

ITEM 7 - Action

October 15, 2003

Approval of Amendment to the FY 2003-2008 TIP that Is Exempt from the Air Quality Conformity Requirement to Add Funding for Planning and Right-of-way for Protective and Hardship Acquisitions for the Intercounty Connector (ICC) Project, as Requested by Maryland Department of Transportation (MDOT)

Staff

Recommendation: Adopt Resolution R3-2004 to approve amendment to the FY 2003-2008 TIP as requested by MDOT.

Issues: None

Background: As indicated in the attached letter, MDOT has requested an amendment to the FY2003-2008 TIP to remove the East-West Link Improvements project, replace it with the Intercounty Connector (ICC) project, and add project planning funds and right-of-way funding for protective and hardship acquisitions only, as described in the attached materials.

This amendment is exempt from the air quality conformity requirements.

In order to allow for public comment, this proposed amendment was released at the September 11, 2003 meeting of the TPB Citizens Advisory Committee.

TPB R 3-2004
October 15, 2003

**METROPOLITAN WASHINGTON COUNCIL OF GOVERNMENTS
NATIONAL CAPITAL REGION TRANSPORTATION PLANNING BOARD
777 North Capitol Street, N.E.
Washington, D.C. 20002**

**RESOLUTION ON AMENDMENT TO
THE FY 2003-2008 TRANSPORTATION IMPROVEMENT PROGRAM (TIP) THAT IS
EXEMPT FROM THE AIR QUALITY CONFORMITY REQUIREMENT
TO ADD FUNDING FOR PLANNING AND RIGHT-OF-WAY FOR PROTECTIVE
AND HARDSHIP ACQUISITIONS FOR THE INTERCOUNTY CONNECTOR (ICC)
PROJECT, AS REQUESTED BY THE MARYLAND DEPARTMENT OF
TRANSPORTATION (MDOT)**

WHEREAS, the National Capital Region Transportation Planning Board (TPB), which is the metropolitan planning organization (MPO) for the Washington Region, has the responsibility under the provisions of the Transportation Equity Act for the 21st Century (TEA-21) for developing and carrying out a continuing, cooperative and comprehensive transportation planning process for the Metropolitan Area; and

WHEREAS, on July 17, 2002 the TPB adopted the Constrained Long-Range Transportation Plan (CLRP) and the FY 2003-2008 Transportation Improvement Program (TIP), and these documents were approved by the Federal Highway and Transit Administrations on October 30, 2002; and

WHEREAS, in the attached letter of August 20, 2003, MDOT has requested an amendment to the FY 2003-2008 TIP to remove the East-West Link Improvements project, replace it with the Intercounty Connector (ICC) project, and add \$65 million in STP/Grant Anticipation Revenue Vehicle (GARVEE) bonds/State bonds for project planning and \$79.4 million in GARVEE bonds/State bonds for right-of-way funding for protective and hardship acquisitions only, as described in the attached materials; and

WHEREAS, planning funds and right-of-way funding for protective and hardship acquisitions only are exempt from the air quality conformity requirement, as defined in Environmental Protection Agency (EPA) regulations "40 CFR Parts 51 and 93 Transportation Conformity Rule Amendments: Flexibility and Streamlining; Final Rule," issued in the August 15, 1997 *Federal Register*; and

WHEREAS, in order to allow for public comment information on this amendment was provided at the TPB Citizens Advisory Committee meeting on September 11;

NOW, THEREFORE, BE IT RESOLVED THAT the National Capital Region Transportation Planning Board amends the FY 2003-2008 TIP to remove the East-West Link Improvements project, replace it with the Intercounty Connector (ICC) project, and add \$65 million in STP/Grant Anticipation Revenue Vehicle (GARVEE) bonds/State bonds for project planning and \$79.4 million in GARVEE bonds/State bonds for right-of-way funding for protective and hardship acquisitions only, as described in the attached materials.



Maryland Department of Transportation
The Secretary's Office

Robert L. Ehrlich, Jr.
Governor

Michael S. Steele
Lt. Governor

Robert L. Flanagan
Secretary

Trent M. Kittleman
Deputy Secretary

August 20, 2003

The Honorable Peter Shapiro
Chairman, National Capital Region
Transportation Planning Board
Metropolitan Washington Council of Governments
777 North Capitol Street, N.E., Suite 300
Washington, D.C. 20002-4290

Dear Chairman Shapiro

The Maryland Department of Transportation (MDOT) requests an amendment to the FY 2003-2008 Transportation Improvement Program (TIP) to replace the East-West Link Improvements in the TIP with the Intercounty Connector (ICC) Study, and add project planning as well as protective and hardship right-of-way funds.

