
June 21, 2021

The Honorable Charles Allen, Chairman
Kanathur Srikanth, Deputy Executive Director, Metropolitan Planning
National Capital Region Transportation Planning Board
Metropolitan Washington Council of Governments
777 North Capitol Street, N.E., Suite 300
Washington DC 20002

Dear Chairman Allen and Deputy Director Srikanth:

I am writing to inform the Board that based on the action taken at the June 16, 2021 meeting of the National Capital Region Transportation Planning Board (TPB), which included approving resolution TPB R19-2021, to remove the revised Traffic Relief Plan (I 495/270 HOT Lanes project) from the Air Quality Conformity Analysis inputs, work on that analysis cannot move forward until two key issues are resolved and the TPB once again approves a revised set of conformity inputs.

The Maryland Department of Transportation (MDOT) submitted a package of projects and studies for analysis in the 2022 Update of Visualize 2045, the region's Long Range Transportation Plan (LRTP), supported by a financial plan for the projects and studies. This financial plan included \$6 billion of private funding that was reasonably expected to be available from a private concessionaire. Federal conformity analysis regulations require the TPB to demonstrate that projects included in the plan's air quality conformity analysis will have adequate funds to build, operate and maintain the projects.

TPB's action to exclude the I 495/270 HOT Lanes projects from the LRTP essentially removes the assumed \$6 billion in private sector revenues, which were slated to fund the replacement of the American Legion Memorial Bridge – an aging structure that is one of the nation's most congested chokepoints – and other smaller structures along the interstate included in the Phase 1 south section of the recommended preferred alternative. This infusion of private sector capital enabled the State to leverage the Transportation Trust Fund (TTF) balance to support other critical transit and highway projects. Since the TPB acted to remove the Traffic Relief Plan (I-495/270 HOT Lanes project) and eliminate the associated private sector capital, MDOT can no longer reasonably expect this private funding to be available to replace or maintain the American Legion Memorial Bridge or fund the related transportation projects. As a part of the National Highway System, MDOT is federally required to maintain the bridge and its Interstates in a state of good repair and will now have to use State funding from the TTF for those system preservation needs.

The Honorable Charles Allen and Kanathur Srikanth
Page Two

MDOT will now begin the process of assessing project inputs for air quality and costs for financial constraint. **Projects currently modeled for construction in the National Capital Region will almost certainly need to be downgraded to studies or removed entirely to offset the loss of revenue for system preservation costs of the American Legion Memorial Bridge and interstates.** MDOT will submit a revised package of inputs and financial information for TPB's consideration at its July 21, 2021 Board meeting. The TPB will have to review and take action to approve the revised set of conformity inputs to be used in the regional air quality conformity analysis for the plan update. We anticipate this action on a revised set of conformity inputs will require a new 30-day public comment period.

We appreciate your cooperation in this matter. If you need further assistance, please contact Ms. Heather Murphy, MDOT Planning and Capital Programming Director, at 410-865-1275 or via email at hmurphy@mdot.maryland.gov. Ms. Murphy will be happy to assist you.

Sincerely,



R. Earl Lewis, Jr.
Deputy Secretary

cc: Ms. Heather Murphy, Director, Office of Planning and Capital Programming,
MDOT



COMMONWEALTH of VIRGINIA

DEPARTMENT OF TRANSPORTATION
1401 EAST BROAD STREET
RICHMOND, VIRGINIA 23219-2000

Stephen C. Brich, P.E.
COMMISSIONER

July 1, 2021

The Honorable Charles Allen, Chair
National Capital Region Transportation Planning Board
Metropolitan Washington Council of Governments
777 North Capitol Street NE, Suite 300
Washington D.C. 20002

Dear Chairman Allen:

I am writing to you concerning the actions taken at the June 16, 2021 meeting of the National Capital Region Transportation Planning Board related to Visualize 2045. The actions taken create a situation that will prevent the successful completion of a fiscally constrained long-range plan. The Maryland Department of Transportation's (MDOT) letter to you dated June 21st explains that, in order to maintain compliance with the federally mandated fiscal constraint requirements for Visualize 2045, the National Capital Region Transportation Planning Board (TPB) will need to revisit the conformity project inputs at its July 21st meeting.

