kirby read back the roll call votes.

Mr. Kirby reported on the weighted vote on the motion offered by Vice Chairman Mendelson: Yes: 6.22;

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No: 8.78.

Chairman Zimmerman announced the motion failed.

Mr. Salles said that Prince George's County Executive Jack Johnson is very supportive of the Bi-County Transitway and has been working closely with MDOT. He said they were committed to identifying funding for WMATA as well as for the county bus system.

Chairman Zimmerman asked for a voice vote on Resolution R15-2004 on approval of the project submissions for inclusion in the air quality conformity assessment for 2004 Constrained Long-Range Plan (CLRP) and FY 2005-2010 Transportation Improvement Program (TIP)

Following the voice vote, Chairman Zimmerman said the "ayes" have it.

Vice Chairman Mendelson called for a weighted vote.

The Board members from the jurisdictions and agencies voted as follows:

- District of Columbia Department of Transportation: Yes
- District of Columbia Office of Planning: Yes
- District of Columbia Council (Mendelson): No
- District of Columbia (Ambrose): No
- District of Columbia (Graham): No
- Maryland Department of Transportation: Yes
- Charles County: Yes
- City of College Park: No
- Frederick County: Yes
- City of Gaithersburg: Yes
- City of Greenbelt: No
- Montgomery County Executive: Yes
- Montgomery County Council: Yes
- Prince George's County Executive: Yes
- Prince George's County Council: No
- City of Rockville: Yes
- City of Takoma Park: No
- Maryland Senate: Yes
- Maryland House of Delegates: Yes
- Virginia Department of Transportation: Yes

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- City of Alexandria: Yes
  - Arlington County: Yes
  - City of Fairfax: Yes
  - Fairfax County Board of Supervisors (Smith): Yes
  - Fairfax County Board of Supervisors (Hudgins): Yes
  - City of Falls Church: Yes
  - Loudoun County: Yes
  - City of Manassas: Yes
  - City of Manassas Park: Yes
  - Prince William County: Yes
  - Virginia Senate: Absent
  - Virginia House: Absent

Mr. Kirby read back the votes.

Mr. Kirby later announced the result of the weighted vote was: Yes: 11.23; No: 3.77.

Chairman Zimmerman said the motion carried.

#### **10. Approval of Scope of Work for the Air Quality Conformity Assessment for 2004 CLRP and FY 2005-2010 TIP**

Referring to the mailout material, Mr. Kirby said the Board was being asked to approve the Statement of Work for the conformity analysis. He called attention to two major points: 1) Staff will be looking at land activity impacts in the modeling process for the two ICC alignments, and 2) the analysis will be using a new model, Version 2.1D, which includes enhancements to the current model. He said the current model, Version 2.1C, was used for the 2003 CLRP and FY 2004-2009 TIP, which were approved by the federal agencies in February.

Vice Chairman Mendelson moved approval of the Scope of Work for the Air Quality Conformity Assessment for the 2004 CLRP and FY 2005-2010 TIP.

The motion was seconded by Mr. Cooper and was approved unanimously.

#### **11. Notice of Proposed Amendment to TPB Bylaws to Change Name of Program Committee to "Steering Committee"**

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Chairman Zimmerman said this will be an action item at the next meeting. It is a proposal to amend the name of the Program Committee to reflect its actual function and call it the Steering Committee.

## **12. Other Business**

Mr. White said he had just learned that WMATA is not permitted to participate in weighted voting. He said he understood it took a while for WMATA to even get voting representation on the TPB, and he found it an injustice that WMATA cannot participate in weighted voting.

Chairman Zimmerman said that would be something for further discussion, perhaps at the Program Committee.

Mr. Harrington thanked the chairman for his leadership during the debate, which was very intellectual and sound. He also thanked Vice Chairman Mendelson for his leadership.

## **13. Adjournment**

The meeting was adjourned at 3:29 p.m.