Please refer to SHA's August 20 memo that describes in more detail the amendment. MDOT requests that this item be placed on the Transportation Planning Board's (TPB) September 17, 2003 agenda as a notice item, and on the TPB's October 15 agenda as an action item.

We appreciate your cooperation in this matter. If you have any questions regarding this item, please call Ms. Fatimah Hasan at 410-865-1279.

Sincerely,

A handwritten signature in black ink that reads "Ron Spalding".

Ron Spalding, Manager
Regional Planning & Programming
Office of Planning & Capital Programming

My telephone number is 410-865-1000
Toll Free Number 1-888-713-1414 TTY User Call Via MD Relay
7201 Corporate Center Drive, Hanover, Maryland 21076

The Honorable Peter Shapiro
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Attachments

**cc: Mr. James E. Dooley, Jr., Regional Planner, Regional and Intermodal Planning Division, State Highway Administration, Maryland Department of Transportation
Ms. Kellie J. Gaver, Assistant Director, Office of Planning and Capital Programming, Maryland Department of Transportation
Mr. Michael J. Haley, Assistant Division Chief for the Washington Region, Regional and Intermodal Planning Division, State Highway Administration, Maryland Department of Transportation
Ms. Fatimah A. Hasan, Regional Planner, Office of Planning and Capital Programming, Maryland Department of Transportation
Ms. Marsha J. Kaiser, Director, Office of Planning and Capital Programming, Maryland Department of Transportation
Mr. Wesley Mitchell, Project Manager, Project Planning Division, State Highway Administration, Maryland Department of Transportation
Mr. Douglas H. Simmons, Director, Planning and Preliminary Engineering, State Highway Administration, Maryland Department of Transportation
Mr. Dennis Simpson, Chief, Regional and Intermodal Planning Division, State Highway Administration, Maryland Department of Transportation
Mr. Glen A. Smith, Regional Planner, Regional and Intermodal Planning Division, State Highway Administration, Maryland Department of Transportation
TPB Members**



Robert L. Ehrlich, Jr., *Governor*
Michael S. Steele, *Lt. Governor*

Robert L. Flanagan, *Secretary*
Neil J. Pedersen, *Administrator*

MARYLAND DEPARTMENT OF TRANSPORTATION

MEMORANDUM

TO: Marsha J. Kaiser, Director
Office of Planning and
Capital Programming

ATTN: Ms. Fatimah Hasan
Regional Planner
Regional Planning and Programming

FROM: Dennis N. Simpson, Chief
Regional and Intermodal
Planning Division

DATE: August 20, 2003

SUBJECT: FY 2003-2008 TIP/STIP Amendment
Intercounty Connector (Montgomery and Prince George's counties)

Attached is an amendment for inclusion in the FY 2003-2008 National Capital Region Transportation Improvement Program (TIP) and the FY 2003 Statewide Transportation Improvement Program (STIP). The purpose of the amendment is to add project planning and right-of-way (for protective and hardship acquisitions only) funds for the Intercounty Connector (ICC), which will replace the East-West Link Improvements project already in the TIP. The East-West Link Improvements project is included in the FY 2003-2008 Consolidated Transportation Program (CTP). The ICC Project Information Form is attached. We are requesting that the existing TIP and STIP be amended to reflect this change to maintain the current project schedule.

Project: East-West Link Improvements (TIP: 2003-62-1/STIP: H-158-17)
Improvement: Study to construct new east-west link improvements in Montgomery and Prince George's counties between I-270 and I-95/US 1.
Comment: This amendment converts the East-West Link Improvements project into the ICC and adds project planning and right-of-way funds to FY 2003 and FY 2004. The ICC is intended to serve as the regional, east-west highway facility that has long been a part of local land use planning in order to support the region's orderly growth and development patterns. The FY 2003 STIP currently contains \$2.0 million in project planning funds, as does the FY 2003-2008 TIP. The scope of this study will be modified to cover project planning necessary for resumption of studies to acquire state and federal approval of an ICC. The ICC will replace the East-West Link Improvements in the TIP and STIP.