To address the needed amendments, we concur with MDOT that an action item should be added to the July 21 TPB meeting agenda. The Commonwealth requests the inclusion of an additional item titled, "Addition of the Maryland I-495/I-270 Traffic Relief Plan (TRP) to the Visualize 2045 2022 Update Air Quality Conformity Analysis Scope of Work" to the July 21 TPB meeting agenda. After conferring with the Maryland Department of Transportation (MDOT) we strongly support the following actions:

- Amend the proposed Visualize 2045 2022 Update Air Quality Conformity Analysis to include the Maryland I-495/I-270 Traffic Relief Plan (TRP), which extends from the Virginia side of the American Legion Bridge to I-70 in Frederick County.
- Alternatively, in the event that the entire TRP project is not added to the Air Quality Conformity Analysis, we support the following:
 - Add to the Air Quality Analysis, as a construction project, Maryland's I-495/I-270 Traffic Relief Plan (TRP) - Phase 1 South, which extends from the Virginia side of the American Legion Bridge to I-370, and,

The Honorable Charles Allen

July 1, 2021

Page 2 of 3

- Include as a study to Visualize 2045, Maryland's I-495/I-270 Traffic Relief Plan (TRP) - Phase 1 North, from I-370 to I-70 in Frederick County. Maryland's I-495/I-270 Traffic Relief Plan (TRP) - Phase 1 North could then be considered for submission as a construction project in a later plan amendment in approximately two years.
- VDOT understands that MDOT will continue efforts to work with localities between the time of the July 21st TPB meeting and May, 2022 to address local planning and infrastructure issues associated with the Maryland I-495/I-270 Traffic Relief Plan (TRP).

This project and the validity of the constrained long-range plan are very important to this region and should be given due consideration. At the June 16 TPB, the Commonwealth's representative, Maria Sinner, offered for consideration a project with a reduced scope and different termini for the initial construction phase as described above. This reduced scope project was different from the more extensive proposal that was earlier voted down by the Board. After reviewing the meeting audio, the Commonwealth believes that, given the magnitude of the project under consideration, not enough time or discussion was provided to consider the Commonwealth's motion. We believe further consideration of this alternate proposal is in the best interests of the National Capital region and strongly believe additional discussion and consideration is warranted.

The Traffic Relief Plan implements one of the seven Aspirational Initiatives of Visualize 2045 (*Expand the Express Highway Network*) adopted by the TPB on October 17, 2018. As you know, VDOT is developing the I-495 NEXT Express Lanes project from Tysons to the vicinity of the American Legion Bridge, which is being designed to connect the Virginia and Maryland multi-modal express lanes, creating a truly regional multi-modal network and the foundational infrastructure for regional transit services in this corridor. This regional transit service is needed to meet today's unmet demand in the corridor and to support future regional growth. The significant benefits that will be provided by Virginia's I-495 Northern Extension project would be significantly amplified by its connection to the Maryland's ongoing I-495 & I-270 P3 project.

MDOT and VDOT have collaborated on a transit study to best leverage this Express Lanes network's potential to implement a bus service similar to a bus rapid transit system on I-495. Today, there is not a single bus line that runs across the American Legion Bridge. Together 495 NEXT and the Maryland TRP will transform how people travel in this corridor.

In Virginia's Express Lanes corridors on I-95 and I-495, we have seen a 20% reduction in congestion on the general-purpose lanes, providing a tremendous benefit to all travelers, not just toll payers. We have also seen substantial growth in bus service and HOV travel thanks to the Express Lanes, moving more people in fewer vehicles. In fact, during the morning rush-hour on I-95, the Express Lanes move more than twice as many people per lane than the general-purpose lanes. This is good for the transportation network, our economy, and especially the environment.

The Commonwealth and Maryland have made substantial financial expenditures in reliance upon TPB's prior formal approval of these projects as part of the federally mandated regional long-range transportation plan. With the region expected to grow by more than 1 million people over the next 20 years, we believe that this project is vital to the region's mobility, economy, and quality of life. We believe that further consideration of this proposal is in the best interests of the National Capital region.

The Honorable Charles Allen

July 1, 2021

Page 3 of 3

We respectfully request inclusion of this item ("Addition of the Maryland I-495/I-270 Traffic Relief Plan (TRP) to the Visualize 2045 2022 Update Air Quality Conformity Analysis Scope of Work") and the item requested by MDOT on the July 21 TPB meeting agenda. I would be happy to discuss this matter with you should you believe that would be helpful.

Sincerely,



Robert H. Cary, PE, LS
Chief Deputy Commissioner

- C: Kanti Srikanth, Deputy Executive Director, MWCOG
Gregory I. Slater, Secretary of Transportation, Maryland
Earl Lewis, Deputy Secretary of Transportation, Maryland
Shannon Valentine, Secretary of Transportation
Nick Donohue, Deputy Secretary of Transportation, Virginia
John Lawson, Deputy Secretary of Transportation, Virginia
Stephen C. Brich, PE, Commissioner of Highways, VDOT
John D. Lynch, PE, District Administrator, VDOT NoVA
Maria Sinner, PE, Assistant District administrator, VDOT, NoVA



Larry Hogan
Governor
Boyd K. Rutherford
Lt. Governor
Gregory Slater
Secretary

Office of the Secretary

July 7, 2021

The Honorable Charles Allen, Chairman
Kanathur Srikanth, Deputy Executive Director, Metropolitan Planning
National Capital Region Transportation Planning Board
Metropolitan Washington Council of Governments
777 North Capitol Street, N.E., Suite 300
Washington DC 20002

Dear Chairman Allen and Deputy Director Srikanth:

I am writing to request that the National Capital Region Transportation Planning Board (TPB) revisit the vote taken at its June 16, 2021, meeting and propose that a new motion be added to the TPB's meeting agenda on July 21, 2021, to include Phase 1 of the Traffic Relief Plan I-495/270 High Occupancy Toll (HOT) Lanes project in the conformity analysis the TPB has begun.

There is a strong rationale for revoting on this issue as it was not properly presented and the removal of this project was rushed without a full understanding of the impacts, which has been attested to by multiple TPB voting members in recent communications. Those impacts include the new requirement for Visualize 2045 updates to be financially constrained, which means Maryland must reevaluate and reduce its local enhancement projects to pay for the system preservation work that private funding would have completed as part of this project.

Since it was first included in Visualize 2045, the initial scope of this project has been modified multiple times to address feedback we have received from agency partners, local leaders, and the public to focus on the American Legion Bridge and I-270 corridor. Other key enhancements to the project include free, reliable trips for transit buses and carpools with three or more people, an essential bicycle and pedestrian connection across the Potomac River to help address another Visualize 2045 aspirational goal, and a transit subsidy from the toll revenue to impacted jurisdictions. This modified project represents a good-faith compromise between all parties to address a long-identified need in our region.