410-545-5675 or 1-888-204-4828

My telephone number/toll-free number is _____

Maryland Relay Service for Impaired Hearing or Speech 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone 410.545.0900 • www.marylandroads.com

Ms. Marsha J. Kaiser
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A funding breakdown is listed below. The right-of-way funds will be used towards protective and hardship acquisitions only.

<u>PHASE</u>	<u>AMOUNT (\$000)</u>	<u>SOURCE</u>
PP	\$65,000	STP/GARVEE Bonds*/State Bonds
RW	\$79,400	GARVEE Bonds*/State Bonds

*A Grant Anticipation Revenue Vehicle or GARVEE is a debt financing instrument authorized to receive federal reimbursement of debt service and related financing costs under Section 122 of Title 23, United States Code. GARVEE financing can expand access to capital markets, as a supplement to general obligation or revenue bonds, and funds are repaid through future federal-aid reimbursements.

ICC Project Overview

The ICC Study area is located in Montgomery and Prince George's counties, north of Washington D.C., extending from I-270 to I-95/US 1, and from the Capital Beltway to the Patuxent River. The study corridor is approximately 20 miles in length.

The project will follow the National Environmental Policy Act (NEPA) process. Through this process, government agencies and the public assess proposed projects in terms of their potential impacts on the community and the environment. It is under the NEPA umbrella that social, environmental, and economic impacts are addressed. A full range of reasonable alternatives will be considered based upon the project's purpose and need.

Some of the activities that the project planning funds will be used for include:

- ❖ Identifying the appropriate type of facility
- ❖ Developing potential alignments
- ❖ Assessing impacts to adjacent properties
- ❖ Developing cost estimates
- ❖ Preparing an Environmental Impact Statement
- ❖ Citizen and permitting agencies involvement
- ❖ Preliminary engineering to support a sound environmental decision

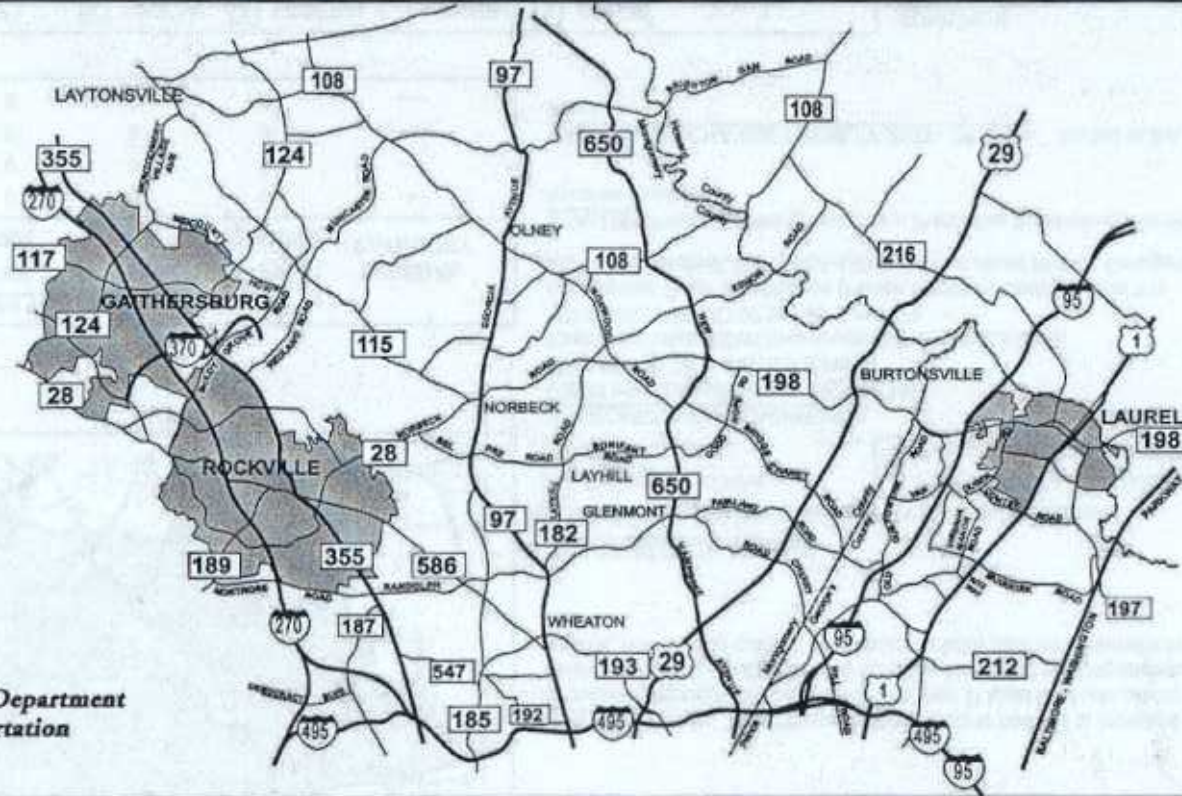
After your review, please process the attached amendment. If you have any questions, please contact Mr. Michael J. Haley, our Assistant Division Chief for the Washington Region, at 410-545-5675, or mhaley@sha.state.md.us. He will be happy to assist you.