The hasty actions of the TPB to remove Phase 1 of the Traffic Relief Plan I-495/270 HOT Lanes project eliminated the associated private sector capital; therefore, MDOT can no longer reasonably expect this private funding to be available to replace or maintain the American Legion Bridge or fund the related transportation projects. After this information in MDOT's June 21, 2021 letter to the TPB was made public to its members, we believe that the TPB should add the following motion to the July 21, 2021 agenda:

- Amend the proposed 2022 Update to Visualize 2045 and its Air Quality Conformity Analysis and scope of work to include Maryland's construction of the American Legion Bridge I-270 To I-70 Relief Plan – Phase 1 of the Traffic Relief Plan from the Virginia side of the American Legion Bridge to I-70.
- The project's immediate focus is on delivering Phase 1 South starting with the American Legion Bridge. Phase 1 South is I-495 from George Washington Parkway to I-270 and then I-270 from I-495 to I-370, with an anticipated completion by 2025.
- Phase 1 North (I-270 from I-370 to I-70) is a related part of the project that is in Pre-NEPA, with an anticipated completion by 2030.

This project addresses the need for new multi-modal travel options on the most congested and unreliable freeways in Maryland. Simply widening the bridge alone does not relieve congestion, does not provide reliable options for carpools and regional transit service, and does not provide a bicycle and pedestrian connection across the Potomac River. Without the totality of these multi-modal investments generated from leveraged private capital, the National Capital Region will continue to be one of most congested in the country which will severely limit its economic opportunity.

As alluded in our June 21, 2021 letter, MDOT is preparing an alternative motion for the TPB's consideration if the motion to add Phase 1 of the I-495/I-270 HOT Lanes project back into the Air Quality Conformity Analysis is unsuccessful. That motion will propose a list of reductions to MDOT project conformity inputs for air quality and costs for financial constraint. MDOT will submit a revised package of inputs and financial information that will be included in the mailout materials for the July 21, 2021 TPB meeting. The TPB will have to review and take action to approve a revised set of conformity inputs for the regional air quality conformity analysis in the 2022 plan update of Visualize 2045. **Based on an analysis since the June 16, 2021 TPB action, the list of projects under consideration for either downgrade to study or removal is attached.** Since the American Legion Bridge rehabilitation or replacement as well as the associated system preservation benefits are expected to be needed before 2035, these projects for consideration are all scheduled to be built by 2035 or earlier. While the total project cost estimate for the I-495/270 HOT Lanes is \$6 billion for Phase 1 South and North, the American Legion Bridge and system preservation cost is in the range of \$1.5 billion, which will equal the value of the projects being removed or downgraded. The final list will be forwarded to the TPB by July 13, 2021.

Chairman Allen and Deputy Director Srikanth
Page Three

We appreciate your consideration of this request and look forward to your response. If you need further assistance, please contact Ms. Heather Murphy, MDOT Planning and Capital Programming Director, at 410-865-1275 or via email at hmurphy@mdot.maryland.gov. Ms. Murphy will be happy to assist you.

Sincerely,

A handwritten signature in blue ink, appearing to read "R. Earl Lewis, Jr.", written in a cursive style.

R. Earl Lewis, Jr.
Deputy Secretary

cc: Ms. Heather Murphy, Director, Office of Planning and Capital Programming, MDOT

County	L RTP ID	TITLE	PROJECT DESCRIPTION/LIMITS	YEAR OF EXPENDITURE	TOTAL COST (in millions)
Frederick	CE3566	US 15/US 40 Corridor (Frederick City)	US 15/US 40 upgrades through the City of Frederick to include widening to three lanes in each direction from I-70 to MD 26	2030	\$191.0
Frederick	CE1210	MD 85 Corridor	Widen MD 85 to a 4 to 6 lane divided highway from south of English Muffin Way to south of Crestwood Boulevard/Shockley Drive.	2035	\$126.0
Frederick	CE2261	MD 180/Ballenger Creek Pike Corridor	Study to upgrade existing capacity and traffic operations along MD 180 and Ballenger Creek Pike (formerly MD 351) from Greenfield Drive to Corporate Drive, while supporting existing and planned development.	2035	\$136.0
Montgomery	CE2618	MD 97 Corridor	The MD 97 Montgomery Hills project will evaluate safety and accessibility issues on MD 97.	2030	\$39.0
Montgomery	CE1203	MD 117 Corridor	Upgrades from I-270 to West of Game Preserve Road.	2030	\$90.0
Montgomery	CE1206	MD 124 Corridor	Reconstruct MD 124 (Woodfield Road), from Mildcounty Highway to Warfield Road.	2035	\$162.0
Montgomery	CE1211	MD 97 at MD 28 Interchange	Construct interchange improvements along MD 97 at MD 28.	2035	\$161.0
Montgomery	CE1649	Corridor Cities Transitway (CCT)	This Bus Rapid Transit project will extend from the Shady Grove Metro station to the COMSAT facility (1.5 miles.) However, this CLRP project only includes Phase 1 of the project (9 miles) extending from Shady Grove to Metropolitan Grove.	2035	\$272.5
Prince George's	CE1479	I-95/I-495 at Greenbelt Metro Station Interchange	Construction of a full interchange along I-95/I-495 at the Greenbelt Metro station.	2030	\$134.0
Prince George's	CE2253	MD 197 Corridor	Reconstruct the roadway to upgrade and widen existing MD 197 to a multi-lane divided highway from Kenhill Drive to MD 450 Relocated.	2030	\$76.0
Prince George's	CE1207	MD 450 Corridor	Upgrade and widen existing MD 450 to a multi-lane divided highway from Stonybrook Drive to west of MD 3.	2030	\$44.0
Prince George's	CE1202	US 1 Corridor	Reconstruct US 1 from MD 193 to I-95/I-495.	2030	\$81.0
Prince George's	CE1196	MD 5 Corridor	Upgrade existing MD 5 to a multi-lane freeway from I-95/I-495 (Capital Beltway) to US 301.	2035	\$769.0
Prince George's	CE3425	US 50 Corridor	Study examining US 50 capacity and operational improvements between the Maryland/District of Columbia line and I-95/I-495.	2035	\$30.0
Prince George's	CE1619	US 301 Corridor (Bowie)	Upgrade and widen US 301 from north of Mount Oak Road to I-595 (US 50). Construct an interchange with a service road at MD 197.	2035	\$527.0

Note: There were no major projects in Charles County scheduled to be built before 2040, therefore none are listed here.



July 7, 2021

The Honorable Charles Allen, Chairman
Kanathur Srikanth, Deputy Executive Director, Metropolitan Planning
National Capital Region Transportation Planning Board
Metropolitan Washington Council of Governments
777 North Capitol Street, N.E., Suite 300
Washington, D.C. 20002

Dear Chairman Allen and Deputy Director Srikanth:

I am writing to request that the National Capital Region Transportation Planning Board (TPB) revisit the action taken at the June 16, 2021, board meeting – Resolution TPB R19-2021 – which removed the I 495/270 HOT Lanes project from consideration in the air quality conformity analysis.

This unprecedented and last-minute project removal did not receive proper time and discussion at the June TPB meeting, and since then, new information has become available on the lack of financial constraint in the Maryland portion of Visualize 2045. In order to receive federal approval of our long-range transportation plan and maintain the region's ability to receive and use federal transportation dollars, this issue needs to be addressed at the upcoming July 21, 2021, TPB meeting.

Aside from the critical funding issue, it is a vital role of the TPB to perform this analysis in order to determine the actual impact of this and other projects, and removing a project from the analysis is a clear abrogation of TPB's duties. As a region we must work together to improve air quality and we need to understand whether projects contribute to improvements.

On behalf of the City of Gaithersburg, I am requesting that the TPB add an action agenda item to reinstate the I-495/I-270 HOT Lanes project in the air quality conformity analysis and inputs, which includes Phase 1 South for construction in 2025 and Phase 1 North for construction in 2030.

Thank you for your help in the matter. If you have any questions or need additional information, please reach out to Deputy City Manager Dennis Enslinger at dennis.enslinger@gaithersburgmd.gov.

Sincerely,

Jud Ashman
Mayor, City of Gaithersburg

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MAYOR
Jud Ashman

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