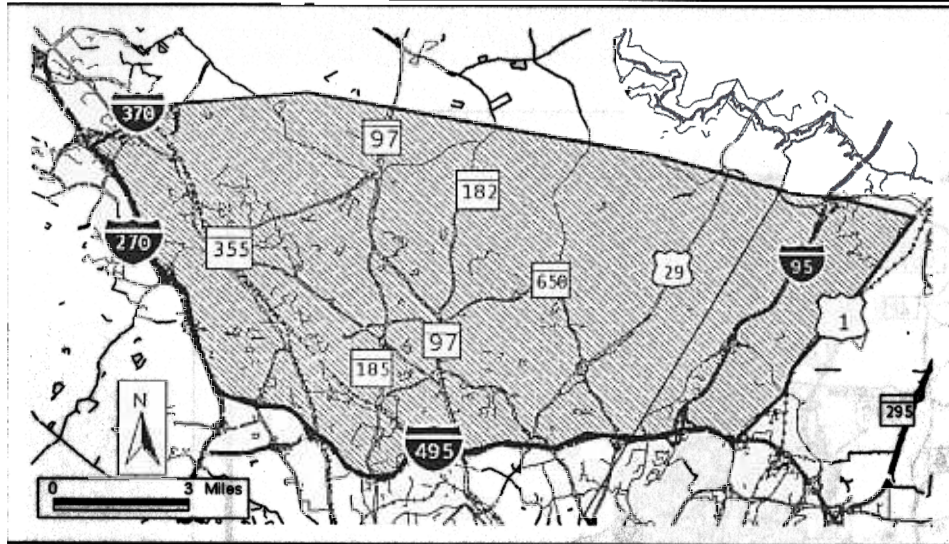
Ms. Marsha J. Kaiser
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Attachments

cc Mr. James E. Dooley, Jr., Regional Planner, State Highway Administration
Mr. Michael J. Haley, Assistant Chief, Division of Regional and Intermodal Planning, State Highway Administration
Ms. Fatimah Al-Amin Hasan, Regional Planner, Maryland Department of Transportation
Mr. Wesley Mitchell, Project Manager, Project Planning Division, State Highway Administration
Mr. Neil J. Pedersen, Administrator, State Highway Administration
Mr. Jack Ross, Deputy Director for Program Development, State Highway Administration
Mr. Douglas H. Simmons, Director of Planning and Preliminary Engineering, State Highway Administration
Mr. Glen A. Smith, Regional Planner, State Highway Administration

ICC Study





PROJECT: InterCounty Connector

DESCRIPTION: Study to construct a new East-West multi-modal highway in Montgomery and Prince George's counties between I-270 and I-95/US 1.

JUSTIFICATION: This transportation project is needed to increase community mobility and safety; to support development patterns as planned in local land use plans; to improve access between economic growth centers; and to advance homeland security measures; and to help restore the natural, human and cultural environments from past development impacts in the project area.

SMART GROWTH STATUS:

- Project Not Location Specific or Location Not Determined
- Project Within PFA
- Grandfathered
- Project Outside PFA; Subject to Exception
- Exception Approved by BPW/MDOT

ASSOCIATED IMPROVEMENTS:

- US 29 Interchanges (Lines 5,6,7,14,15)
- MD 115, MD 28 to MD 124 (Line 9)
- East/West Intersection Improvement Program (Line 10)
- MD 28/MD 198, MD 97 to I-95 (Line 17)
- I-95/Contee Road Interchange (Prince George's County - Line 11)
- MD 201 Extended/US 1, I-95/I-495 to Contee Road (Prince George's County - Line 26)

STATUS: Project Planning underway. Protective Right-of-way funding to be used as properties become available.

SIGNIFICANT CHANGE FROM FY 2003 - 08 CTP: Added to the Development and Evaluation Program.

Federal Funding By Year of Obligation

PHASE	FFY 2004	FFY 2005	FFY 2006	FFY 2007	FFY 2008 - 2009	FEDERAL CATEGORY
PP	0	0	0	0	0	----
PE	0	0	0	0	0	----
RW	0	0	0	0	0	----
CO	0	0	0	0	0	----

POTENTIAL FUNDING SOURCE:

- SPECIAL FEDERAL GENERAL OTHER

PROJECT CASH FLOW

PHASE	TOTAL ESTIMATED COST (\$000)	EXPEND THRU 2003	CURRENT YEAR 2004	BUDGET YEAR 2005	FOR PLANNING PURPOSES ONLY				SIX YEAR TOTAL	BALANCE TO COMPLETE
				2006....2007....2008....2009....		
Planning	10,000	1,007	8,993	0	0	0	0	0	8,993	0
Engineering	0	0	0	0	0	0	0	0	0	0
Right-of-way	11,100	0	11,100	0	0	0	0	0	11,100	0
Construction	0	0	0	0	0	0	0	0	0	0
Total	21,100	1,007	20,093	0	0	0	0	0	20,093	0
Federal-Aid	8,001	806	7,195	0	0	0	0	0	7,195	0

FUNCTION :

- STATE - Principal Arterial
- FEDERAL - Freeway - Expressway

STATE SYSTEM : Primary

DAILY TRAFFIC : (USAGE IMPACTS)

- CURRENT (2002) - N/A
- PROJECTED (2025) - 60,000 - 80,000

OPERATING COST IMPACT N/A

CONSTRAINED LONG RANGE PLAN (CLRP)

Proposed Project or Action Description Form

1. Location and Jurisdiction

Facility: **Intercounty Connector**
From/At: **I-270**
To: **I-95/US 1**
Jurisdiction: **Montgomery County, Prince George's C**

2. Submitting Agency: **MDOT/State Highway Administrati**

Agency Project ID:
Last Modified On: **10/10/200**

3. Project Type and Description

- Construction Study
 Transportation Emissions Reduction Measure (TERM) Illustrative Project
 Other Action/Strategy

Description of project or action:

Study to construct a new east-west, multi-modal highway in Montgomery and Prince George's counties between I-270 and I-95/US1.

Bicycle/pedestrian accomodations included

4. Project Phasing

Project ID	In TIP	Improvement	Facility	From	To	# Lane		Completion Date
						From	To	
	<input checked="" type="checkbox"/>	Study	Intercounty Connector	I-270	I-95/US 1	0	0	

5. Purpose/contribution to regional goals

Growing population, development between I-270 and I-95 corridors, and traffic congestion on existing roads not meant to accommodate cross county traffic are driving the Department's attention toward providing the State with an environmentally responsible east-west access.

6. Funding and Schedule Information

Cost (In Thousands): **\$0** Date of completion or implementation:
Source: **Federal, State,**
Cost and schedule remarks:

7. CMS Documentation

Is this a highway capacity-increasing project on a limited access or other principal arterial highway? Yes No

If yes, does this project require a CMS Documentation form under the given criteria? Yes No

If not, please identify the criteria that exempt the project here:

The project consists of preliminary studies,, and is not funded for construction.

Transportation Improvement Program (TIP)

Proposed Project or Action Description Form

FY 2004-2009

1. Agency: **MDOT/State Highway Administration**

Last Modified On: **10/10/200**

2. Location and Jurisdiction

Facility: **Intercounty Connector**
From/At: **I-270**
To: **I-95/US 1**
Jurisdiction: **Montgomery County, Prince George's County**

3. Description of Project or Action

Study to construct new east-west multi-modal highway in Montgomery and Prince George's Counties between I-270 and I-95/US 1.

4. Project Status

In previous TIP, proceeding as scheduled

5. Environmental Review

DEIS Proposed for preparation

6. Funding and Schedule Information

Date of completion or implementation:

Source FY Amount Phase % Fed/State/Loc

Source	FY	Amount	Phase	% Fed/State/Loc	
STP/Garvee Bonds/State Bonds					
	2003	\$65,000	P.E.	80	20
	2004	\$68,300	R.O.W. Acquisition	80	20
	2004	\$11,100	R.O.W. Acquisition		100

Cost and schedule remarks: