

I-495 AND I-270 MANAGED LANES STUDY

JOINT PUBLIC HEARING

Tuesday, August 25, 2020

Morning Session: 9:00 am to 12:00 pm

Virtual/Online

ANDREW BING: Good morning, everyone, and welcome to our August 25th public hearing. Before I read a few opening remarks and turn it over to our panelists to make opening statements, I did want to just make a couple reminders. If you would like to provide public testimony today and you have not already registered, you need to visit our Program website at 495-270-P3.com/DEIS. Once there, you will click on the ‘joint public hearings’ button and then click on the ‘click to register to provide virtual public testimony’ button. And that will allow you to sign up for any of our three sessions, whether it's the morning session, which is 9:00 to 12:00, the afternoon session, which is 1:00 to 4:00, or the evening session, which is 5:00 to 8:00. Also, if you are interested in leaving your testimony by voicemail rather than live public testimony, you can call 855-432-1483. There is no registration that is necessary in order to do that. And finally, we have already had two public hearings, one on August 18th and one on August 20th. If you would like to view those two prior public hearings, they are on the Program website, which again is at that website of 495-270-P3.com/DEIS.

And you just click on the button that says ‘view past hearing videos’ and you'll be able to view any of the prior public hearings. So at this point, we're gonna get started with my opening remarks. And then when we are done and the panelists are done with their statements, we will take our callers in the order in which they register. So, good morning. I am Andrew Bing with the Maryland Department of Transportation State Highway Administration, abbreviated MDOT SHA. Today is the third of six joint public hearings that MDOT SHA will be conducting for the I-495 & I-270 Managed Lanes Study Draft Environmental Impact Statement, or DEIS, the draft Section 4(f) Evaluation, and Joint Permit Application, or JPA. I will be the Hearing Officer and am responsible for running today's public hearing. Today's hearing is being held jointly by MDOT SHA, the Federal Highway Administration with the United States Army Corps of Engineers, and the Maryland Department of the Environment, or MDE. On behalf of these agencies and the Federal Highway Administration as the lead agency, I welcome you.

The purpose of this hearing is for interested parties to provide official testimony and comments on the Study's proposed alternatives and associated impacts as detailed in the DEIS, and the floodplain, waterway, and nontidal wetland impacts detailed in the Federal State JPA. Today, I will provide a brief overview of the Managed Lanes Study background and the aquatic resource impacts documented in the JPA. I will introduce the panelists and identify ways for you to comment on the DEIS and JPA. Some panelists will then give statements on behalf of their agency. Finally, I will review the hearing procedures and open the phone lines for live testimony.

The purpose of the I-495 & I-270 Managed Lanes Study is to develop a travel demand management solution or solutions that addresses congestion, improves trip reliability on I-495 & I-270 within the study limits, and enhances existing and planned multimodal mobility and connectivity.

The needs for the Study are:

- Accommodate existing traffic and long-term traffic growth;
- Enhance trip reliability;

- Provide additional roadway travel choices;
- Improve the movement of goods and services; and
- Accommodate Homeland Security.

In addition, two goals were identified for the Study: incorporate alternative funding sources to achieve financial viability and environmental responsibility. The study limits include I-495 from south of the George Washington Memorial Parkway in Fairfax County, Virginia, including improvements to the American Legion Bridge over the Potomac River to west of MD 5 and along I-270 from I-495 to, to north of 370, including the east and west I-270 spurs in Montgomery and Prince George's counties, Maryland. In addition to the No Build alternative, there are six build alternatives under consideration for improvements within these limits: Alternatives 8, 9, 9 Modified, 10, 13B, and 13C.

Aquatic resource impacts would range from:

- Between 155,229 and 156,948 linear feet of streams;
- Between 16.1 and 16.5 acres of nontidal wetlands;
- Between 52.7 and 53.6 acres of wetland buffers;
- Between 116.5 and 120 acres of FEMA 100-year floodplains.

Detailed impact by alternative can be found in the DEIS, the JPA, and the JPA Public Notice. Please be reminded that all hearing materials, including online narrated display materials, are available on the Program website at 495-270-P3.com/DEIS. Today's public hearing is being live-streamed and audio-recorded. The official transcript of the joint public hearing testimony will become part of the project record and will be available for public review on the Program website.

I will now introduce representatives of MDOT SHA, FHWA, U.S. Army Corps of Engineer and MDE who are in attendance for today's public hearing. Lisa Choplin, I-495 & I-270 P3 Program Director, MDOT SHA; Jeff Folden, I-495 & I-270 P3 Program Deputy Director, MDOT SHA; Caryn Brookman, I-495 & I-270 P3 Program Environmental Program Manager, MDOT SHA; Shabnam Izadi, Title VI Coordinator, MDOT SHA; Jeanette Mar, FHWA Project Delivery Environment Team Environmental Manager; Amanda Sigillito, Nontidal Wetlands Division Chief, Maryland Department of the Environment; Joseph DaVia, Chief Maryland North Section Regulatory Branch, U.S. Army Corps of Engineers – Baltimore District; Jack Dinne, Maryland North Section Regulatory Branch, U.S. Army Corps of Engineer – Baltimore District.

And now, on behalf of Shabnam Izadi, the Title VI Officer for today's public hearing, I'll explain the significance of Title VI and how it relates to the transportation project planning process. Title VI of the Civil Rights Act of 1964 was put into effect to prohibit discrimination on the basis of race, color or national origin. To support the Act, the United States Government designated additional statutes, laws, regulations and executive orders to provide guidance for the effective execution of the objectives of Title VI. As a recipient of Federal Funds, MDOT SHA is responsible for holding the principles of Title VI

of the Civil Rights Act of 1964 and related guidance. MDOT SHA's policies and programs should not discriminate against people on the grounds of race, color, national origin, sex, age, English proficiency, income level or disability. The MDOT SHA policies and programs should avoid disproportionately high or adverse impacts on minority populations and low-income populations. MDOT SHA seeks to provide citizens, stakeholder groups and other interested parties with reasonable opportunities to be involved in the planning process.

With that said, MDOT is required to capture this data to demonstrate its compliance with Federal Regulation 23 CFR 200.9, Subsection (b)(4) and more importantly, to consider the transportation needs of the community by hearing from you. Compliance is voluntary. However, in order to demonstrate compliance with the federal regulation, the information requested must be documented when provided. It will not be used for any other purpose except to show that those who are affected by the project or have an interest in the project have been given an opportunity to provide input throughout the planning process.

We invite you to take our Voluntary Demographic Survey. This survey will help us to ensure that we are reaching the communities that are affected by the I-495 & I-270 Managed Lanes Study. If you have questions or need assistance, call for 410-545-0377. For more information regarding Title VI of the Civil Rights Act of 1964 and other nondiscrimination laws, review the Civil Rights under Title VI brochure. Both the survey and brochure can be found on the Program website by visiting the 'Participate and Provide Feedback' page. Any member of the public has the right to file a discrimination complaint against MDOT SHA if he or she feels MDOT SHA does not comply with the Title VI of the Civil Rights Act of 1964 and the related statutes. The process for filing a complaint is outlined in the Title VI brochure located on the website. Lastly, if you or someone that you know speaks limited English and may need translation services to get project information, please call 833-858-5960 for assistance. At this time, I'll turn the proceedings over to Joseph DaVia to provide his statement.

JOSEPH DAVIA: Thank you, Andrew. Good morning. My name is Joseph DaVia. I am Chief of Maryland North Section and the Regulatory Branch of the U.S. Army Corps of Engineers – Baltimore District. With me here today virtually for the Corps is Jack Dinne, who is the Corps Regulatory Project Manager and point of contact for this application. I would like to thank the Federal Highways Administration and the Maryland Department of Transportation State Highway Administration for providing the location and support services to allow us to hold this virtual public hearing. And thank you for participating in our regulatory review process.

It is the responsibility of my office to evaluate applications for Department of the Army permits for any proposed work in Waters of the United States, including wetlands. The Corps authority is found in Section 404 of the Clean Water Act. Each application received through our regulatory program has specific and unique issues and impacts that must be considered in relationship to weighing the potential benefits and detriments of the project. The Corps of Engineers is neither a proponent or opponent of

any project. As stated previously, the six build alternatives will impact between approximately 16.1 and 16.5 acres of nontidal wetlands and approximately 155,229 and 156,948 linear feet of perennial and intermittent streams. For any chosen alternative, the mitigation requirement in Maryland is approximately 29.44 acres of wetland mitigation and approximately 99,348 linear feet of stream mitigation.

Thirteen wetland and stream mitigation sites are proposed in three watersheds where the project is located. Construction of the proposed wetland and stream mitigation sites would temporarily impact approximately 85 acres of wetlands and approximately 90,000 linear feet of streams. The purpose of today's hearing is to inform you of this project and allow you the opportunity to provide comments to be considered in our Corps regulatory and public interest review of the proposed work. In compliance with the National Environmental Policy Act, the Federal Highway Administration, in cooperation with the Corps and other cooperating agencies, is preparing an Environmental Impact Statement for the proposed project in which your comments will be included and addressed. Your comments are important in the preparation of this document and in our evaluation of the permit application. The decision on whether or not to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts of the proposed activity on the public interest and compliance with the Clean Water Act, Section 404(B)(1) guidelines. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, which may reasonably be expected to accrue from the proposal, will be balanced against its reasonably foreseeable detriments.

All factors that may be relevant to the proposal are considered. Among these are: conservation; economics; aesthetics; general environmental concerns; wetlands; historic properties; fish and wildlife values; flood hazards; floodplain values; land use; navigation; shoreline erosion and accretion; recreation; water supply and conservation; water quality energy needs; safety; food and fiber production; mineral needs; threatened and endangered species; environmental justice; cumulative impacts; considerations of property ownership, and in general, the needs and welfare of the people. The comment period for this project extends to October 8, 2020. Comments received today and at each of the other five public hearings and throughout the comment period will be considered. The time required to reach a Department of the Army permit decision is dependent upon necessary coordination of concerns with resource agencies, careful evaluation of all substantive comments, and ensuring statutory requirements are met. At this time, I will turn the proceedings to Amanda Sigillito to provide her opening statement. Thank you.

AMANDA SIGILLITO: Thank you. Hello.

ANDREW BING: So we apologize. We're having a brief technical issue. Once we get Amanda back up we will continue with her statement from the beginning. If everyone could just hold tight. And we will see if we can resolve the issue.

OK, are we able to get Amanda back on? OK, so I will.

So unfortunately, we are having some technical issues with getting Amanda on the video, so I do have her statement, so I'm going to go ahead and read her statement on her behalf. Again, this is on behalf of Amanda Sigillito, Chief of the Nontidal Wetlands Division at the Maryland Department of the Environment. I am the panelist representing the Department at this public informational hearing for the I-495 & I-270 Managed Lanes Study Joint Permit Application. The Department appreciates both your interest and participation in the public comment process. It is the responsibility of the Department to evaluate applications that propose impacts to nontidal wetlands, the nontidal wetland buffer and waterways, including the 100-year nontidal floodplain. The Department's authority is found in Subtitles 5 and 9 of the Environment Article. Each application received through our regulatory program has specific and unique issues and impacts that must be considered in relationship to weighing the potential benefits and detriments of the project. The Department is neither a proponent nor opponent of any project.

This public informational hearing is being conducted pursuant to Subsection 5-204 of the Environment Article and Code of Maryland Regulations 26.23.02.02 and 26.17.04.13. The purpose of this public informational hearing is to provide the applicant with an opportunity to present an analysis of impacts that may be associated with the proposed activity. In addition, the hearing provides the department with an opportunity to solicit additional information from interested persons. This public informational hearing is for the Nontidal Wetlands and Waterways Permit Application No. 20-NT-0114/202060649, submitted by the Maryland Department of Transportation State Highway Administration for the proposed construction of managed lanes along the I-495 & I-270 corridors within Montgomery and Prince George's counties. Please note that when the Department issues its decision on the permit application, the accompanying information will be sent to the interested persons list as well as to the applicant. At that time, the Department's decision will be a final agency determination. There will be no further opportunity for administrative review. Any person withstanding who is either the applicant or who participated in the public participation process through the submission of written or oral comments may petition for judicial review in Circuit Court. The petition for judicial review must be filed within 30 days of the publication of the permit decision. So again, that was the statement on behalf of Amanda Sigillito with MDE.

So, I am now going to come back to my prepared statement. There are multiple ways to comment on the DEIS and JPA. You can provide oral testimony through the public hearing or leave your testimony by voicemail. You can also complete a comment form online or send an email or written letter. Details on ways to comment can be found on the Program website by visiting to 'Participate and Provide Feedback' page. Comments related to the JPA can be mailed or emailed to the U.S. Army Corps of Engineer – Baltimore District or MDE Wetlands and Waterways Program. Comments must be received before 11:59 PM on October 8th, 2020. However, the public comment period may be extended 30 days. Please continue to visit the Program website, 495-270-P3.com/DEIS, for updates. All comments

received, whether at the hearing, through oral testimony or through other methods such as a comment form, voicemail, email or letter will be given equal consideration.

Again, the purpose of this public hearing is to allow interested parties to provide public comments on the DEIS and JPA. Today's joint public hearing is available for viewing online and also available by phone. The panelists and hearing officer will be visible on the screen and will be listening to all public comments. Although you may not see all panelists on screen at one time, all of the panelists will be listening to the testimony. My role as the Hearing Officer is to run a professional and orderly joint public hearing. I understand how important the issues are related to the DEIS and the JPA, and I take my role as Hearing Officer seriously. I am committed to providing members of the public an opportunity to provide comments in an organized, fair, professional and orderly manner. Offensive or profane language will not be allowed. After one warning, if offensive or profane language continues, the call will be ended. I also want to let everyone know that the agency representatives, as well as myself, will not be answering questions or responding to any comments made during the hearing. Responses to comments will be included in the Final Environmental Impact Statement.

If you have joined us today to listen to the public hearing and would like to provide live testimony but have not yet registered, please go to the Program website at 495-270-P3.com/DEIS to register. You may also leave recorded testimony via voicemail by calling 855-432-1483. Registration is not required to leave recorded testimony via voicemail. The panelists are interested in hearing comments about the study from all interested individuals. Please remember that we are recording this hearing. Speak directly and clearly into your phone and provide your full name address and any organization you may represent. To ensure all be heard there will be a 3-minute time limit for public testimony and a 5-minute time limit for elected officials. The time will start after you introduce yourself. A single tone will sound when there are 30 seconds remaining. A double tone will sound when you have 10 seconds remaining. And at this point, you should wrap up your testimony. As the Hearing Officer if you are unable to conclude your comments at the end of your time period I will end the call and move on to the next person in the queue. OK, so that ends the prepared opening statements. We are now going to move forward with hearing from our callers. We have several people who have entered the speaker's queue. So, the first person will be Margaret Boles. After Margaret will be Emiliana Delgado.

Margaret, you will have three minutes. After the automated message, please state your name, spell your name, and state your address.

MARGARET BOLES: My name is Margaret Boles. I reside at 10409 Cleary Lane in Mitchellville within sight of the noise, noise wall for Route 50. I'm firmly opposed to this project and I am for the No Build option. After several days of going over the Environmental Impact Statement, I found that this plan will impact many low-income home, homeowners in Prince George's County. Over 1,500 homes will be subject to increased air, water, and soil contamination because of the increase in nitrous oxide and greenhouse gases and water runoff. Over 30 miles of local streams will be negatively impact, along

with 86 acres of national forest, and 1,500 acres of woodlands that clean our air and filter our water. This is yet another environmental justice issue that unequally effects our black, brown, and low-income neighbors' health and safety with no appreciable benefit to them. I respect the efforts of the environmental team but find this is a very flawed document. Just a quick perusal of the wetlands and Waterways, Waterways Impact Plates showed much disturbance both in Paint Branch Creek area, Greenbelt, New Carrollton and Route 50 interchanges, and Branch Avenue. Maps 28 to 40 and document Tables - page 4; 107; 108 are my reference for that. Also Maps 140 to 159 in the Environmental Resource Mapping document show detrimental effects in these regions, as did Table 4-33 and page 4-94 to 97. We've seen the effect of less traffic during COVID shutdowns: cleaner air, clearer skies, safer roadways and walkways. The percentage of traffic was off, was off the road. Increased numbers of people learned to work from home and that is what made the difference. I think that if we feel that this is going to have no cost to the State – that's the taxpayers - then we are dreamers and we have not been reading papers of how P3s has affected other states and our own.

We need to move forward and think seriously of other ways of addressing public transit and climate change that will not exasperate, exacerbate the one, and give service to a few people who will not suffer the consequences of this building project. Voting No Build alternative. Thank you.

ANDREW BING: Thank you, Margaret. Our next speaker will be a Emiliana Delgado. After Emiliana will be Jeanne Braha. Emiliana, you will have three minutes. After the automated message, please state your name, spell your name, and state your address.

EMILIANA DELGADO: My name is Emiliana Delgado. That is E-M-I-L-I-A-N-A. Delgado, D-E-L-G-A-D-O. I live at 312 Hannes Street, Silver Spring, Maryland 20901. And I oppose the Project to add private toll lanes to I-495 and I-270. I support a No Build option. Governor Hogan and the Maryland Department of Transportation have repeatedly stated that adding private toll lanes will cost Maryland taxpayers nothing, but the Washington Suburban Sanitation Commission estimates that the water customers will pay two billion dollars to move water and sewer lines for this project. Moreover, according to the Draft Environmental Impact Statement, as much as one billion dollars in taxpayer subsidies will be paid to the Tollway Developer, but the DEIS fails to consider whether more employers will adopt telework on a permanent basis in the future and whether reduced traffic will require more subsidies for the Developer. According to the DEIS, the Project will lead to increased particular matter. Par, yeah, carbon monoxide, ozone, nitrous dioxide, and greenhouse gas emissions. The Project will increase highway capacity putting more vehicles on the road and increase in greenhouse gases, but there is no plan to mitigate these emissions. This move, this moves Maryland backwards in our efforts to reduce global warming pollution. According to Appendix C of the DEIS, rush hour congestion will actually increase on I-270 North. So after enduring increased traffic congestion during the four or five years of construction on I-270, commuters and other users of I-270 North will be rewarded with worse traffic. Finally, I want to comment on the tolls. The DEIS provides average tolls, but does not tell us what the tolls will, what the tolls will be during rush hours when they will be at their highest. Obviously, you can arrive at an

average toll if you have estimates for tolls during rush hour. Why doesn't the DEIS reveal how high rush hour tolls will be? What is MDOT hiding from the public? In closing, I repeat that I oppose this Project and I support a No Build option. Thank you so much.

ANDREW BING: Thank you, Emiliana. Our next caller will be Jeanne Braha. After Jeanne will be a phone number, the last four digits are 1089. Jeanne, again, you will have three minutes. After the automated message, please state your name, spell your name, and state your address.

JEANNE BRAHA: Hi, I'm Jeanne Braha (J-E-A-N-N-E) Braha (B-R-A-H-A). I am the Executive Director of Rock Creek Conservancy. Our address is 7200 Wisconsin Avenue, Suite 500 in Bethesda, Maryland. Rock Creek Conservancy is a non-profit organization based in Bethesda, Maryland that restores Rock Creek and its parklands for all people to appreciate and protect. More than 4,500 Conservancy volunteers each year engage in people-powered restoration for our watershed. Rather than focus on the flawed approach the State has taken to the NEPA process, I'd like to use my time today to highlight the potential for major, and avoidable, impacts of the proposed project on Rock Creek. Given the lack of specificity and accountability suggested by the DEIS, the Conservancy is unable to support any but the No Build Alternative at this time. Of particular note, the DEIS fails to demonstrate there is no practicable alternative with less extensive impacts to wetlands, streams, and parks in the proposed expansions. One obvious alternative is the Maryland 200 or ICC Diversion Alternative, which would have avoided direct impacts on Rock Creek and avoided residential property takings.

Rock Creek is a primary driver of quality of life in our region for people and our ecosystem. Replacing land and/or mitigating damages to the Rock Creek Stream Valley Park with land miles away strips local residents of the quality of life benefits in favor of a short-lived travel time benefits for drivers and at a great cost to the taxpayers of Maryland. Approximately three miles of Rock Creek Stream Valley channels runs alongside the current Beltway and within Rock Creek Stream Valley Parks Units 2 and 3, managed by the Maryland-National Capital Park and Planning Commission. Section 4(f) of the US Department of Transportation Act mandates that projects like this may only use parks' recreation areas or wildlife refuges if no feasible and prudent alternatives exist. In its 4(f) review that the DEIS failed to consider alternatives, taking a significant wetlands and floodplains on parkland by only considering single-mode road alternatives. Data on Parks and Rec facilities were gathered using desktop sources. A project with this scale of impact merits careful analysis, including ground truthing of those assumptions. Had DEIS preparers walked the three miles of Rock Creek along the Beltway, they would have seen one of the largest remaining down county wetlands as well as migratory birds that use the Rock Creek Stream Valley parks as part of their migration along the Atlantic flyway. A more thorough investigation would allow for more qualitative, rather than just quantitative assessment of impact, ensuring the myriad ecosystem services of the area are protected. This might include building noise barriers along the highway to protect wildlife and recreational users from the significant noise more traffic will create.

In addition, the DEIS fails to analyze the impacts of, the extent of, impacts the parklands, including their connection of the cohesive system, as required by Section 106 of the National Historic Preservation Act. The DEIS includes only rudimentary information about this National Register eligible site and does not consider the project proximity to impacts to parkland. The DEIS notes that in addition to permanent conversion of Rock Creek Stream Valley Units 2 and 3 to highway or transportation use, construction impacts may also temporarily diminish the integrity of the setting and feeling of the property. There's no doubt that there would be a diminishment in the setting and feeling of, to visitors each year. Rock Creek Park, a unit of the National Park Service, is just a few miles downstream of the Project area and would be adversely impacted by polluted stormwater runoff. The Capper-Cramton Act [INAUDIBLE] continuous Stream Valley protection extending from the National Park into Montgomery County. This Project would eliminate that. The Project will dramatically increase stormwater runoff to Rock Creek at a time when Maryland is struggling to manage suburban stormwater pollution. The alternatives retained for design would add between 52 and nearly 63 additional acres of impervious surface. Alternative 5, which was dropped in consideration, would add only 43 additional acres and the I-200 Diversion would add 0.

ANDREW BING: Jeanne, I need you to wrap up, okay?

JEANNE BRAHA: I'm almost done. The Limits of Disturbance for the Project may need to be increased to accommodate on-site treatment of new and existing runoff to protect Rock Creek from the impacts of this roadway. Thank you.

ANDREW BING: Thank you, Jeanne. OK. Our next caller. We have the last four digits of a phone number, which are 1089. After that, we'll be Kit Gage. If caller 1089 could state their names, spell their name, and state their address.

LISA ALEXANDER: Hello. My name is Lisa Alexander (L-I-S-A A-L-E-X-A-N-D-E-R) and I'm the Executive Director of the Audubon Naturalist Society located at 8940 Jones Mill Road in Chevy Chase, Maryland. We do not support the Beltway and I-270 Expansion Project. The Audubon Naturalist Society and the 10,000 members we represent stand in favor of the No Build option for the following reasons:

In the face of the dual crises of climate change and the COVID pandemic, expanding a roadway at the expense of water quality, parkland, and tree cover is short-sighted. The MDOT SHA has done a woefully inadequate job of evaluating additional alternatives, especially for public transit. In the wake of the pandemic our region's work patterns will be changed forever with telework taking a leading role. By rushing through the planning and NEPA process, MDOT SHA's plans recommend a 20th century solution to a pressing and rapidly evolving 21st century problem. Let me be specific. During the pandemic, Woodend, ANS's headquarters and 40 acres Nature Sanctuary located just 1,000 feet from I-495 has seen unprecedented use. People have flocked to Woodend and all of our regions scarce remaining green spaces to find respite. This project will negatively impact both the humans and wildlife that rely

on Woodend for sanctuary. Construction noise followed by additional highway noise will despoil a rare 40-acre parcel of natural land that is free and open to the public 365 days a year inside the Beltway. The DEIS estimates up to a 135 acres of parkland will be negatively impacted, degrading or eliminating scares and critical habitat for wildlife. It will shrink public green space pushing people into ever smaller parcels of green and open land, thus making overcrowding of our natural resources a permanent problem for the region.

The project plan does not properly mitigate negative impacts, especially on air and water quality. Construction will destabilize stream banks and add sediment to our local streams. These are the very streams where ANS teaches people of all ages to value water quality. More lanes will add vehicles that pour additional CO₂ into the air and will accelerate negative climate impacts experienced in our region and at our sanctuary, including flooding, high winds, and tree damage. Increased traffic will impede our staff, visitors, rental customers, shoppers, preschool families, and school field trips from reaching our sanctuary. And of course, this ill-conceived project will heap hardship on our already struggling urban wildlife by shrinking vital habitat corridors that support migrating birds, scarce reptiles and amphibians like frogs, and mammals like opossums that find shelter in our green spaces and eat thousands of ticks each year. In summary on behalf of Audubon Naturalist Society, I request that MDOT SHA pursue sustainable transit alternatives that reduce traffic congestion without exacerbating climate change or encroach wildlife habitat and accessible green space that people in our region need more than ever now. Thank you.

ANDREW BING: Thank you, Lisa. Our next caller will be Kit Gage. After Kit will be Jane Lyons. Kit, again, you will have three minutes. And just as a reminder to our callers, at 30 seconds remaining, you will hear a single tone. When there are 10 seconds remaining, you will hear a double tone, which indicates you need to wrap up your public testimony. So, again, we will hear from Kit Gage. Please state your name, spell your name, and provide your address.

KIT GAGE: Hi, my name is Kit Gage (K-I-T G-A-G-E). The address of Friends of Sligo Creek, which I represent is Post Office Box 11572, Takoma Park, Maryland 20913 and I live in Silver Spring, Maryland. I'm Advocacy Director of Friends of Sligo Creek and we oppose the managed lane plans for I-495 and I-270. We support, instead, transit solutions to the traffic issues raised by this DEIS. Our almost twenty-year-old, non-profit community organization is dedicated to protecting improving and appreciating the ecological health of Sligo Creek Park and its surrounding watershed. We are a very diverse down county area ranging from Wheaton Headwaters through Silver Spring to Takoma Park. In a time of COVID-19 the value of parks has been stunning and well-documented. This Project would impede on hundreds of acres of parkland that abut the Beltway. It's horrifying to look at the many charts in the DEIS documenting the loss of green space. This would exacerbate the tree canopy loss occurring despite current planting efforts. [INAUDIBLE] Sligo Creek Park in the watershed are less impinged upon by Beltway expansion plans compared with Rock Creek, for example, as Jeanne pointed out. Nonetheless, it would be damaged in multiple ways during construction and after. That part of Sligo Creek crossed

by the Beltway is relatively wide and so the effects on the diverse wildlife, trees, stormwater, and the historic Sligo Golf Course are significant. A challenged watershed would be further hurt by a huge construction project and increase of impervious surface.

Let me focus for a minute on stormwater. When built, the Beltway didn't capture and infiltrate, infiltrate stormwater. Instead, as was typical in the 1950s, the hot, polluted runoff went into storm drains and directly into our creeks. As we know from our neighborhood experience, this is not the rule these days for good reason and would violate the Clean Water Act. The state of Maryland has decided that it only needs to capture stormwater runoff from new lanes. 25% of the roadbed not from the total roadbed. This is despite the fact that the existing roadbed is slated to be completely reconstructed. As with the Purple Line, the State is trying to get away with less than halfway measures. When you tear up a road that should be, as in Montgomery County, the trigger for requiring stormwater management for all that's torn up not just new construction. In our area, runoff from the Beltway is a significant contributor to impervious surface flow and pollution. There will be no other time to do the right thing and to reflect the purposes of Clean Water Act. One of the troubling details exemplified under Section 4.5, Property Acquisitions and Relocations on page 4-24 under Mitigation, the first suggested fix is elimination of stormwater bioswales that otherwise would be installed. It's deeply troubling that the State proposes trading off one problem for another and that stormwater retrofits are proposed as the first to go. The massive DEIS and its thousands of examples of environmental damage can numb us to their total impact.

Instead, it should be the trigger for a re-evaluation. Maryland should use Beltway fixes as an exemplar for climate change modifications, fund transit, save the environment, preserve and protect our parks. It's not too late to do the right thing. Thank you.

ANDREW BING: Thank you, Kit. Our next caller is Jane Lyons. After Jane will be Denisse Guitarra. Jane, after the automated message, you please state your name, spell your name, and state your address.

JANE LYONS: Good morning. My name is Jane Lyons (J-A-N-E L-Y-O-N-S) and I'm representing the Coalition for Smarter Growth, which has an address at 316 F Street Northeast in Washington, DC, although we have thousands of supporters in both Montgomery and Prince George's counties and in the rest of Maryland. We will also submit more extensive comments prior to the deadline, which we urge you to extend.

We have several major concerns about the 495/270 Managed Lanes Project and strongly support the No Build option. First, this Project will make traffic worse, not better. Time after time, highway expansions fall victim to induced demand. There is no data in the DEIS to show how induced demand was accounted for in the Study. Any minimal speed and travel time reductions would largely only benefit those who are willing to pay the tolls. In certain areas, average travel speeds will go down for

those in general purpose lanes, especially during rush hour. Furthermore, if it induces additional peak-hour driving, traffic will increase on connecting roads.

Furthermore, an unprecedented increase in teleworking post-COVID has the potential to rewrite all assumptions underlying existing traffic models. It doesn't make sense to move forward with a costly generation-altering highway expansion when we can't even project future travel demand. In addition, the Project is financially opaque and unviable. MDOT still doesn't know how much this will cost taxpayers. The Project will need significant public revenue between 500 million and more than a billion, yet the true financial risk will not be revealed without a final contract. The financial analysis also does not account for adequate environmental mitigation for their shocking water and sewer relocation estimates that could result in a tripling of water bills in Montgomery and Prince George's counties. A preferred alternative should not be selected without understanding these costs. For these reasons, the ARDS do not need the MDOT defined purpose and need, which includes the goals of not requiring public subsidy and reducing traffic. Other alternatives that would result in less environmental degradation were arbitrarily rejected on the basis that they require a public subsidy. Because of this, MDOT must re-evaluate additional alternatives, including a comprehensive transit, land use, and demand management alternative that reduces vehicle trips, vehicle miles traveled, and greenhouse gas emissions. These ARDS will not achieve any of those goals.

We're also disappointed by the few environmental impact minimization or mitigation measures. The DEIS must fully determine the impact of increased air pollutants and stormwater runoff as well as harm to adjacent parks, wetlands, waterways, homes, schools, and more. The extent of these impacts is incorrectly analyzed due to the narrow and unrealistic limit of disturbance. In conclusion, this Project fails to fully account for environmental, community, and financial costs and favors wealthy long-distance commuters. It ignores the climate crisis and the goal of a more sustainable future. Thank you.

ANDREW BING: Thank you very much, Jane. OK. Our next caller will be Denisse Guitarra. After Denise will be Sandra Dembski. Denise, after the automated message, please state your name, spell your name, and state your address.

DENISSE GUITARRA: Hello. My name is Denisse Guitarra, spelled D-E-N-I-S-S-E G-U-I-T-A-R-R-A. I am here representing Audubon National Society as a Maryland conservation advocate. I live in Germantown Maryland. For a 123 years ANS's mission has been to inspire people to enjoy, learn about, and protect nature. Today, we're here to testify against the Beltway I-270 expansion. We support the No Build option in the Beltway Managed Lanes Study DEIS due to the following three reasons:

First, the DEIS dismisses transit alternatives, like sustainable transportation demand management, when in fact, the DEIS should consider all alternatives at this stage. The expansion should accommodate rail and public transportation, especially at the American Legion Bridge. Given the context of today's pandemic, teleworking must also be considered as one of the alternatives. On Appendix P, page 16, it says that during the scoping period, people were concerned that the highway expansion could bring

more environmental damage, noise, air pollution, loss of property, and degrade the quality of life, and instead, supported more transit alternatives such as expanding the Metro and local bus routes. We share these concerns.

2.) The DEIS failed to conduct outreach to communities of color and failed to complete a full environmental justice review. MDOT SHA did not include a full cumulative effects and impact study on the DEIS. During the scoping and commenting period, outreach and informational material, like interpretation messages, are still largely available in English only. And multilingual fact sheets are hard to find on the website. On Appendix P, page 18, it shows that the percentages of people who provided input during the scoping of the Project was significantly less in Prince George's County, which is majority African-American and Latin mix than in Montgomery County. These are clear violations to the principles of environmental justice.

3.) Climate change. MDOT SHA fails to include any specific wildlife or environmental mitigation, resilience, and adaptation requirements as part of the expansion. There are numerous wetlands, waterways, and wildlife impacts not listed on the DEIS. On Appendix O, page 66, it states that the review identified 243 state- and federally-listed threatened and endangered species, but these are not listed anywhere.

Under our 4.), Concurrent public health climate and economic and social crises. It just does not make sense to add more air polluting lanes. We ask MDOT SHA to seek more sustainable transit-oriented solutions that reduce our traffic congestion and our greenhouse gases. We won't exchange our precious lands for pricey luxury lanes. Thank you.

ANDREW BING: Thank you, Denisse. Our next caller is Sandra Dembski. After Sandra will be Kristi Taylor. Sandra, again, after the automated message, please state your name, spell your name, and state your address.

SANDRA DEMBSKI: Sandra Dembski, S-A-N-D-R-A. Dembski, D-E-M-B, like Beltway, S-K-I. 7705 Hamilton Spring Road, Bethesda. Um, I live in Carderock Springs, a community on the National Register of Historic Places. Because time is short, I will only focus my comments on issues that directly affect my community. But I must say that I support the comments of the previous speakers earlier this morning. I've reviewed parts of the Draft Environmental Impact Statement.

First, I strongly disagree with the findings of Appendix F that the Beltway expansion will have no effect on Carderock Springs. Carderock Springs is on the National Register as an example of situated mid-century modernism. This includes preservation of natural environment. A band of trees currently separates us from the Beltway and I firmly doubt that the Beltway can be expanded without destruction of trees. Trees are so important to the community that we have covenants that require permission from a neighborhood tree committee to take down mature hardwood trees. These trees also help mitigate

the noise and pollution effects of the current Beltway. The preliminary design of the Beltway Project could require expansion into the backyard of some of my neighbors and presumably the destruction of their trees. It's difficult how this can be construed as having no effect on this historic community. There is no way to mitigate the destruction of 60-year-old trees. In addition, the disturbances into private property would lower property values. Of course, it's, if any Beltway expansion where to remain within that existing right-of-way, this would be an improvement. Appendix J notes its sound barriers along the boundary of Carderock and Carderock Springs Elementary School are both feasible and reasonable. Construction of sound barriers is critical for the community and especially from the brand-new elementary school. Almost four hundred children attend the school and the playground and playing fields abut the Beltway. These children need to be protected from Beltway noise and pollution.

I would recommend that the State include in any contract, as a cost of construction, the inclusion of all sound barriers found to be feasible and reasonable, not only in Carderock but a length around the length of the Beltway Project. In addition, [INAUDIBLE] the Beltway Project goes forward, that sound barriers be constructed early in the process to protect students and residents: county residents, community residents, from the noise and pollution which would accompany [INAUDIBLE] construction.

ANDREW BING: I need you to wrap up.

SANDRA DEMBSKI: [INAUDIBLE]

ANDREW BING: OK. Thank you, Sandra. Our next caller is Christy Taylor. After Christy will be Steven Oriol. Christy, after the automated message, please state your name, spell your name, and state your address. This is for the last four digits of the phone number 5233. Christy are you there or someone at that phone number? OK. We don't seem to have Christy on there.

We're gonna go to our next person and then we'll come back to Christy if she ends up being back in the speaker queue. So we're going to go to Steven Oriol. Steven, again you'll have three minutes. After the automated message, please state your name, spell your name, and state your address.

STEVE ORIOL: Thank you. So, my name is Steve Oriol, S-T-E-V-E. Oriol, O-R-I-O-L. Like the baseball team without the "E". I live on Evergreen Street in Indian Spring which abuts up next to 495 here in, here in Silver Spring. I just wanted to express my concern and opposition to the, the current configuration for the expansion plans as moving from 8 to potentially 12 lanes represents essentially a 50 percent increase in pavement, noise, surface water runoff, and pollution. I think the, the complexity of the problem needs to be reflected by having more community input and the, the COVID situation, I think warrants a significant pause in some of the assumptions.

My understanding is also that a lot of the planned construction and changes are, are really a function of deferred maintenance. So several billion dollars of, of the construction plans are, are based on not

having been able to keep up with the maintenance and so my concern, both environmentally and being able to be more efficient in moving people around as opposed to making it easier for single passenger cars with enough money to, to kind of bypass the system, is is, is a, is a profound concern. Finally, I would say that the being a part of the neighborhood and the, and the community here, knowing how much of an impact environmentally will, will take place is hard to measure when the information is not as forthcoming. My understanding is that some of the detailed assumptions, point of origin study, and that sort of information has not been as, as readily shared as I think the, the community should be able to expect.

So those are my thoughts on the, on the planned expansion. I think we need to, to think more fully about multimodal solutions. And, how we can essentially transform transportation in the region before taking the step of, of increasing pavement and, and construction by 50 percent in, in a way that, that really ties the community to, to a much longer-term commitment than is, than is warranted. Thank you.

ANDREW BING: Thank you, Steve. At this time, I don't believe we have anyone else in the speaker queue who is prepared to provide testimony. So I just want to make a couple announcements. First off, I do want to let people know that we do have three additional public hearings coming up on Tuesday, September 1st; Thursday, September 3rd; and Thursday, September 10th. The September 1st and September 10th hearings will be in-person hearings with the September 1st hearing being in Prince George's County and the September 10th hearing being in Montgomery County. The September 3rd hearing will be similar to the ones that have already been done in the one we're doing today. All of these hearings, you do need to pre-register in order to reserve your spot in order to provide public testimony. Again, if you have not registered to provide oral testimony today, you still have time with three sessions today. We have a session right now going on that will continue until 12:00. We have an afternoon session that will go from 1:00 to 4:00 and an evening session that will go from 5:00 to 8:00. In order to register, you need to go to the Program website at 495-270-P3.com/DEIS. You click on the 'joint public hearings' button, you then click on the 'click to register to provide virtual public testimony' button. So, at this time it is just a little before 10:00, about 9:58 AM. We do not have any additional people in the speaker's queue. So we are going to go into recess until we do get people who enter the queue and then we will come back. If we don't have any one enter within the next 20 minutes, I will come back on at 10:20 just to provide an update. So at this point, we are in recess.

[IN RECESS]

AUTOMATED MESSAGE: Thank you for attending the I-495 & I-270 Managed Lanes Study public hearing. Today's sessions begin at 9:00 AM, 1:00 PM, and 5:00 PM. Thank you for your patience.

ANDREW BING: OK, we're coming back from recess right away because we do have Christy Taylor, who we had some technical issues getting her on the line. So at this point, we are going to come back from recess. It's 10:00 AM and we're going to go to Christy Taylor. Christy, after the automated message, you

will have three minutes to provide your testimony. Please state your name, spell your name and state your address.

Christy are you there? Christy, we're not hearing you if you are talking. I don't know if you have a mute button on, but we are not able to hear you right now. So we'll wait a couple seconds to see if you're able to come on the line. OK, so we're still having some technical difficulties getting Christy on. Again, we have plenty of time today to make sure that we're able to get her into the speaker's queue in order to provide testimony. So, Christy, if you can hear us, please try to call back and we will do our best to get you get you through. So we are not able to hear you. So we're going to go into recess again. It is 10:01 right now and we will remain in recess.

[IN RECESS]

ANDREW BING: Christy, are you there? No. OK. I thought I heard something there. OK, so we are in recess. It's 10:01 AM and we will remain in recess until we get someone else enter the speaker's queue. If not, I'll come back at 10:20 to provide an update. Thank you.

[IN RECESS]

AUTOMATED MESSAGE: Thank you for attending the I-495 & I-270 Managed Lanes Study public hearing. Today's sessions begin at 9:00 AM, 1:00 PM,

ANDREW BING: OK. We're going to come out of recess at 10:03 AM. We think we have Christy Taylor back in the speaker queue. Christy, again, you'll have three minutes. After the automated message, please state your name, spell your name, and state your address.

Christy are you there? So, Christy, there must be some kind of a problem. What we're gonna do, since we're not able to hear you, which we apologize for, we're going to reach out to you directly to try to work through this issue. And we will try to get you online here so that we can hear your comments and you can provide those comments for the public record. So, again, unfortunately, we're not able to hear. So we are going to go back into recess and we will have one of my colleagues reach out to you to try to figure out what the problem is.

[IN RECESS]

ANDREW BING: OK, we're coming back from recess, it's 10:06 AM. We do have someone else who has entered the speaker's queue. So at this point, we're going to go to Elizabeth Brandt. Elizabeth, just a couple reminders, just in case you weren't with us earlier. You will have three minutes to provide your public testimony. You will hear a single tone when there are 30 seconds remaining and a double tone

when there are 10 seconds remaining. At this point, after you hear the automated message, please state your name, spell your name, and state your address.

ELIZABETH BRANDT: Hi, my name's Elizabeth Brandt. And, I'm so sorry. I think when you were calling Christy Taylor before, that was my other phone. So, so this is Elizabeth Brandt.

Go ahead. I'm sorry to interrupt.

ELIZABETH BRANDT: Oh sure. No, of course. Sorry for the confusion. My address is 8510 Grubb Road, Chevy Chase, Maryland, and I'm a member of Moms Clean Air Force and a Field Manager for that organization as well. And I'm concerned because I use transit and drive and walk in the areas that you would expect commuters coming off of the 270 expansion and the Beltway to use and I find those areas to be actually very dangerous at this point and I'm very very concerned about having additional traffic on roads like Connecticut Avenue where my daughter goes to preschool. We typically take the bus to her preschool and I walk to the Metro in Bethesda. It's about a mile away. I have to cross Connecticut Avenue several times on foot to make all of this happen and I've nearly been hit more times than I can count. I have completely stopped using crosswalks that don't have traffic lights and even still, people drive on these streets as if they are part of the Interstate. And, particularly since we are going to a preschool that is right on Connecticut Avenue, that's very concerning to me as a parent.

In addition to the pedestrian challenges that I'm concerned that this may present from my neighborhood and neighborhoods all around the Beltway. I'm concerned about the air quality and the climate impacts of expanding our highway system. Already 88 percent of people in Maryland live in counties that are in non-attainment of air quality standards set by the EPA. This can only exacerbate that problem. I feel as a parent that we have to be watching out for the air quality that causes asthma problems, heart problems, can contribute to cancer, and now at this point, air quality problems that may be contributing to Coronavirus. And I'm concerned that this, this plan puts commuters ahead of the needs of our families in multiple ways. So, I really appreciate your patience and your interest in listening today. And, and I thank you so much for your time.

ELIZABETH BRANDT: And we thank you, Elizabeth. And again, sorry about the problems there technically, but we were able to get you on and we appreciate your comments. At this time there are no other people in the speakers queue. So we will remain in recess at this point. It is 10:10. If we get someone else that comes on, I will bring us back from recess, but if not, I will come back on at 10:30 just to provide a quick update. Thank you very much. And we are in recess.

[IN RECESS]

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ANDREW BING: OK, we're coming back from recess. At this time, we do have two people who have entered the speaker's queue. At this time, we have Montgomery County Council Vice President Tom Hucker. Council Vice President Hucker, after the automated message, you will have five minutes to provide your testimony. Please state your name, spell your name, and state your address.

TOM HUCKER: Thank you all. My name is, I'm Montgomery County Council Vice President, Tom Hucker. I chair our Transportation and Environment Committee and I'm testifying today for our Transportation Environment Committee on the Managed Lanes Study Draft Environmental Impact Statement. Ultimately, the Council and County Executive intend to develop a single, detailed set of recommendations for a County-preferred alternative and to transmit that to Governor Hogan and Secretary Slater. However, today's testimony will concentrate on what our committee sees as shortcomings in the DEIS and the process of its review.

The first shortcoming is the insufficient time allowed for the public and our professional staff to review the DEIS and to help the Council and the Executive develop a County-preferred alternative. Ninety days is not nearly enough to fully grasp the information contained in the report and all of its 19,000 associated documents. We agree with the Executives' proposal to extend the deadline by at least 30 days, especially with the revelation that not all the information was included in the DEIS that was released on July 10th. Our review is further hampered since State Highway administrative staff won't be sending us transcripts of its public hearings until after the October 8th deadline and that SHA will not send us copies of testimony and correspondence, including attachments, submitted to it.

We also wholeheartedly agree with our County Planning Board, that SHA has given short shrift to the, to the Intercounty Connector Diversion Alternative and the cost and the negative impacts that this alternative have been overstated by assuming the toll lanes need to be added between the ICC and the Capital Beltway. The lively refusing to study alternatives put forward in good faith by the elected leadership and the top professional transportation planners who work for the very residents whose lives will be greatly disrupted by this Project is the most cynical type of government decision-making.

We also agree with the Board that the Limits of Disturbance of the alternatives will be much broader than is characterized in the DEIS because the environmental impacts occurring outside these limits have not been identified, and because the inventory of impacts on cultural and historic resources is incomplete. The stormwater management approach in the DEIS discounts the years that existing state highways have degraded the land. SHA anticipates that one quarter of the existing highway surface will be rebuilt. So, under current rules, it would treat only 1/8 of the existing roadway. As the Planning Board has noted, this is wholly inadequate as the runoff from the existing highways continue, causes

continued damage to downstream waterways infrastructure. At a time when social equity concerns have risen to the forefront, in this regard the DEIS is particularly tone-deaf. I'm dismayed at the conclusion that every person will benefit from this Project. We know that, by definition, managed lanes benefit those with the ability to pay and it's well established that privately-run managed lanes have a perverse incentive to create, to maintain congestion in public lanes. Imagine if we allow WSSC to provide really clean and safe water for those who could pay for it and mostly clean water for the rest of us. That would not be seen as equitable which is why we don't allow it.

So, let's be clear to MDOT – one of the most important priorities for our County Council is striving to achieve equity. And our colleagues in Prince George's and Frederick feel the same way. Yet this Project, through the heart of our counties, flies in the face of that goal.

Last, I'm very concerned about the financial implications of this Project. After the unprecedented failures of the Purple Line P3, MDOT is rushing forward with a new P3 larger in scope and impact. At this point, it's professional malpractice not to include estimates for extended litigation and for cost overruns from design changes, land acquisition, and construction delays. If MDOT wants to avoid some of those costs, then it should make the Record of Decision for the DEIS concurrent with the Phasing. If the Agency doesn't do this, it's going to jeopardize the entire Project. We've argued since the beginning that since MDOT should focus, that MDOT should focus on the parts of the Project that there is broad-based consensus for, such as revamping the American Legion Bridge and then try to tackle other phases later.

Unfortunately, it feels like we're continuing on the same path regarding taxpayer liability for this Project also. We already know, thanks not to MDOT staff, but to a whistle blower, that the cost of utility relocation for WSSC pipes alone could cost ratepayers over one billion dollars. Finally, it's extremely foolish not to reconsider this Project to reflect the fact that congestion and vehicle miles traveled have dropped significantly due to COVID and are expected to stay that way. A new independent, unbiased study construct, conducted for the Northern Virginia Transportation Authority predicts far lower vehicle miles traveled across the Region in 2025 than would have otherwise occurred. The comprehensive analysis considered current economic data and projections, traffic information, and a survey of over a 1,000 people, asking about their travel habits and expectations. The study predicts that Northern Virginians will spend 31 percent less time traveling at all in 2025 than they would without COVID. We will continue to work collaboratively with you to develop a preferred alternative that will meet all these concerns. Thank you.

ANDREW BING: Thank you Council Vice President Hucker. The next speaker that we have is Maja Husar. Maja, again, you'll have three minutes after the automated message. Please state your name, spell your name, and state your address.

MAJA HUSAR: Good morning. My name is Maja Husar. And my address is 8104 Fenway Road Bethesda, Maryland 20817. I live, I have moved to Carderock Springs half a year ago and our neighborhood is directly adjacent to the Beltway. It's near Exit 39 on 495. And therefore, it is really impacted by the noise disturbances to local properties and the traffic impact, obviously, as well. I have to tell you, when I moved here this half a year ago, I fell in love with the neighborhood immediately. It's a fantastic place - great for families and you see a lot of children on the streets. Every day, me and my family would take walks and one of the, one of the areas where we would go is near the school and we play in the school yard. And that's where it made me realize what impact the Interstate has on that local community. The noise when you are up there at the schoolyard - the noise of the Interstate - is just hard to bear. My have, I have three-year-old daughter who is going to start elementary - her school, Carderock Elementary in a year and half and I just cannot imagine how much she will be impacted during her recess and anytime outside. Not only by the pollution, which obviously it's not visible - so it's not on top of our minds - but, especially the noise. It is very aggravating right now and very hard to, to really enjoy oneself when outside. I cannot imagine how it will change when the Interstate comes even closer.

Therefore, as a member of the community as a matter, I really hope that you can reconsider the analysis of the noise impact on our community. I understand that there is a question if the noise wall is needed or not, or to what extent, and I can tell you as a resident who uses the property near the Interstate - I can tell you we need it very much to really preserve the quality of life of our residence and our community; to let the children play and relax and enjoy recess every day. And, I really hope that you can do everything possible to construct a noise wall along I-495, between Persimmon Tree Lane and Seven Locks Road to make sure we can enjoy our community as much as we do so far. Everything comment letter will be sent by our Citizens Association before October 8th, which will be listing all of the issues in detail, but I hope we can make sure that quality of life of everybody will be increased by the Project, not only the commuters, but also families that live along the Interstate. Thank you.

ANDREW BING: Thank you, Maja. Appreciate your testimony. At this time. We do not have any other individuals in the speaker queue. So we are going to go into recess. I do want to just remind anyone who may be listening and who would like to provide public testimony that you do need to register and to register you do go to the project website. The Program website, I should say at 495-270-P3.com/DEIS. You would then click on the 'joint public hearings button' and then click on the 'click to register to provide virtual public testimony' button. Or, if you would like, you can also provide testimony by voice mail by calling 855-432-1483. There is no registration required to leave your recorded testimony via voicemail. So at this point, it is 10:27 AM. We are going to go into recess for about 20 minutes. I'll come back on at 10:45 to provide an update if we have not had any one else sign in to register or enter the speakers queue. So we are in recess.

[IN RECESS]

AUTOMATED MESSAGE: Thank you for attending the I-495 & I-270 Managed Lanes Study public hearing. Today's sessions begin at 9:00 AM, 1:00 PM, and 5:00 PM. Thank you for your patience.
[REPEATS]

ANDREW BING: OK. Good morning again, it is 10:45 AM, we still don't have any additional callers in the speaker's queue, so we are going to remain in recess. I will come back on at 11:00 to provide an update. And again, this session will remain open until 12:00 noon. So, we are in recess until someone calls in, enters the speaker's queue or eleven o'clock when I will come back. Thank you.

[IN RECESS]

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[REPEATS]

ANDREW BING: OK. It's 11:00 AM and we still remain in recess. We do not have any callers who have entered the speaker's queue, so we will remain in recess until someone does enter that speaker's queue or until 12:00 when the morning session will end. As a reminder, we do have an afternoon session that will run from 1:00 to 4:00. And an evening session that will run from 5:00 to 8:00. We do have people who have registered to provide testimony during both the afternoon and evening sessions, but there are spaces available so you can feel free to register to provide testimony for either of those sessions. For the rest of our morning session, because we do not have anyone in the speaker's queue, if you are listening live or watching the livestream and would like to provide testimony during this morning session. We're going to try to stream that process for you just to make it easier that you do not have to actually register if you'd like to provide testimony. So, what you need to do is just dial 855-925-2801. Again, that's 855-925-2801. When prompted, you'll enter an access code, which is 6642. So again, 6642. You must listen to the entire welcome message. But once the welcome message ends, you will hear, 'for more information press the star key'. Press the star button on your phone. And then you'll hear the menu options and press 3 to enter the speaker queue. So, again, this will bypass the need to actually register. You can just follow these steps and hop in and we'll be able to take your testimony in the next hour. So, again, it is 11:02 and we are in recess.

[IN RECESS]

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[REPEATS]

ANDREW BING: OK, it's 11:20 AM. We do not have any callers in our speaker's queue so we are going to remain in recess. Just as a reminder, if you would like to provide oral testimony for the remainder of

our morning session, the easiest way to do that is just to call the following phone number 855-925-2801. You then enter the access code, which is 6642. You must listen to the entire welcome message. But after the welcome message ends, you will hear, 'for more options, press the star button'. So then go ahead, press the star button and then you'll press number 3 to enter the speaker queue. So again, that phone number is 855-925-2801. And the access code is 6642. That is just for the morning session, that access code for the remainder of this morning session. I will come back on in twenty minutes at 11:40 if we have not had anyone else enter the speaker queue just to give a final update, but we will remain in recess.

[IN RECESS]

AUTOMATED MESSAGE: Thank you for attending the I-495 & I-270 Managed Lanes Study public hearing. Today's sessions begin at 9:00 AM, 1:00 PM, and 5:00 PM. Thank you for your patience.

ANDREW BING: OK, I'm going to bring us back from recess. It's 11:25 AM and we do have someone who has entered the speaker's queue. So we want to hear from that person. The person who has entered the speakers queue is Russ Gestl. Russ, just a couple reminders before we turn it over to you for your, for your testimony. You have three minutes. You will hear a tone when there is 30 seconds remaining and a double tone when there are 10 seconds remaining. So, after the automated message, please state your name, spell your name and state your address.

RUSS GESTL: Hello. Good morning. This is Russ Gestl (G-E-S-T-L). I reside at 15648 Haddonfield Way in Darnestown, Maryland 20878. Interstate 270 has been a problem personally and professionally for me for seems like forever. I initially moved from the Olney area to Darnestown to be, well to North Potomac and then to Darnestown, to be west of 270 so that I could have the option of, when traveling north to get on up at 121 via back roads, or when heading south to go through Potomac and MacArthur and Clara Barton to get down to get on the bridge on the Beltway near the bridge, primarily to avoid Interstate 270. That's sort of personally. Professionally our offices are in the Washingtonian Center on Interstate 270. We have lost employees due to their, their need to commute via 270. We have opened a satellite office in Germantown to try and retain employees and save them that last stretch of travel south. I know that, that Interstate 270 has to be affecting far more people than than me both professionally and personally and therefore, hurting our economic development potential, the the the attracting of the of the type of workforce we want for our businesses here in in the area, and I urge you to support and do whatever you can do to allow the changes to happen to Interstate 270 and the balance of this infrastructure initiative. Thank you very much.

ANDREW BING: OK, Russ, thank you very much. At this point, we don't have anyone else who has entered the speaker's queue, so we will go back into recess. It is 11:27. At this point, unless we have someone enter the speaker's queue, we will stay in recess until 12:00, which is when the morning session ends and I will come back on to close us out. But for right now, we will remain in recess. One

final reminder, if anyone does want to provide testimony in this last 30 minutes of the morning session, the easiest way to do that is to call 855-925-2801. This will allow you to bypass having to register. You can just call directly 855-925-2801. I will provide you the access code, which is 6642. And I want to make it clear this access code is only for the morning session. So for the next 30 minutes, you must listen to the entire welcome message. Once the welcome message ends, you will hear, 'for more options, press the star button'. Suppress that star button, and then when you hear the menu options, you will press the number 3 to enter the speaker queue.

So that's what you need to do. If you'd like to provide testimony in the next 30 minutes. For anyone who has pre-registered for the afternoon and evening sessions, you will have been emailed information on how to get the phone number to call and the access code you will need to provide testimony. So we will stay in recess. It's just about a minute before 11:30 AM. And again, unless we hear from anyone coming into the speaker's queue, I will come back on at 12:00 to close this out. Thank you very much.

[IN RECESS]

AUTOMATED MESSAGE: Thank you for attending the I-495 & I-270 Managed Lanes Study public hearing. Today's sessions begin at 9:00 AM, 1:00 PM, and 5:00 PM. Thank you for your patience.

ANDREW BING: OK. We are coming back from recess. It is 11:30 AM and we do have someone who has entered the speaker's queue. So we're going to go to that person, Katherine Wall. I just want to give you a couple reminders before we allow you to testify. You have three minutes. In addition, there will be a single tone you will hear when there are 30 seconds remaining and a double tone you will hear when there are 10 seconds remaining. After the automated message, please state your name, spell your name, and state your address.

KATHERINE WALL: Hi, my name is Katherine Wall - that's (K-A-T-H-E-R-I-N-E-W-A-L-L). I live in Mount Rainier, Maryland at 42 32nd Street. I wanted to testify today in opposition to the proposed widening and enlarging of 495/270. I work. I had worked for some time in the environmental community and while traffic congestion is a problem, an even bigger problem facing our whole world at this point, is a loss of biodiversity. We are in the midst of a sixth, sixth mass extinction event and an increasingly warm climate. Now, in 2019 the intergovernmental [INAUDIBLE] policy platform for biodiversity [INAUDIBLE] systems.

ANDREW BING: Katherine, I'm just going to interrupt you for one second if you could hear me. We're having some problems on your voice phone – it is coming through a little jumbled. [technical difficulty-overlapped speaking]

KATHERINE WALL: [OVERLAPPING SPEECH] As many as a million species are at risk of different activities for habitat [INAUDIBLE]

ANDREW BING: Katherine, can you hear me?

Oh, I'm sorry.

ANDREW BING: Katherine some of your comments were coming through a little, yes, we can hear you, but it's coming through a little jumbled. I think there's a little bit of a problem with your phone line. So I'm going to extend you some additional time, but if you could go back to where, maybe 30 seconds ago, where you were and just continue.

KATHERINE WALL: Sure. In 2019, the Intergovernmental Science-Policy Platform for Biodiversity and Ecosystem Services - or IPBES - released a study showing that as many as a million species are at risk of extinction as a result of human activities and the second most powerful driver of extinction is actually habitat destruction. Also, we're in the midst of a coronavirus pandemic which has been caused by a zoonotic spillover event. That is a virus that has jumped from wild animals into human beings and one of the top drivers of zoonotic spillover events happens to be habitat destruction. So I think that at this time in our history, we should be looking at solutions to our collective problems that do not involve reducing our green space further. That can only have detrimental effects. Not only does that run the risk of putting more cars on the road, but it also runs the risk of placing us at greater risk for losing important species that we rely on for ecosystem services and putting us at greater risk for zoonotic spillover events in our own country. So that is really the testimony that I wanted to provide today and ask this panel to consider when looking at expanding the non-green space, reducing our green space, because I think these are really important factors that sometimes get lost in the discussion.

ANDREW BING: OK. Thank you for your testimony today. I do want to just remind everyone that we did have a little bit of a phone issue there on Katherine's end, but we did eventually hear the entire testimony. But I do want to just remind everyone that that all comments are weighed equally in terms of whether they come in, spoken through the public testimony, whether it's a voicemail, whether it's a written comment or an email or a letter. All of those comments will be part of the public record. So, if at any point anyone feels that maybe they didn't have that full opportunity through a technical reason, they can always submit a comment through email to make sure that those comments are in. But as I said, we did end up hearing all of Katherine's testimony and it will be recorded for the public record. Right now, it is 11:25, unless we get anyone entering the speaker queue, we will remain in recess until 12:00. So we are. It is 11:35 right now. Thank you.

[IN RECESS]

AUTOMATED MESSAGE: Thank you for attending the I-495 & I-270 Managed Lanes Study public hearing. Today's sessions begin at 9:00 AM, 1:00 PM, and 5:00 PM. Thank you for your patience.
[REPEATS]

ANDREW BING: OK, welcome back. It is 12:00 noon and our morning session has now concluded. I want to thank everyone who took the time to call in and provide public testimony today. We do have two additional sessions this afternoon from 1:00 to 4:00 and from 5:00 to 8:00. If you are interested in providing public testimony and you have not yet registered to do so, you need to visit the Program website at 495-270-P3.com/DEIS. You click on the 'joint public hearings' button and then you click to register to provide virtual public testimony. So that's how you would go about registering. We will now end the morning session and we will rejoin you at 1:00 this afternoon. Thank you.

I-495 AND I-270 MANAGED LANES STUDY

JOINT PUBLIC HEARING

Tuesday, August 25, 2020

Afternoon Session: 1:00 pm to 4:00 pm

Virtual/Online

ANDREW BING: Good afternoon and welcome back to the afternoon session for the August 25th public hearing. This session will run from 1:00 to 4:00 and you do need to be registered in order to provide testimony. So, before I make my opening statement and then also have a few of our agency representatives make their statements, I do want to just offer a couple of quick reminders. If you are listening and you have not registered to provide testimony, but would like to provide testimony, please go to the Program website at 495-270-P3.com/DEIS. When you get there, click on the 'joint public hearings' button and then click on the 'click to register to provide virtual public testimony' button. Also, if you're interested in leaving your testimony by voicemail, call 855-432-1483. There is no registration that's necessary in order to do that. So, as I said, I'm going to read some opening, an opening statement and then have our agency representatives do that as well. And then when we are done with those opening statements, we will take our callers in the order that they signed into the speaker queue to begin the public testimony.

So good morning, I. Excuse me. Good afternoon. I am Andrew Bing with the Maryland Department of Transportation State Highway Administration, abbreviated MDOT SHA. Today is the third of six joint public hearings that MDOT SHA will be conducting for the I-495 & I-270 Managed Lanes Study Draft Environmental Impact Statement or DEIS, the Draft Section 4(f) Evaluation, and Joint Permit Application, or JPA. I will be the Hearing Officer and am responsible for running today's public hearing. Today's hearing is being held jointly by MDOT SHA, the Federal Highway Administration with the United States Army Corps of Engineers, and the Maryland Department of the Environment. On behalf of these agencies and the Federal Highway Administration as the lead agency, I welcome you.

The purpose of this hearing is for interested parties to provide official testimony and comments on the Study's proposed alternatives and associated impacts as detailed in the DEIS and the floodplain, waterway, and nontidal wetland impacts detailed in the Federal/State JPA. Today, I will provide a brief overview of the Managed Lanes Study background and the aquatic resource impacts documented in the JPA. I will introduce the panelists and identify ways for you to comment on the DEIS and JPA. Some panelists will then give statements on behalf of their agency. Finally, I will review the hearing procedures and open the phone line for live testimony.

The purpose of the I-495 & I-270 Managed Lanes Study is to develop a travel demand management solution or solutions that addresses congestion, improves trip reliability on I-495 & I-270 within the study limits, and enhances existing and planned multimodal mobility and connectivity.

The needs for the Study are:

- Accommodate existing traffic and long-term traffic growth;
- Enhance trip reliability;
- Provide additional roadway travel choices;
- Improve the movement of goods and services; and
- Accommodate Homeland Security.

In addition, two goals were identified for the Study: incorporate alternative funding sources to achieve financial viability and environmental responsibility. The study limits include I-495 from south of the George Washington Memorial Parkway in Fairfax County, Virginia, including improvements to the American Legion Bridge over the Potomac River to west of MD 5 and along I-270 from I-495 to north of I-370, including the east and west I-270 spurs in Montgomery and Prince George's counties, Maryland. In addition to the No Build alternative, there are six build alternatives under consideration for improvements within these limits: Alternatives 8, 9, 9 Modified, 10, 13B, and 13C.

Aquatic resource impacts would range from:

- Between 155,229 and 156,948 linear feet of streams;
- Between 16.1 and 16.5 acres of nontidal wetlands;
- Between 52.7 and 53.6 acres of wetland buffers;
- Between 116.5 and 120 acres of FEMA 100-year floodplains.

Detailed impacts by alternative can be found in the DEIS, the JPA, and the JPA Public Notice. Please be reminded that all hearing materials, including online narrated display materials are available on the Program website 495-270-P3.com/DEIS. Today's public hearing is being live-streamed and audio-recorded. The official transcript of the joint public hearing testimony will become part of the project record and will be available for public review on the Program website.

I will now introduce representatives of MDOT SHA, FHWA, U.S. Army Corps of Engineers, and MDE who are in attendance for today's hearing. Lisa Choplin, I-495 & I-270 P3 Program Director, MDOT SHA; Jeff Folden, I-495 & I-270 P3 Program Deputy Director, MDOT SHA; Caryn Brookman, I-495 & I-270 P3 Program Environmental Program Manager, MDOT SHA; Shabnam Izadi, Title VI Coordinator, MDOT SHA; Jeanette Mar, FHWA Project Delivery Environment Team Environmental Manager; Amanda Sigillito, Nontidal Wetlands Division Chief Maryland Department of the Environment; Joseph DaVia, Chief Maryland North Section Regulatory Branch, U.S. Army Corps of Engineers – Baltimore District; Jack Dinne, Maryland North Section Regulatory Branch, U.S. Army Corps of Engineers – Baltimore District.

And now, on behalf of Shabnam Izadi, the Title VI Officer for today's public hearing, I'll explain the significance of Title VI and how it relates to the Transportation Project Planning Process. Title VI of the Civil Rights Act of 1964 was put into effect to prohibit discrimination on the basis of race, color or national origin. To support the Act, the United States government designated additional statutes, laws, regulations and executive orders to provide guidance for the effective execution of the objectives of Title VI. As a recipient of Federal Funds, MDOT SHA is responsible for upholding the principles of Title VI of the Civil Rights Act of 1964 and related guidance. MDOT SHA's policies and programs should not discriminate against people on the grounds of race, color, national origin, sex, age, English proficiency, income level or disability. The MDOT SHA policies and programs should avoid

disproportionately high or adverse impacts on minority populations in low-income populations. MDOT SHA seeks to provide citizen stakeholder groups and other interested parties with reasonable opportunities to be involved in the planning process.

With that said, MDOT is required to capture this data to demonstrate its compliance with Federal Regulation 23 CFR 200.9, Subsection (b)(4) and more importantly, to consider the transportation needs of the community by hearing from you. Compliance is voluntary. However, in order to demonstrate compliance with the federal regulation, the information requested must be documented when provided. It will not be used for any other purpose except to show that those who are affected by the project or have an interest in the project have been given an opportunity to provide input throughout the planning process.

We invite you to take our Voluntary Demographic Survey. This survey will help us to ensure that we are reaching the communities that are affected by the I-495 & I-270 Managed Lanes Study. If you have questions or need assistance, call 410-545-0377. For more information regarding Title VI of the Civil Rights Act of 1964 and other nondiscrimination laws, review the Civil Rights under Title VI Brochure. Both the survey and brochure can be found on the Program website site by visiting the 'Participate and Provide Feedback page. Any member of the public has the right to file a discrimination complaint against MDOT SHA if he or she feels MDOT SHA does not comply with Title VI of the Civil Rights Act of 1964 and the related statutes. The process for filing a complaint is outlined in the Title VI Brochure located on the website. Lastly, if you or someone that you know speaks limited English and may need translation services to get project information, please call 833-858-5960 for assistance. At this time, I'll turn the proceedings over to Joseph DaVia to provide his statement.

JOSEPH DAVIA: Thank you, Andrew. Good afternoon, ladies and gentlemen. My name is Joseph DaVia. I am Chief of Maryland North Section and the Regulatory Branch of the U.S. Army Corps of Engineers – Baltimore District. With me here today virtually for the Corps is Jack Dinne, who is the Corps Regulatory Project Manager and point of contact for this application. I would like to thank the Federal Highway Administration and the Maryland Department of Transportation State Highway Administration for providing the location and support services to allow us to hold this virtual public hearing. Thank you for participating in our regulatory review process.

It is the responsibility of my office to evaluate applications for Department of the Army permits for any proposed work in Waters of the United States, including jurisdictional wetlands. The Corps authority is found in Section 404 of the Clean Water Act. Each application received through our regulatory program has specific needs and impacts that must be considered in relationship to weighing the potential benefits and detriments of the project. The Corps is neither a proponent or opponent of any project. As previously stated, the six build alternatives will impact between approximately 16.1 and 16.5 acres of nontidal wetlands and approximately 155,229 and 156,948 linear feet of perennial and intermittent streams. For any chosen alternative, the mitigation

requirement in Maryland is approximately 29.44 acres of wetland mitigation and 99,348 linear feet of stream mitigation.

Thirteen wetland and stream mitigation sites are proposed in three watersheds where the project is located. Construction of the proposed wetland and stream mitigation sites would temporarily impact approximately 85 acres of wetlands and approximately 90,000 linear feet of stream. The purpose of today's hearing is to inform you of this project and to allow you the opportunity to provide comments to be considered in our core regulatory public interest review of the proposed work. In compliance with the National Environmental Policy Act, the Federal Highway Administration, in cooperation with the Corps and other cooperating agencies, is preparing an Environmental Impact Statement for the proposed project in which your comments will be included and addressed. Your comments are important in the preparation of this document and in our evaluation of the permit application. The decision on whether or not to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts of the proposed activity on the public interest and compliance with the Clean Water Act Section 404(B)(1) guidelines. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which may reasonably be expected to accrue from the proposal, will be balanced against its reasonably foreseeable detriments.

All factors that may be relevant to the proposal are considered. Among these are conservation; economics; aesthetics; general environmental concerns; wetlands; historic properties; fish and wildlife values; flood hazards; floodplain values; land use; navigation; shoreline erosion and accretion; recreation; water supply and conservation; water quality; energy needs; safety; food and fiber production; mineral needs; threatened and endangered species; environmental justice; cumulative impacts; considerations of property ownership; and in general, the needs and welfare of the people. The comment period for this project extends to October 8, 2020. Comments received today and at each of the other five public hearings and throughout the comment period will be considered. The time required to reach a Department of the Army permit decision is dependent upon necessary coordination of concerns with resource agencies, careful evaluation of all substantive comments, and ensuring statutory requirements are met. At this time, I will now turn the proceedings to Amanda Sigillito to provide her opening statement. Thank you.

AMANDA SIGILLITO: Thank you. Good afternoon. My name is Amanda Sigillito and I am Chief of the Nontidal Wetlands Division at the Maryland Department of the Environment, abbreviated MDE. I am the panelist representing MDE at this public informational hearing for the I-495 & I-270 Managed Lanes Study Joint Permit Application. MDE appreciates both your interest and participation in the public comment process. It is the responsibility of MDE to evaluate applications that propose impacts to nontidal wetlands, nontidal wetland buffer and waterways, including the 100-year nontidal floodplain. MDE's Authority is found in Subtitles 5 and 9 of the Environment Article. Each application received through our regulatory program has specific and unique issues and impacts that must be

considered in relationship to weighing the potential benefits and detriments of the project. MDE is neither a proponent nor opponent of any project.

This public informational hearing is being conducted pursuant to Subsection 5-204 of the Environment Article and Code of Maryland Regulations 26.23.02.02 and 26.17.04.13. The purpose of this public informational hearing is to provide the applicant with an opportunity to present an analysis of impacts that may be associated with the proposed activity. In addition, the hearing provides MDE with the opportunity to solicit additional information from interested persons. This public informational hearing is for the Nontidal Wetlands and Waterways Permit Application No. 20-NT-0114/202060649, submitted by the Maryland Department of Transportation State Highway Administration for the proposed construction of managed lanes along I-495 & I-270 corridors in Montgomery and Prince George's counties. Please note that when MDE issues its decision on a permit application, the accompanying information will be sent to the interested persons list as well as to the applicant. At that time, MDE's decision will be a final agency determination. There will be no further opportunity for administrative review. Any person withstanding who is either the applicant or who participated in the public participation process through the submission of written or oral comments may petition for judicial review in Circuit Court. The petition for judicial review must be filed within 30 days of the publication of MDE's permit decision. At this time, I will turn the proceedings back to Mr. Bing. Thank you.

ANDREW BING: Thank you, Amanda and Joe. There are multiple ways to comment on the DEIS and JPA. You can provide oral testimony through the public hearing or leave your testimony by voicemail. You can also complete a comment form online or send an email or a written letter. Details on ways to comment can be found on the Program website by visiting the 'Participate and Provide Feedback' page. Comments related to the JPA can be mailed or emailed to USACE Baltimore District or MDE Wetlands and Waterways Program. Comments must be received before 11:59 PM on October 8th, 2020. However, the public comment period may be extended 30 days. Please continue to visit the Program website 495-270-P3.com/DEIS for updates. All comments received, whether at the hearing through oral testimony or through other methods such as comment form, voicemail, email and/or letter will be given equal consideration.

Again, the purpose of this public hearing to allow interested parties to provide public comments on the DEIS and JPA. Today's joint public hearing is available for viewing online and also available by phone. The panelists and hearing officer will be visible on the screen or will be listening to all public comments. Although you may not see all panelists on screen at one time, all the panelists will be listening to the testimony. My role as the Hearing Officer is to run a professional and orderly joint public hearing. I understand how important the issues are related to the DEIS and the JPA, and I take my role as Hearing Officer seriously. I'm committed to providing members of the public an opportunity to provide comments in an organized, fair, professional and orderly manner. Offensive or profane language will not be allowed. After one warning, if offensive or profane language continues,

the call will be ended. I'll also let everyone know that the agency representatives, as well as myself, will not be answering questions or responding to any comments made during the hearing. Responses to comments will be included in the Final Environmental Impact Statement.

If you have joined us today to listen to the public hearing and would like to provide live testimony but have not yet registered, please go to the Program website at 495-270-P3.com/DEIS to register. You may also leave recorded testimony via voicemail by calling 855-432-1483. Registration is not required to leave recorded testimony via voicemail. The panelists are interested in hearing comments about the Study from all interested individuals. Please remember that we are recording this hearing. Speak directly and clearly into your phone and provide your full name, address, and any organization you may represent. To ensure all will be heard, there will be a 3-minute time limit for public testimony and a 5-minute time limit for elected officials. The time will start after you introduce yourself. A single tone will sound when there are 30 seconds remaining. A double tone was sound when you have 10 seconds remaining. At this point, you should wrap up your testimony. As the Hearing Officer, if you are unable to conclude your comments at the end of your time period, I will end the call and move on to the next person in the queue.

So, that ends the prepared statements ahead of the testimony that we're going to take. Just a couple of quick notes. I do apologize in advance if I mispronounce anyone's name. For those that have entered the speaker's queue, I want to let you know that we do have nine people who are in the speaker's queue. So we are going to go in the order that that they entered the speaker's queue. So just be patient and we will we will get to you.

So at this point, we are going to go to our first caller. We only have a phone number for this person. Its the last four digits 8465. After this person, 8465 goes, we will hear from Becky Batt. So the person with the last four digits 8465, you'll have three minutes to provide your testimony. After the automated message, please state your name, spell your name, and state your address.

MARIAN DOMBROSKI: My name is Marian Dombroski (M-A-R-I-A-N D-O-M-B-R-O-S-K-I). Can you hear me?

ANDREW BING: Yes, we can.

MARIAN DOMBROSKI: Great. My address is 6205 Lombard Street, Cheverly, Maryland. I'm a 35-year resident of Prince George's County in the state of Maryland and I thank you for the opportunity to present testimony at this hearing. With a prediction of so much growth in our future, land use and public health are the most critical issues we face. How we approach them will reveal our true nature and determine our legacy. I'm proud of many of the accomplishments of our Governor: investment in our Chesapeake in the face of pressure to do otherwise; resourcefulness and dealing with our current health crisis; and the ability to develop and implement policy independent of party lines in

cooperation with and in service to our greater community. I sincerely hope that the legacy of this Administration will be to resist the greed and arrogance of investors who do not know our state and our people. Instead, please set us on a course which better utilizes existing rights of way committing our shared resources to their highest and best youth.

I count on our leaders to work with us to prioritize our health and safety and build strong sustainable communities which share and steward our commonwealth. This requires creativity, innovation and common purpose – the foundation upon which the state of Maryland continues to build. I support the No Build option. To build is simply not worth the consequences. Our current health crisis has proved that for many, current methods of commuting are in question and may become obsolete. Evolution of our great urban areas demonstrates that people adapt and thrive when dependence on wasteful personal passenger vehicles is reduced. This is our horse-and-buggy moment. To expand conventional highway infrastructure ensures and subsidizes the continued abuse of fossil fuels. These plans are retrograde and undermine the health and future of the people of Maryland and beyond. Please call upon our better, smarter angels and make tohhis stop. Thank you. I just wanted to let you know that the call audio keeps breaking up. So, don't know if anyone else mentioned. Okay. Thank you.

ANDREW BING: OK. Thank you, Marian. And thank you for that information. We, we will check on that. It could be a number of reasons that may not be on our end as well. So. But thank you for pointing that out. We are now going to go to our next caller. It's Becky Batt. Becky, after you will be Lauren Brown. So, again, you will have three minutes. After the automated message, please state your name, spell your name, and state your address.

BECKY BATT: Good afternoon. My name is Becky Batt (B-A-T-T). My address is 745 Anderson Avenue, Rockville 20850. 20850. I am absolutely opposed to the Managed Lane Plan to add lanes to 495 and 270. Maryland is in the midst of a serious public health crisis which produced a severe economic crisis. The plan to widen 495 and 270 would be extremely expensive for taxpayers, would cause devastating destruction to our fragile environment, and would not even help traffic to move faster. According to the Washington Post on July 11, 2020, adding toll lanes to 270 and 495 could require a government subsidy of up to one billion dollars. The Post reported on March 12, 2020 that the Washington Suburban Sanitary Commission estimated that moving 70 miles of water pipes will cost up to two billion dollars. The Post also reported that if the P3 that is building the Purple Line pulls out, Maryland taxpayers will be left with a debt of one billion dollars. The International Bridge Tunnel and Turnpike Association recently asked Congress for a bailout of more than nine billion dollars. Nine billion dollars. MDOT's claim that P3s won't cost the taxpayers a penny is definitely not true. The Post reported on July 11, 2020 that the plan would impact about 1,500 properties, decimate 1,500 acres of forest, and negatively impact 47 parks. This means that countless trees would be destroyed which will mean even more noise and air pollution. We are still in an environmental crisis. The plan to widen the highways would exacerbate environmental damage rather than do anything to combat climate change and plan for Maryland's future. Finally, the Draft Environmental Impact Study itself, states that evening rush

hour traffic on northbound 270 will be worse in the regular lanes if toll lanes are added and states that traffic north of Shady Grove Road will back up even more than it does now. This makes no sense whatsoever. Please, think about what is best for Maryland and choose the No Build option. Thank you.

ANDREW BING: Thank you, Becky. Our next caller is Lauren Brown. After Lauren will be Janna Bialek. Lauren, again, you'll have three minutes. Just as a reminder, with 30 seconds remaining, you will hear a tone. With 10 seconds remaining, you'll hear two tones. So after the automated message, please state your name, spell your name, and state your address.

LAUREN BROWN: Hi, my name is Lauren Brown (L-A-U-R-E-N). Brown like the color and I, I live, 3309 Glenmoor Drive, Chevy Chase, Maryland, and I've lived here my whole life. Ok, so I believe that the proposed I-495 & I-270 Beltway expansion Draft Environmental Impact Statement, DEIS, presents incomplete and inadequate analysis. The project will not be good for Maryland citizens and will cause harm to the environment. I support the No Build option. Instead of spending between \$482 to \$1 billion on state subsidies, we should be focusing on improving mass transit and public transportation like the Purple Line. There is not enough analysis on how the highway expansions will impact the environment, especially stormwater runoff and local waterways. We need a more appropriate analysis of how this expansion will pollute waterways and wetlands and how we can protect against these negative impacts.

The agencies plan to rely on water quality trading credits purchased from other MDOT SHA programs to meet permitting requirements instead of reducing water pollution where the project is located. Importantly, on-site and localized mitigation must be considered when addressing impacts to waterways and parklands. Also, the DEIS does not adequately show that there's no practical, practical, alternative with less severe impacts to wetlands and streams than the proposed expansion. Also, the DEIS does not do a good enough job of analyzing how the construction and footprint of the proposed expansion would increase flood risks because it may change the hydraulic function and elevation of floodplains. Also, very seriously, the proposed expansion will result in a lot of air pollution. We all know with fossil fuels and increasing that, so things like fine particulate matter, carbon monoxide, ozone, nitrogen dioxide, and all kinds of green gas emissions. The No Build Alternative, or the public transit alternative, will protect against these air pollutions, and as opposed to the expanded highway plan. So, just overall, the proposed expansion will further exacerbate climate change and impede Maryland's ability to reduce its greenhouse gas emissions by 40 percent by 2030, which is what we are pledged to do under the Maryland Greenhouse Gas Reduction Act. So rather than going forward with public [inaudible]. Thank you for your time.

ANDREW BING: You still have thirty seconds. So, if you want to - you have time to wrap up.

LAUREN BROWN: Yeah yeah-all right. Anyways, so the proposed highway expansion is not good for public health, especially those living close by the highway like me. I actually have [inaudible] right behind my, my next-door neighbor's backyard. So, these air pollutants - car emissions - are very harmful to Maryland citizens. This kind of fine particulate matter has been shown to cause all kinds of public health problems - from lung cancer, to cardiovascular, nervous system, and even mortality. That's even when the levels are below the national ambient air quality standards, but I just feel that

ANDREW BING: Now I do need you to wrap up though.

LAUREN BROWN: Okay. I just I feel that the DEIS ignores these harms and completely fails to take a hard look at the impacts and they need to do more studies. Thank you for your time. I hope we can find public transit options that will be a much better alternative for Maryland. Thank you.

ANDREW BING: Okay. Thank you, Lauren. And again, just as a reminder, I know it can be a little distracting, but we do have those tones just to help people know how much time they have remaining in their three minutes. So when you do hear that first tone, there'll be 30 seconds remaining. And when you hear that double tone, that'll indicate that there are 10 seconds remaining. So now we're going to move on to Janna Bialek. After Janna will be John Peterson. Janna you'll have three minutes. After the automated message, please state your name, spell your name, and state your address.

JANNA BIALEK: Thank you. My name is Janna Bialek. J-A-N-N-A B-I-A, B as in boy, I-A-L-E-K and I live at 3419 Glenmoor Drive in North Chevy Chase. My house backs onto the Beltway between Kensington Parkway and Beach Drive overpasses. I am speaking in support of the No Build alternative as I believe no other alternatives are even mildly realistic in addressing their stated goals. Specifically, the DEIS and JPA do not adequately consider the fact that the Beltway retaining wall in our section of the inner loop is stacked in two parts. An approximately 20-foot-high barrier of fill that brings the road to grade, and then another 20 feet of noise barrier. You can find this area in the Impact Plate 13A, page 24 of Part 2 of the JPA. The LOD shown on this and other maps in the DEIS ignore, among many other things, the environmental sound pollution and engineering impact of bringing in this huge amount of fill. The specified 30, 300 feet from baseline LOD does not seem realistic. While I am not an engineer, the results of this action hits close to home; in fact, right in my backyard. This project would impact my home directly as well as those of my neighbors. We have one of the last remaining spring-fed ponds in a neighborhood that used to have, before the Beltway and other development, an abundance of them.

There was a wildlife corridor along the Beltway wall that extends the habitat possibilities of Rock Creek Park and the Audubon. I have discussed with Montgomery County biologists the importance of this area as a pathway for countless deer, birds, rabbits, fox, and the other wildlife that are regularly seen here. It is heavily wooded with mature sycamore, oak, maple, and other trees. But more importantly, it has the increasingly rare thing that wildlife desperately needs to survive and thrive; a

source of clean fresh water, one that will suffer degradation from every build alternative in this project. Believe it or not, this wildlife habitat and artisanal springs can be found right behind the Beltway wall. The 15-foot natural pond in my backyard is missing from the map I referenced in the JPA and feeds into a culvert under the Beltway and into the main stem of Rock Creek. Most of the other ephemeral and intermittent water sources in this area are also missing from the map. The stream from my property is marked as intermittent; however, it is never, even in the driest years, dried up. The snakes, crayfish, birds, families of deer, and even occasional heron, testify to its importance as a reliable water source. Please don't, please don't ignore their needs by pursuing this ill-considered project. Thank you for your time.

ANDREW BING: Okay. We thank you for your comments. Our next caller will be Jon Peterson. After Jon will be John B. Townsend, II. John, you'll have three minutes. After the automated message, please state your name, spell your name, and state your address.

JON PETERSON: My name is Jon Peterson. (J-O-N P-E-T-E-R-S-O-N). I am registered living in National Harbor. I am here on behalf of the business community. Our family has businesses in both Northern Virginia and Maryland that include Rio Washingtonian, downtown Silver Spring, and National Harbor. Having lived through the construction of the HOT Lanes in northern Virginia, it's a test tube that shows that this type of infrastructure improvement works and is very desirable by the majority of the citizens of northern Virginia, to the extent that they are now increasing more lanes on I-66 and extending them on I-95 South. So, if it hadn't been successful, they would not have done these other projects.

With regard to what this infrastructure will bring to Maryland, at this point, it's my understanding that there are many people who are leaving the area because they can't put up with the traffic congestion. The number of jobs that have been created in Montgomery County over the last ten years and the net new jobs is almost zero. Montgomery County can't continue to survive on net new jobs. This will be a major piece of infrastructure that allows people to have a choice to go into the HOT Lanes or into the regular lanes.

With regard to environmental concerns, a lot of the roads, when the Beltway was built, were based on old criteria and specifics to protect the environment. Those that will be implemented in this new construction type will enhance, and make better the facilities that exist today that are, that are failing in many instances. So with respect to that, there is probably an increase in significant parts of the Beltway improvements when it comes to environmental concerns. Congestion today is one that is keeping companies from locating in the Washington Region. It is, we all need to look together as one region – Northern Virginia and Maryland together. Maryland – Virginia has done it's part and I think it's time for Maryland to do its part because we're all living in one environment and the benefits of Virginia and Maryland needs to be retained together. So, thank you for the time today. And, I support Option Number 9 going forward. Thank you.

ANDREW BING: Thank you. Our next caller from John B. Townsend, II. After, John, will be a phone number. The last four digits, 5574. So, John, again, you'll have three minutes. After the automated message, please state your name, spell your name, and state your address. Thank you.

JOHN TOWNSEND: Thank you. Good afternoon. I'm John B. Townsend II (T-O-W-N-S-E-N-D), the Manager of Public and Government Affairs at AAA. My address is 3513 Vista Verde Drive, Mitchellville, Maryland. We speak out again today in support of the project. Especially, the Build Phase of it. We think that the DEIS quantifies the different scenarios and why it is feasible, and it makes all the sense in the world. And it matters in terms of dollars and cents to go ahead and build a project now. Now, I've listened to what the critics have said today and I understand some of their concerns, but the status quo cannot continue to exist. We suffer from the second worst congestion in the country in terms of our freeway system, our Interstate system. Studies have documented this time and time again, no matter the agency, whether it is the Maryland Department of Transportation, the Texas A&M Transportation Institute, INRIX, the Maryland Transportation Institute, or the Metropolitan Washington Council of Governments, or TRIP. In fact, the recent study by TRIP shows that travel volume and pavement deterioration on Maryland's Interstate Highway system are among the highest in the nation. It also reveals that in the period from about 2000, 2018, vehicle travel at Maryland's interstates has increased at a rate of five - I'm sorry - nine times faster than the rate at which new lane capacity has been added and then it quantified the worst spots in the state of Maryland. And let's round up the usual suspects. They include two sections of I-270, two sections of I-495, and a portion of I-95 and I-495. Now there are some who say this is not the time to build. Well, it's true, that there has been a precipitous drop in traffic volume in the Washington Metro Area and the National Capital Area. But even now, traffic volume has returned to 80-85 percent of the pre-pandemic level. So, all of this data before us, as well as that is quantified in the DEIS only reinforce the compelling need to move forward with improvements to the American Legion Bridge and to I-270 now, while interest rates are at historic low. Let's not stall this forever with bogus arguments. Let's move ahead. Thank you so very much.

ANDREW BING: OK, thank you very much, John. Our next caller will be phone number 5574. After that person, we'll hear from William Ward. Just a reminder for people, that after you hit the star button, you need to then hit the number 3 on the speaker queue to enter the speaker queue. So, again, you'll hear a welcome message. You need to listen to the entire welcome message. Once that ends, you hit the star button and then you'll hit the number 3 to enter the speaker queue. So at this time, again, phone number 5574. You'll have three minutes. After the automated message, please state your name, spell your name, and state your address.

LUCY DUFF: Hello. I am Lucy Duff (L-U-C-Y D-U-F-F). I live at 9210 Fowler Lane in Lanham, Maryland. I'm in agreement with much of what's been said already. My main point is the, what seems to me the desirability of putting an emphasis on improving the frequency and reliability of mass transit in the

area and thereby luring more present drivers as well as projected new ones to take transit and thereby take the pressure off the Beltway and the need to expand it. Greenhouse gas emissions are a major problem and the best way to address that, in my opinion, is to make mass transit more attractive to everyone. This would be a service to the minority but many who depend on buses and trains and would be a great convenience to others who would rather not add to the carbon footprint by driving a car they own when transit is a good option. Thank you.

ANDREW BING: Thank you, Lucy. OK. Our next caller will be William Ward. William, after you are done, we would go to Kenneth Winer. William, you will have three minutes. After the automated message, please state your name, spell your name, and state your address.

WILLIAM WARD: Good afternoon. My name is William Ward (W-A-R-D). My address is 20704 Burnt Woods Drive in Germantown, Maryland. My house is about three-quarters of a mile from I-270. The reason I'm talking today is because I believe the proposal to widen the lanes does not resolve the true cause of the traffic build-up on I-270 and the Beltway. Therefore, it should not be completed and the Army Corps of Engineer review is not necessary. I support the No Build option. I have commuted from, commuted daily from Father Hurley Boulevard to Montrose Road. I've lived in my house for 23 years. I was raised in Fairfax County so I'm very familiar with the roads and the traffic and how it has changed over the decades. I believe that the construction that is proposed would unfairly burden Montgomery County residents. Proposed, proposed changes will change the shape of the back of I-270, but it will not relieve the traffic congestion. The problem is the lack of direct road access to downtown Washington, DC. Washington, DC is the only major city without major roads to the City center. Cars circle the Beltway looking for the best way into the City.

The proposed road changes will negatively affect Montgomery County residents for eternity. I paid to choose to live in Montgomery County to be close to my work. I paid higher prices for my house and got smaller lots, and have other issues to deal with, with more urban living than perhaps living in Frederick or beyond. I've seen a dramatic increase in the distance commuters passing through Montgomery County. Through Montgomery County on their way to DC and Virginia. This construction may benefit them, but will harm Montgomery County residents because we will always have to pay tolls for even local trips. This puts most of the cost burden on the locals while benefiting residents of West Virginia, Pennsylvania, and Maryland counties farther out. I've seen the metering lights already being installed on the local entrance ramps in Montgomery County as a sign of what's to come. I do not agree with this. I believe that transit should be emphasized for the commuters coming into DC. I would prefer to see tolls placed on I-270 farther out to discourage long-distance commuters and to help pay for this transit. I believe the financial burdens will be placed on Montgomery County residents inproportionately. More importantly, I believe better access to Washington DC would be a better solution. Having grown up in Fairfax County, I see the Beltway changes there to be a total disaster, which have failed to make significant improvements in the traffic. Thank you for your time.

ANDREW BING: And we thank you. Our next caller is Kenneth Winer. After Kenneth will be a phone number ending in 2087. Kenneth, again, you'll have three minutes. After the automated message, please state your name, spell your name, and provide your address.

KENNETH WINER: Hello. My name is Kenneth Winer (W-I-N-E-R). I live at 11310 Old Club Road in Rockville, Maryland. I'm participating in this hearing because the proposed expansion of I-495 and I-270 will directly infringe on my neighborhood. I urge that approval of the proposed expansion be deferred until we can more reliably assess the long-term impact of the Trump Virus Pandemic on the anticipated benefits of the proposed expansion. The Draft Environmental Impact Statement is based on projected long-term growth in traffic. There are indications; however, that our current experience with telework will result in a long-term reduction and commuting making those projections outdated. We all have read about companies announcing plans to shift their employment models from offices to homes. In addition, I'm a retired lawyer and worked in downtown Washington, DC for almost 40 years. A lot of the lawyers that I talked to have found during the Trump Virus, that they like working from home and did not plan to resume commuting to downtown offices five days a week. It is therefore possible, indeed likely, that demand, that the demand that the expansion is intended to address will not materialize. The expansion, therefore, might prove to be unnecessary. It is not appropriate to destroy parkland, forests, wetlands, and streams when we do not know whether the anticipated congestion will materialize. Any benefits that could reasonably have been foreseen from the proposal before the pandemic can no longer be reasonably anticipated in light of the Trump Virus Pandemic and its likely long-term impact on traffic patterns. Thank you for your time.

ANDREW BING: Thank you. Our next caller is for the last four digits 2087. If you could come on and state your name, spell your name, and provide your address.

BRAD GERMAN: My name is Brad German. 9926 Julliard Drive Bethesda, Maryland. I represent Citizens Against Beltway Expansion, a coalition of civic associations and citizens who support the No Build alternative and the latest version of the July 10th Draft Environmental Impact Statement for the I-495 I-270 Managed Lanes proposal. We also plan to submit written comments. The No Build option we support is the same position Maryland took on the 2005 environmental analysis of one- and two-lane expansion proposals for I-495. The problems been cited included the cost and difficulty of avoiding, minimizing or mitigating environmental damage from a route that would cut through densely populated communities marbled with national parks, stream valleys, and environmentally and culturally sensitive resources. Since then our population has grown, the environment is still threatened, and the parks are still precious. We don't see where the DEIS provides any new details that should cause the public or the State to change their minds.

The new DEIS, unlike the 2005 analysis, also fails to itemize potential negative impacts in detail. It also lacks a full analysis of such fundamentals as air contamination during and after construction, hazardous waste disposal, stormwater runoff, stream valley damage, and other impacts of public

health communities and the environment. Rather, it defers these critical details until a final statement when there will be fewer opportunities for the public to protect itself from a bad choice. Another reason we support the No Build option is that the DEIS shows that the other alternatives actually worsened rush hour on I-270 for most drivers or at best shaves off a few minutes on average at the cost of millions, millions of dollars per minute saved. This is shown in Tables 5.5 and 5.6 in Appendix C. This finding underscores our concerns that the proposal ultimately monetize congestion for private investors, a significant taxpayer risk. I say that because one of the few things regarding taxpayer risk, one of the few things that has changed since 2005 is that the track record for public-private partnerships has gotten worse. P3 tollways here and abroad are struggling to reduce congestion and they ultimately depend on extensive taxpayer subsidies. This is according to numerous reports from federal and private analysts. The fact is that today's P3s barely resembled the ones during the Carter and Reagan administrations when they attracted about \$4 of private funds for every public dollar. By contrast, the 495 Express Lane in Virginia, 83% of that was funded by taxpayers; only 17% by the private sector and the taxpayer support came through grants, federal loans, or federal loan guarantees. The bottom line is the P3s are no free lunch. A detailed independence statistical analysis is needed now, not later to prevent another expensive disaster down the road. In conclusion, we strongly urge you to provide an interim DEIS that fills in the blanks and includes a serious independent fiscal analysis for the public to comment on. This would be the best way for us to meet regional transportation challenges, benefit the public, and better protect our wallets and homes. Thank you again for this opportunity to comment.

ANDREW BING: OK. Thank you, Brad. And at this time, we do not have any other individuals who have entered the speaker queue. So, I'm going to just make a few reminder announcements and then we will go into recess until we get additional callers into the queue. First announcement is just that this afternoon session, right now it's 1:55 PM. The afternoon session will continue till 4:00. We do have an evening session as well, which will start at 5:00 tonight and run until 8:00. We do have three additional public hearings after today. The next one will be on Tuesday, September 1st. Then on Thursday, September 3rd. And then finally on Thursday, September 10th. The Tuesday, September 1st, public hearing will be an in-person hearing in Prince George's County. The Thursday, September 10th hearing will also be in-person in Montgomery County, and on Thursday, September 3rd, that will be similar to the format that we are engaging in right now. If you are interested in providing public testimony but have not yet registered, what you need to do is visit the Program website at 495-270-P3.com/DEIS. Once there, you'll click on the 'joint public hearings' button and then you'll click on the 'click to register to provide virtual public testimony' button. So you can do that to sign up to provide testimony right now in the afternoon session or tonight or on our September 3rd public hearing as well. So at this point, we are going to go into recess until we get someone else to enter the speaker's queue. It is 1:57. If we do not get anyone to enter the queue, I will come back at 2:20 to provide an update. Thank you very much.

[IN RECESS]

AUTOMATED MESSAGE: Thank you for attending the I-495 & I-270 Managed Lanes Study public hearing. Today's sessions begin at 9:00 AM, 1:00 PM, and 5:00 PM. Thank you for your patience. [REPEATS]

ANDREW BING: OK, it's 2:16 PM. We do have someone who has entered the speaker queue, so I'm going to bring us back from recess in order to be able to take this person's public testimony. The person who has entered to speak, who is Matthew Conte. Matthew, just a couple of quick riders. You'll have three minutes and you will hear a tone when there are 30 seconds remaining and two tones when there are 10 seconds remaining. After the automated message, please state your name, spell your name, and state your address.

MATTHEW CONTE: Hi, my name is Matthew Conte (C-O-N-T-E). I live at 2801 Jutland Road, Kensington, Maryland 20895. And this is about a mile or two from 495. Thank you for letting me voice my disapproval of the I-495 & I-270 Managed Lanes proposal and voice my support of the No Build Alternative. These lanes have, do have the potential to provide a small benefit to my family and neighbors by saving us a few minutes if and when we ever returned to our normal commutes. However, it is not clear that the toll road will support itself financially, especially with so many people currently and likely to work from home in the short-term and long-term future. As others have stated, the project takes a very, very iffy bet where the financial and environmental risks far outweigh any potential minor benefits to congestion and commute times. The likely failure of this project would then leave Maryland taxpayers on the hook for decades to come and we would still be right where we are now with our traffic problems. We currently have a public transportation option in the Purple Line that will hopefully be completed soon. It is not clear what impact the Purple Line will have on traffic once it is hopefully completed. A reassessment of the impact the Purple Line on the area's traffic should be studied and it seems necessary to do so before investing tens of billions of dollars in this project. In addition to the environmental impacts, displacement of housing, and many other concerns the fellow citizens have raised, the uncertainty of the current economy further reinforces what a risky proposition this project represents. We should be saving these taxpayer dollars for the likely assistance that our schools, public universities, and many other industries are going to need to [inaudible] the pandemic. Luxury lanes on the Beltway and 270 are not the thing we should be spending our money on. Thank you for your time.

ANDREW BING: Thank you very much. At this time, we don't have any additional callers in the speaker queue, so we will go back into recess. Just a reminder that this afternoon session will stay open until 4:00 PM. So, there is still time to register to provide public testimony. If you would like to register to provide testimony, you go to the Program website at 495-270-P3.com/DEIS. Once there, you click on the 'joint public hearings' button and then you click on the 'click to register to provide virtual public testimony' button. So, at this time it is 2:20. We will go into recess. If we get another

speaker in the speaker, I will bring us back from recess. But if not, I will provide another update at 2:40 PM. Thank you.

[IN RECESS]

AUTOMATED MESSAGE: Thank you for attending the I-495 & I-270 Managed Lanes Study public hearing. Today's sessions begin at 9:00 AM, 1:00 PM, and 5:00 PM. Thank you for your patience.
[REPEATS]

ANDREW BING: Good afternoon again, everyone. It is 2:40 PM. We are in recess right now. We do not have any speakers that have entered the speaker queue, so we will stay in recess until we get someone who, who enters the speaker's queue. I will come back at 3:00. So we remain in recess. Thank you.

[IN RECESS]

AUTOMATED MESSAGE: Thank you for attending the I-495 & I-270 Managed Lanes Study public hearing. Today's sessions begin at 9:00 AM, 1:00 PM, and 5:00 PM. Thank you for your patience.
[REPEATS]

Good afternoon again, everyone. It is 3:00 PM. We remain in recess. We have not received any additional people that have entered the speaker's queue. I just want to give a couple of quick announcements before we go back into recess. As a reminder, this afternoon session will remain open until, for one more hour until 4:00. We will also have an evening session from 5:00 to 8:00 PM. If you would like to provide testimony in this final hour of the afternoon session, I'm going to provide you kind of a shortcut so that you don't have to actually register in order to provide the testimony. What you need to do is dial 855-925-2801. Again, that's 855-925-2801. You will then enter the access code, which is 6712. You will then hear the welcome message. You need to wait and listen to the entire welcome message, and at the end it'll say for more options, press the star button. After you press the star button, you press the number three to be into the speaker queue. So that is what you need to do if you would like to provide oral testimony for the next hour between 3:00 and 4:00. If you, again, if you would prefer to wait until the evening session, you can register to provide testimony tonight by going to the Program website at 495-270-P3.com/DEIS. So it is 3:01 PM. I will come back on with an update at 3:20 if we have not had anyone else enter the speaker's queue. So we will remain in recess. Thank you.

[IN RECESS]

AUTOMATED MESSAGE: Thank you for attending the I-495 & I-270 Managed Lanes Study public hearing. Today's sessions begin at 9:00 AM, 1:00 PM, and 5:00 PM. Thank you for your patience.
[REPEATS]

ANDREW BING: It is 3:20 PM. We are still in recess. We have not had anyone join the speaker's queue, so we will remain in recess. Because we don't have any callers currently in the speaker's queue, we wanted to provide a way for people who may be listening to this hearing while we're in recess on the, either over the phone or through the livestream to be able to provide testimony. So, you can do that by dialing 855-925-2801. The access code that you will enter is 6712. You then must listen to the entire welcome message. After the welcome message ends, you will hear, 'for more options, press the star button'. So then press the star button and then when prompted, press the 3 to enter the speaker queue. Again, this is for anyone who is watching right now or listening and would like to provide testimony. Dial 855-925-2801 and then press the access code 6712. We will remain in recess until we get someone enter the speaker's queue or at 3:40 I will come back with a final update. This session will stay open, though, until 4:00 PM. Thank you very much.

[IN RECESS]

AUTOMATED MESSAGE: Thank you for attending the I-495 & I-270 Managed Lanes Study public hearing. Today's sessions begin at 9:00 AM, 1:00 PM, and 5:00 PM. Thank you for your patience.
[REPEATS]

ANDREW BING: Good afternoon, it is 3:40 PM. We are still in recess. We have not had any additional people enter the speakers queue. This afternoon session of our August 25th public hearing will remain open for the next 20 minutes until 4:00. Our evening session will start at 5:00 and run from 5:00 to 8:00. Since we do not have any speakers currently in the speaker's queue, if you are interested in providing testimony during this last twenty minutes of the afternoon session, what we would like you to do is dial 855-925-2801. You then enter the access code, which is 6712. You must listen to the entire welcome message. But once it ends, you will hear, 'for more options press the star button'. At that time, press the star button, and then after additional menu options, you hit the number 3 button to enter the speaker queue. Again, this information is just for the next twenty minutes until 4:00. Since we don't have any callers currently in the speaker's queue, that is how you can access the speaker's queue. With that, we don't have any callers right now, so we will remain in recess. I'll come back at 4:00 to close out the session. Thank you very much.

[IN RECESS]

AUTOMATED MESSAGE: Thank you for attending the I-495 & I-270 Managed Lanes Study public hearing. Today's sessions begin at 9:00 AM, 1:00 PM, and 5:00 PM. Thank you for your patience.
[REPEATS]

ANDREW BING: OK. It is now 4:00 PM and this concludes the afternoon session of our August 25th public hearing. The next session, the evening session will begin at 5:00 tonight and run from 5:00 to 8:00. As a reminder, the public comment period will remain open until October 8th, 2020. We thank you. And we look forward to you joining us at 5:00. Thank you very much.

I-495 AND I-270 MANAGED LANES STUDY

JOINT PUBLIC HEARING

Tuesday, August 25th, 2020

Evening Session: 5:00 pm to 8:00 pm

Virtual/Online

ANDREW BING: Good evening and welcome to the evening session of the August 25th public hearing. Before I go into some prepared, a prepared statement and also provide an opportunity for two of our agency representatives to provide their prepared statement. I did want to just make a couple quick announcements. If you have not yet had the opportunity to register for tonight's public hearing, you can do so by visiting the Program website at 495-270-P3.com/DEIS. You click on the 'joint public hearings' button and then click on the 'click to register to provide virtual public testimony' button. If you would prefer to leave your testimony by voicemail you call 855-432-1483. There is no registration required, you can just call that number and leave your voicemail as a comment.

At this point, I'm going to go ahead and read the prepared statement and then when we are done with the prepared statement, we will go to our callers in order of how they joined our speakers' queue. So good evening, I'm Andrew Bing with the Maryland Department of Transportation State Highway Administration, abbreviated MDOT SHA. Today is the third of six joint public hearings that MDOT SHA will be conducting for the I-495 & I-270 Managed Lanes Study Draft Environmental Impact Statement, or DEIS, the draft Section 4(f) Evaluation, and Joint Permit Application, or JPA. I will be the Hearing Officer and I am responsible for running today's public hearing. Today's hearing is being held jointly by MDOT SHA, the Federal Highway Administration with the United States Army Corps of Engineers, USACE and the Maryland Department of the Environment, MDE. On behalf of these agencies and the Federal Highway Administration as the lead agency, I welcome you.

The purpose of this hearing is for interested parties to provide official testimony and comments on the studies, proposed alternatives and associated impacts as detailed in the DEIS and the floodplain, waterway and nontidal wetland impacts detailed in the federal/State JPA. Today, I will provide a brief overview of the Managed Lanes Study background and the aquatic resource impacts documented in the JPA. I will introduce the panelists and identify ways for you to comment on the DEIS and JPA. Some panelists will then give statements on behalf of their agency. Finally, I will review the hearing procedures and open the phone line for live testimony.

The purpose of the I-495 & I-270 Managed Lanes Study is to develop a travel demand management solution or solutions that addresses congestion, improves trip reliability on I-495 & I-270 within this study limits, and enhances existing and planned multimodal mobility and connectivity.

The needs for the Study are:

- Accommodate existing traffic and long-term traffic growth;
- Enhance trip reliability;
- Provide additional roadway travel choices;
- Improve the movement of goods and services; and
- Accommodate Homeland Security.

In addition, two goals were identified for the Study: incorporate alternative funding sources to achieve financial viability and environmental responsibility. The study limits include I-495 from south of the George Washington Memorial Parkway in Fairfax County, Virginia, including improvements to the American Legion Bridge over the Potomac River to west of MD 5 and along I-270 from I-495 to north of 370, including the east and west I-270 spurs in Montgomery and Prince George's counties, Maryland.

In addition to the No Build alternative, there are six build alternatives under consideration for improvements within these limits: Alternatives 8, 9, 9 Modified, 10, 13B, and 13C.

Aquatic resource impacts would range from:

- Between 155,229 and 156,948 linear feet of streams;
- Between 16.1 and 16.5 acres of nontidal wetlands;
- Between 52.7 and 53.6 acres of wetland buffers;
- Between 116.5 and 120 acres of FEMA 100-year floodplains.

Detailed impacts by alternative can be found in the DEIS, the JPA, and the JPA Public Notice. Please be reminded that all hearing material including online narrated display materials, are available on the Program website 495-270-P3.com/DEIS. Today's public hearings are being live-streamed and audio-recorded. The official transcript of the joint public hearing testimony will become part of the project record and will be available for public review on the Program website.

I will now introduce representatives of MDOT SHA, FHWA, USACE and MDE who are in attendance for today, tonight's hearing. Lisa Choplin, I-495 & I-270 P3 Program Director MDOT SHA; Jeff Folden, I-495 & I-270 P3 Program Director, Deputy Director MDOT SHA; Caryn Brookman, I-495 & I-270 P3 Program Environmental Program Manager MDOT SHA; Shabnam Izadi, Title VI Coordinator MDOT SHA; Jitesh Parikh, FHWA Project Delivery Environment Team Leader; Amanda Sigillito, Nontidal Wetlands Division Chief Maryland Department of the Environment; Joseph DaVia, Chief Maryland North Section Regulatory Branch, U.S. Army Corps of Engineers, Baltimore District; Jack Dinne, Maryland North Section Regulatory Branch, U.S. Army Corps of Engineers, Baltimore District. And now on behalf of Shabnam Izadi, the Title VI Officer for today's public hearing I'll explain the significance of Title VI and how it relates to the Transportation Project Planning Process.

Title VI of the Civil Rights Act of 1964 was put into effect to prohibit discrimination on the basis of race, color, or national origin. To support the Act, the United States government designated additional statutes, laws, regulations and executive orders to provide guidance for the effective execution of the objectives of Title VI. As a recipient of Federal Funds, MDOT SHA is responsible for upholding the principles of Title VI of the Civil Rights Act of 1964 and related guidance. MDOT SHA's policies and programs should not discriminate against people on the grounds of race, color, national origin, sex, age, English proficiency, income level, or disability. The MDOT SHA policies and programs should avoid disproportionately high or adverse impacts on minority populations and low income populations. MDOT SHA seeks to provide citizens, stakeholder groups and other interested parties reasonable opportunities to be involved in the planning process.

With that said, MDOT is required to capture this data to demonstrate its compliance with Federal Regulation 23 CFR 200.9, Subsection (b)(4). And more importantly, to consider the transportation needs of the community, by hearing from you. Compliance is voluntary, however, in order to demonstrate compliance with the federal regulation, the information requested must be documented when provided. It will not be used for any other purpose except to show that those who are affected by the project or have an interest in the project have been given an opportunity to provide input throughout the planning process. We invite you to take our voluntary demographic survey. This survey will help us to ensure that we are reaching the communities that are affected by the I-495 & I-270 Managed Lanes Study. If you have questions or need assistance, call 410-545-0377.

For more information regarding Title VI of the Civil Rights Act of 1964 and other nondiscrimination laws, review the civil rights under Title VI brochure. Both the survey and brochure can be found on the Program website by visiting the 'Participate and Provide Feedback' page. Any member of the public has the right to file a discrimination complaint against MDOT SHA if he or she feels MDOT SHA does not comply with Title VI of the Civil Rights Act of 1964 and the related statutes. The process for filing a complaint is outlined in the Title VI Brochure located on the website. Lastly, if you or someone that you know doesn't speak English and may need translation services to get project information, please call 833-858-5960 for assistance.

At this time I will turn the proceedings over to Joseph DaVia to provide his statement.

JOSEPH DAVIA: Thank you, Andrew. Good afternoon, ladies and gentlemen. My name is Joseph DaVia, I am Chief of Maryland North Section and the Regulatory Branch of the U.S. Army Corps of Engineers, Baltimore District. With me here today virtually from the Corps is Jack Dinne, who is the Corps Regulatory Project Manager and Point of Contact for this application. I would like to thank the Federal Highway Administration and the Maryland Department of Transportation, State Highway Administration for providing the location and support services to allow us to hold this virtual public hearing. Thank you for participating in our regulatory review process. It is the responsibility of my office to evaluate applications for Department of the Army permits, for any proposed work in waters of the United States, including wetlands. The Corps authority is found in Section 404 of the Clean Water Act. Each application received through our regulatory program has specific and unique issues and impacts that must be considered in relationship to weighing the potential benefits and detriments of the project. The Corps is neither a proponent or opponent of any project.

As previously stated, the six build alternatives were impacted between approximately 16.1 and 16.5 acres of nontidal wetlands and approximately 155,229 and 156,948 linear feet of perennial and intermittent streams. For any chosen alternative, the mitigation requirement in Maryland is approximately 29.44 acres of wetland mitigation and approximately 99,348 linear feet of stream mitigation. 13 wetland and stream mitigation sites are proposed in the watersheds where the project is located. Construction of the proposed wetland and stream mitigation sites would temporarily impact approximately 85 acres of wetland and approximately 90,000 linear feet of stream.

The purpose of today's hearing is to inform you of this project and to allow you the opportunity to provide comments to be considered in our Corps regulatory public interest review of the proposed work. In compliance with the National Environmental Policy Act, and the Federal Highway Administration, in cooperation with the Corps and other cooperating agencies, is preparing an Environmental Impact Statement for the proposed project in which your comments will be included and addressed. Your comments are important in the preparation of this document and in our evaluation of the permit application. The decision on whether or not to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts of the proposed activity on the public interest and compliance with the Clean Water Act, Section 404 (b)(1) guidelines. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, which may reasonably be expected to accrue from the proposal, will be balanced against its reasonably foreseeable detriments.

All factors that may be relevant to the proposal are considered. Among these are; Conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, threatened and endangered species, environmental justice, cumulative impacts, considerations of property ownership, and in general, the needs and welfare of the people.

The comment period for this project extends to October 8, 2020. Comments received today and in each of the other five public hearings and throughout the comment period will be considered. The time required to reach a Department of the Army permit decision is dependent upon necessary coordination of concerns with resource agencies, careful evaluation of all substantive comments and ensuring statutory requirements are met.

At this time, I will turn the proceedings to Amanda Sigillito to provide the MDE statement. Thank you.

AMANDA SIGILLITO: Thank you. Hello. My name is Amanda Sigillito and I am the Chief of the Nontidal Wetlands Division at the Maryland Department of the Environment, abbreviated MDE. I am the panelists representing MDE at this public informational hearing for the I-495 & I-270 Managed Lanes Study Joint Permit Application. MDE appreciates both your interest and participation in the public comment process. It is the responsibility of MDE to evaluate applications that propose impacts to nontidal wetlands, the nontidal wetland buffer, and waterways, including the 100 year nontidal floodplain. MDE's Authority, is found in Subtitles 5 and 9 of the Environment Article. Each application, received through our regulatory process, has specific and unique issues that must be considered in relationship to weighing the potential benefits and detriments of the project. MDE is neither proponent nor opponent of any project. This public informational hearing is being conducted pursuant to Subsection 5-204 of the Environment Article and code of Maryland Regulation's 26.23.02.02 and 26.17.04.13. The purpose of this public informational hearing is to provide the applicant with an opportunity to present an analysis of impacts that may be associated with the proposed activity. In addition, the hearing provides MDE with an opportunity to solicit additional information from interested persons. This public informational hearing is for the Nontidal Wetlands of Waterways Permit Application Number 20-NT-0114/202060649 submitted by the Maryland Department of Transportation State Highway Administration for the proposed construction managed lanes along the I-495 & I-270 corridor is located within Montgomery and Prince George's counties.

Please note that when MDE issues its decision on the permit application, the accompanying information will be sent to the interested persons list, as well as to the applicant. At that time, MDE's decision will be a final agency determination. There will be no further opportunity for administrative review. Any person withstanding who is either the applicant or who participated in the public participation process through the submission of written or oral comments may petition for judicial review in Circuit Court.

The petition for judicial review must be filed within 30 days of the publication of an ease permit decision. At this time, I will turn the proceedings back to Mr. Bing.

ANDREW BING: Thank you, Amanda and Joe.

There are multiple ways to comment on the DEIS and JPA. You can provide oral testimony through the public hearing or leave your testimony by voicemail. You can also complete a comment form online or send an email or written letter. Details on ways to comment can be found on the Program website by visiting the 'Participate and Provide Feedback page'. Comments related to the JPA can be mailed or emailed to USACE Baltimore District or MDE Wetlands and Waterways Program. Comments must be received before 11:59 PM on October 8th, 2020. However, the public comment period may be extended 30 days. Please continue to visit the Program website, 495-270-P3.com/DEIS, for updates. All comments received whether at the hearing through oral testimony or through other methods such as a comment form, voice mail, email and/or letter will be given equal consideration. Again, the purpose of this public hearing is to allow interested parties to provide comments on the DEIS and JPA. Today's joint public hearing is available for viewing online and also available by phone.

The panelists and hearing officer will be visible on the screen and will be listening to all public comments. Although you may not see all panelists on screen at one time, all of the panelists will be listening to the testimony. My role as the Hearing Officer is to run a professional and orderly joint public hearing.

I understand how important the issues are to DEIS, the JPA and I take my role as Hearing Officer seriously. I am committed to providing members of the public an opportunity to provide comments in an organized, fair, professional and orderly manner. Offensive or profane language will not be allowed. After one warning if offensive or profane language continues the call will be ended. I also want to let everyone know that the agency representatives as well as myself will not be answering questions or responding to any comments made during the hearing. Responses to comments will be included in the Final Environmental Impact Statement. If you have joined us today to listen to the public hearing and would like to provide live testimony but have not yet registered, please go to the Program website at 495-270-P3.com/DEIS to register. You may also leave recorded testimony via voicemail by calling 855-432-1483. Registration is not required to leave recorded testimony via voicemail.

The panelists are interested in hearing comments about the study from all interested individuals. Please remember that we are recording this hearing. Speak directly and clearly into your phone and provide your full name, address, and any organization you may represent. To ensure all will be heard, there will be a 3- minute time limit for public testimony and a 5-minute time limit for elected officials. The time will start after you introduce yourself. A single tone will sound when there are 30 seconds remaining. A double tone will sound when you have 10 seconds remaining. And at this point, you should wrap up your testimony. [00:21:13] As the Hearing Officer, if you are unable to conclude your comment by the end of your time period, I will end the call and move on to the next person in the queue. So that concludes our prepared statements, we're now going to go to our callers. Before I do that, I just want to make a couple of quick announcements. One, I apologize in advance if I mispronounce anyone's name. I also want to point out that some people may be in the queue and may not be in the speaker queue yet until they press the 'star' button and then the number 3. So if you're not yet in the speaker queue, but you have called in press the 'star' button and then the number 3.

And again, for anyone who is listening and would like to register to provide oral testimony, you go to the Program website at 495-270-P3.com/DEIS. You then click on the 'Joint Public Hearings' button and then you click on the 'Click to Register to Provide Virtual Public Testimony' button. Okay, so we're gonna go to our first individual to speak, that will be Gaithersburg Councilmember Neil Harris. Councilmember

Harris will go and then we will hear from Kerman Offit. Councilmember Harris, you have five minutes to provide your testimony. After the automated message please state your name, spell your name, and state your address.

NEIL HARRIS: Hi. My name is Neil Harris. That's (N-E-I-L H-A-R-R-I-S). My address is 300 Alfandre Mews, Gaithersburg, Maryland 20878.

Thank you for the opportunity to testify regarding the P3 Project. I'm an elected member of the Gaithersburg City Council and I serve as the city's representative on the Transportation Planning Board. My comments will focus on the impact of the Project on the I-270 Corridor. At the TPB, I learned much about the Region's transportation infrastructure. I was part of the TPB's Long-Range Planning Task Force, which examined many out-of-the-box approaches to increasing Regional mobility. I also became very familiar with the Region's current transportation plans and learned that congestion is only expected to dramatically increase in the years ahead. Based on all this, I am in support of the states - State of Maryland's P3 plan to increase highway capacity and I will tell you why.

First, any new project will have an impact on the environment. This is a large project, however, based on the report, the impact appears to be quite small. Although, some may disagree, it's clear that the benefits outweigh the minor issues. One issue that people focus on is auto emissions and they are an issue, but thanks to improved efficiency and the development of hybrids, electric vehicles, and other zero-emission options, emissions from automobiles are actually expected to continue to decline. We experience in this region some of the worst highway congestion in the country and our population continues to grow. The last time capacity was added to I-270 was 30 years ago and hundreds of thousands of new residents have moved into the 270 Corridor since the last expansion back in 1990. Now, transit and smart growth advocates have opposed this Project and virtually every other highway project on the books, on the basis that we should invest in transit instead. But the fundamental issue is how to pay for increasing mobility. The highway expansion P3 is on top - solid fiscal ground and no one has a proposal for funding equivalent levels of increased mobility through transit. And please note that this highway plan does make capacity available for transit within the new Managed Lanes. Speaking of benefits, this project represents a major investment in the corridor with major improvements to mobility and the regional economy. Here in the county, there are many of us who are concerned about our economic growth. This is the kind of investment by the public sector that has potential to pay huge dividends by enabling job creation and the mobility that people need to get to those new jobs. One final point, the pandemic has so many of us working from home and it shows that the highways can run with little congestion. Reducing usage is one option, but the pandemic's impact is temporary. Once we're all back to work, teleworking may be more common, but it's unlikely to reduce travel enough to fix mobility. Adding this kind of infrastructure to provide the necessary capacity is the right answer for us. Thank you.

ANDREW BING: Thank you Councilmember Harris. Our next speaker will be Kerman Offit, after Kerman, will be Petra Jacobs. Kerman, you have three minutes. And after the automated message, please state your name, spell your name and state your address.

JACK ORRICK: Yes, I believe you have the name of my law firm, my name is Jack Orrick (O-R-R-I-C-K). I live at 8212 Fenway Road in Carderock Springs and I am testifying on the behalf of the Carderock Springs Citizens Association, a community association representing approximately six-hundred homes located

in Carderock Springs and Carderock Rock Springs South. These neighborhoods are located directly adjacent to the Beltway between River Road and Persimmon Tree Road. And Carderock Springs has been designated an historic district. The Carderock Springs Citizens Association is a Section 106 Consulting Party in the NEPA process. We will be providing written comments on the Draft Environmental Impact Statement, and I wanted to summarize some of these points today.

First, we do not believe that there is a need for two additional lanes to be constructed in each direction of the Beltway given the reduced traffic load and more spread out commuting patterns after COVID-19. We support the no-build alternative or if necessary, the one lane alternative 5. If the if there is to be construction, we strongly believe that there is a need for a noise barrier along both sides of the Beltway. While the DEIS indicates that the construction of such a barrier is quote reasonable and feasible close quote. We would like to receive assurances that the noise barriers will in fact be constructed. There is a history of the SHA promising noise barriers along the Beltway near Carderock Springs, which have not been fulfilled. The DEIS fails to indicate that there will be a noise barrier along the to be constructed fly over ramps coming from River Road onto the Beltway. As we understand that these will be elevated the noise impacts on the residents living along Seven Locks Road will be enhanced and therefore a noise barrier needs to be included to protect those residents. The DEIS also does not clearly indicate that the design of the noise barrier, what the design will be.

Given that Carderock Springs is in a historic district. we believe that it is imperative that the barrier be designed to incorporate elements that are compatible with our historic district status. We believe that the boundaries for the limits of disturbance shown on the maps accompanying the DEIS are overly optimistic given that the line for the LOD overlaps the line for the location of the noise barrier walls. We believe that this needs to be closely examined in order to assure there will not be additional property takings from private residence along the Beltway and the tree loss will be mitigated. In that regard, we would strongly advocate for the retention of a replanting of trees along the noise barriers, as these can mitigate the impacts of noise, as well as mitigate air pollution. In that regard, we also note that the section 4(f) analysis does not address the existence of or impacts on Carderock Springs Elementary School, which itself is adjacent to the Beltway and provides playing fields for the public. Finally, we we believe that the DEIS also does not adequately address the potential for traffic delays located along the arterial roads adjoining our neighborhoods such as, River Road and MacArthur Boulevard due to construction work on the interchange of River Road and Beltway and the bridges over the Beltway along Persimmon Tree Road and Seven Locks Road. Thank you very much.

ANDREW BING: Thank you, Jack. And again, I apologize for not having the correct name when we started. Our next caller will be Petra Jacobs. After Petra will be Marilyn Balcombe. Petra, again, you have three minutes for your testimony. After the automated message please state your name, spell your name, and state your address. Petra, are you there? Hold on for one moment, we're having a little bit of a technical difficulty.

PETRA JACOBS: Can you hear me?

ANDREW BING: I can, is this Petra?

PETRA JACOBS: Yes, this is Petra Jacobs. Good evening. Can you hear me OK?

ANDREW BING: I can. So if you would just say your name one more time, spell your name, and then state your address and then you'll have three minutes.

PETRA JACOBS: OK. I will do that. Thank you. So my name is Petra Jacobs (P-E-T-R-A J-A-C-O-B-S). And I live at 7508 Headmilton Springs Road in Carderock Springs. And as the previous speaker, I am here today as a Maryland resident, a parent, and a board member of the Carderock Springs Citizens Association. Our community is greatly concerned about the negative impact of the high rate on our health and properties. We commented on each step of SHA's process and requested in many letters. Number 1, installation of sound barrier; Number 2, that SHA shouldn't carry forward any alternative that would add two lanes in each direction; and Number 3, SHA should minimize the impacts of the [INAUDIBLE] expansion on arterial roads.

Since my fellow association board member commented on August 20 on number three and partial number one, I will talk with what's on the rest. Number one, we were shocked to learn on the SHA public workshop on April 13, 2019 that SHA plans to add an elevated ramp to connect managed lanes to River Road. This addition will significantly expand the area of noise to places not previously impacted by the Beltway. We were assured at the same meeting by SHA personnel that SHA will provide necessary analysis to plan for effective noise abatement. Unfortunately, the current EIS fails to evaluate a noise wall for our residents affected by the abated ramp. We request that such analysis be provided and effective noise abatement be included. Number two, despite the request to not proceed with alternative that adding two lanes in each direction SHA proceeded only with those options. We requested the need for adding four lanes be aberrated to better reflect current Covid and post-Covid changes and travel needs. If the only reason to add total four lanes is to generate more revenue, it shouldn't proceed. Such a decision has a crucial impact on the limits of disturbance in our area, although DEIS—sorry, OK— is overly optimistic as it appears to be overly overlapping with the location of noise barriers. We request that SHA review the appropriate LOD in this corridor and where property impacts are shown, the Final EIS should include how SHA will eliminate the need for property acquisition. Furthermore, Carderock Springs Elementary School provides publicly accessible playing fields and therefore qualifies as a public recreation area for Section 4(f) under 23 CFR 774.17. We request that Section 4(f) analysis of Carderock Springs Elementary School be provided in the Final EIS. Thanks again for providing the Carderock community the opportunity to voice other concerns and requests.

ANDREW BING: Thank you, Petra. Our next caller will be Marilyn Balcombe. After Marilyn will be Christopher Oswald. Just as a reminder for those who may have joined us late, you will have three minutes. And when there are thirty seconds remaining, you will hear one beep or one tone. When there are ten seconds remaining, you'll hear a double tone. Just to let you know that your time is running out. So, Marilyn, you will have three minutes after the automated message please state your name, spell your name and state your address.

MARILYN BALCOMBE: Hi, my name is Marilyn Balcombe (M-A-R-I-L-Y-N B-A-L-C-O-M-B-E). My address is 13518 Ansel Terrace, Germantown. Hi, I'm the President and CEO of the Gaithersburg-Germantown Chamber of Commerce. Increased capacity of I-270 has been a top priority for our economy for a very long time. We strongly support the 495 and 270 P3 as the only real opportunity to address the significant congestion along the I-270 Corridor. Based on the DEIS, both Alternatives 9 and 10 consistently perform well on all the operational metrics studies. We reviewed both options and believe Alternative 9 to be the best option for several reasons. The most important being the use of HOT

Managed Lanes versus ETL Managed Lanes. Having HOT Lanes will continue to provide incentives for carpooling, taking cars off the road, further increasing capacity on I-270. Other important - important metrics include the local road network. Alternative 9 performs fast and reducing traffic delays on the surrounding arterials and generally improving the local road network. Alternative 9 also performs best on the Level of Service metric. The No-build Alternative was given a failing grade for 53 percent of the lane miles operating during the afternoon. Alternative 9 is a vast improvement with only 12 percent of lane miles failing for both morning and evening peaks. The speed of the General Purpose lane. Throughout the Project, there's been a great debate about toll lanes versus free lanes. It's important that the general public understand that adding toll lanes does not slow down traffic in general purpose lanes. In fact, the average speed increases in the General Purpose lanes for all No-build Alternatives. This means that even if a driver chooses not to use the toll lane their commute will be faster. Alternative 9 performs best in this metric, increasing average speed in the General Purpose lanes from 25 - for the No-build - to an average of 41 miles per hour. For these reasons, we support Alternative 9. We also agree with the first priority for the Project - is the American Legion Bridge. Fixing that bottleneck is not only an economic imperative, it's a matter of National security. Increase in capacity on the bridge cannot happen without the P3 Project. We also strongly oppose the MD 200 Shortcut. Regardless of any improvement on I-95 through trips, dumping these cars onto I-270 will negatively impact the travel time for drivers who travel I-270 every day. We wholeheartedly agree that I-270 South is in desperate need of increased capacity. However, increasing capacity from I-370 North to I-270 is equally important. We encourage fast-tracking the Northern Phase of the I-270 to create a seamless transition from the American Legion Bridge to Frederick. Thank you for your time and consideration.

ANDREW BING: Thank you, Marilyn. Our next speaker will be Christopher Oswald. After Christopher will be Robert Gorman. Christopher, you'll have three minutes after the automated message please state your name, spell your name and state your address.

CHRISTOPHER OSWALD: Good evening. My name is Christopher Oswald.

ANDREW BING: Can you spell your name and then you state your address and then your time will start?

CHRISTOPHER OSWALD: Sure. Sure. Thanks. Christopher Oswald (C-H-R-I-S-T-O-P-H-E-R O-S-W-A-L-D) 9562 Ament Street in Silver Spring, Maryland 20910. Good evening. My name is Christopher Oswald and I live at 9562 Ament Street in Silver Spring Maryland. I'm here tonight representing the National Park Seminary Master Association of which I'm a volunteer Board Member and Treasurer. The Master Association has authorized me to speak on their behalf. In addition to serving with the Master Association, I'm a civil engineer and planner with specialization in transportation. I've been involved with numerous National Environmental Policy Act efforts in my 25-year professional career. National Park Seminary is a unique, historic, and recently renovated residential community of single-family homes, condominiums, townhomes...townhouses, and apartments located in the Forest Glen section of Silver Spring, Maryland with approximately eleven hundred feet abutting the Capital Beltway just beyond the noise reduction barriers that were installed during the previous Capital Beltway expansion. Our Master Association, a registered homeowners association in the state of Maryland, encompasses 25 acres of land and include seven single-family homes, 90 townhomes, 76 condominiums, and a 20-bed transitional housing facility, and 66 apartments. Six of the single-family homes and all the condominiums and apartments are situated in historic structures, 44 of the 66 apartments are Section 42 affordable housing units reserved for those with incomes at or below 60 percent of the area's median

income, creating a diverse neighborhood, serving people of all incomes. Much of the NPS is located within the 21-acre National Park Seminary historic district of the Forest...in the Forest Glen neighborhood section of Silver Spring, which is listed in the National Register... register of historic places and on the State of Maryland's inventory of historic sites. The historic district encompasses all of our historic structures, which date back to 1887. It also includes the heavily wooded and variable terrain that provides the setting and environmental character that was so significant to the historic functions of the building, a direct citation from the Natural...National Register. The community's grounds are open to the public from dawn till dusk and are unique in their irreplaceable historic and cultural and natural resource to Montgomery County, the State of Maryland, and the United States. The NPS opposes all the Build Alternatives proposed in the DEIS. All would dramatically, directly, and adversely affect our historic property as Marycon...Maryland tax payers or community members are also extremely concerned by the insufficient and incomplete work in the DEIS; particularly with respect to the presumptive and problematic structuring of project, purpose, and need. Incomplete and insufficient Alternatives analysis, woefully deficient assessments of Alternative impacts and mitigation, and an early insufficient public involvement process, particularly given the extenuating circumstances of the COVID-19 pandemic. We'll describe these concerns in our written comments later this fall. Tonight I wanted to focus on two specific issues: the Project's adverse and unmitigated impacts on our...on Seminary and it's woefully insufficient public involvement process.

With respect to the impact assessment, there...the DEIS clearly states there would be significant impacts from all Build Alternatives on the NPS, but provides no information whatsoever on the scope...the scope of those impacts or mitigation. With respect to community involvement, we find it shameful that the MDOT and FHWA would deny request from numerous political leaders, community groups, and other stakeholders to extend the comment period in the DEIS, particularly since not all of the documents associated with the DEIS were published and made available to the public on the date that uh...uh, the comment period began...or our involvement period began.

ANDREW BING: Christopher, I need you to wrap up...

CHRISTOPHER OSWALD: I don't understand the rush and I do thank you for your time and consideration of my comments.

ANDREW BING: Thank you. Our next caller will be Robert Gorman. After Robert will be Miles Cooper. Robert, you have three minutes after the automated message please state your name, spell your name and state your address.

STEPHANIE LAND: Good evening. My name is Stephanie Land, Robert Gorman is my husband. My name is spelled S-T-E-P-H-A-N-I-E L-A-N-D my home is at 8211 Lilly Stone Drive in Bethesda 20817. I live in Carderock Springs a National Historic District just outside the Beltway at the River Road exit. Carderock Springs Elementary School is adjacent to the Beltway. Expanding the Beltway will cause years of additional congestion and disruption and before long, roads will fill to capacity again as is always the case. That means more air pollution and noise pollution for children at our elementary school and for all the communities close to I-495 and I-270. This region is beautiful with waterfalls, flowers, gorgeous rocks to climb, trees, creeks, and wetlands. It's beautiful except on the Beltway. Expanding the Beltway means turning more of our lovely region into concrete ugliness. There are many other approaches to traffic mitigation that do not cause so much harm. Trip reliability can be enhanced by enforcing traffic

laws to reduce traffic accidents, to give one example. I don't believe that expanding the Beltway will ever be a good idea but it's a particularly bad idea right now. Commuting is greatly reduced and some transition to telework might be lasting. Technological advances also promised relief and there are many priorities for the state's resources and dealing with the pandemic. Expanding our highways are not just lower priority but should be off the list entirely. These are the reasons I support the no-build alternative. Thank you for your attention.

ANDREW BING: Thank you, Stephanie. Our next caller will be Myles Cooper. After Myles will be Jason Neuringer. Myles, you left three minutes after the automate message please state your name, spell your name and state your address.

MYLES COOPER: (M-Y-L-E-S C-O-O-P-E-R) My address is 1739 Deer [INAUDIBLE] Drive and I'm a resident of Frederick County, Maryland. I'm a policy associate at the Chesapeake Climate Action Network and I will be speaking on behalf of C-CAN. C-CAN is a nonprofit organization that is working on the national, local and state level directly addressing global warming. We at C-CAN do not support the proposed project and back a no build option until MDOT FHA provides the public with a comprehensive evaluation of all our alternatives, which must include public transit, transportation, demand management, telecommuting and multi-modal transit transportation systems. This project must not move forward.

One of our biggest issues with the proposed project is that the DEIS fails to fully analyze the increased harmful air emissions the proposed expansion would cause. Instead, the DEIS seeks to minimize these harms by relying on unrelated increases and deal with this issue. Just as problematic the DEIS estimates these fuel efficiency increases based on fuel efficiency standards that another agency within the Department of Transportation revoked four months ago. The proposed expansion will result in greater carbon monoxide, ozone and nitrous, nitrogen dioxide and gas emissions when compared to the no build alternative or the more and the or the ignored public transit based alternatives. The proposed expansion will further exacerbate climate change and hurt Maryland's ability to reduce its greenhouse gas emissions by 40 percent by 2030. Under Maryland's Gas Greenhouse Gas Reduction Act, DEIS fails to analyze her before air and support air emissions from construction activities, including increased particulate matter. See carbon monoxide and greenhouse gas emissions. The agency's partial attempt to justify this failure by claiming that construction will be segmented and each construction segment will take far less than five years, does not meet the agency's obligations under NEPA. The agency's claim that the greenhouse gas impacts from construction will be analyzed in the Final EIS is insufficient. It prevents meaningful public comment and informed decision making. I yield my comment.

ANDREW BING: Mr. Cooper, if you're still there, we got everything you said except when you first said your name. So just for the record, if you could just say your name.

MYLES COOPER: Sorry. Yes, sure. My name is Myles Cooper (M-Y-L-E-S C-O-O-P-E-R) .

ANDREW BING: Great, we we got everything except just your name. So we want to make sure we had that on the record. Thank you for your comments our (no problem). Our next caller is Jason Neuringer. After Jason will be Linda Keenan. Jason, you will have three minutes. And just as a reminder, there will be one tone when there are 30 seconds remaining and two tones when there are 10 seconds remaining. Jason, after the automated message, please state your name, spell your name and state your address.

JASON NEURINGER: Hi, my name is Jason Neuringer (N-E-U-R-I-N-G-E-R). My address is 14905 Westbury Road, Rockville, Maryland. I'm here...I'm here today to ask you to listen to the people in Montgomery County, Prince George's County, and Frederick County which has the overwhelming support, and by some measures nearly 70 percent of support, in regards to supporting widening 270 and 495. I've read the Draft EIS Study and it is a monstrosity of a bureaucratic red tape, environmentalist pandering, and is not just mind-numbing, but insulting. To give you a reference, the Draft EIS is about 18,000 pages long. If you download the Internal Revenue Code in the United States Code, also known as Title 26, the file is 6,500 pages long. Are you telling me a 44 mile stretch of road is to be more complicated than the entire United States Tax Code system? Think about that for a second. I can sit here and cite statistic after statistic; explain how bad or traffic is. I can cite to you how nearly every major and reputable traffic analysis study ranks our region as dead last.

Think about that for a second. Not near the bottom, or close to the bottom, but dead last. Worse than New York; worse than LA; worse than Chicago. Even during this pandemic, we are still ranked dead last. The time is now to build and improve our roads -not when it's too late. When this pandemic ends and people get back to work, are they going to jam themselves back into crowded, germ-filled Metro or mass transit? No, they're going to drive. AAA as already noted, this is one of the busiest travel summers in history, despite widespread quarantine. Why? Because people are not flying, they're driving. There is a vocal group of naysayers who are opposed to this. They are wrong. It is clear from their arguments that they never travel either road. Because if they did, they would drop their opposition in a second. They are not opposed to the solution, but any solution. They're more interested in making noise than finding solutions. For example, some have noted that in 18,000 pages, we do not have enough analysis done. That is ridiculous. Some of these naysayers promoting mass transit are the same ones opposed to the Purple Line. How many of them are there really out there? Five thousand; 10,000; 15,000? Are we really going to let 15,000 noisemakers screw over the other six million people who live in the DC Metro? It is time to move forward and it is time to widen 270 and 495. Thank you.

ANDREW BING: Thank you, Jason. Our next caller is Linda Keenan. Linda, you'll have three minutes after the automated message please state your name. Spell your name and state your address.

LINDA KEENAN: My name is Linda Keenan. It's spelled (L-I-N-D-A K-E-E-N-A-N). My address is 9503 Saint Andrews Way, Silver Spring 20901. Thanks for this opportunity to comment. I haven't read all 18,000 pages of the Draft EIS. But, I've read quite a bit of it. Um - Our neighborhood would be very severely impacted by any widening or expansion of Interstate-495. We would have parkland impacted; we would have changes that would have to be made to the Silver Spring Sligo Creek golf course; we would lose homes; we would lose some businesses that our neighborhood uses just on the other side of 495. We're also very concerned about impacts at the Beltway exit – uh, where 29 comes on and off the Beltway. Overall, the proposal to add toll lanes to the Beltway does not seem to be very forward thinking. There are a lot of changes afoot in transportation. One of them is simply the development of automated vehicles. How does that affect the throughput on the roads? The other thing is a lot of plans are based on previous traffic studies. As the pandemic has lengthened, the transportation patterns have changed and some of that change is likely to be permanent. So, I would really hesitate to make plans based on previous patterns when they're likely to be quite different in the future. I would really like to support a different solution to rush hour congestion, which I believe is the problem you're trying to

solve, with adding toll lanes. So, I would really like us to not - not move too fast and give some very careful consideration to other solutions besides expanding the size of the road. Thank you.

ANDREW BING: Thank you, Linda. At this time, we don't have any additional people in the speaker's queue, so we are going to go into recess. But I do want to make a few announcements before we do go into recess. So this evening's session of the August 25th public hearing will stay open until 8:00. And we will wait to see if any other people enter the speaker's queue. We do have some people who have registered for tonight's hearing, but they have not actually entered the speaker's queue. We do have three additional public hearings after today's hearing concludes. The next hearing will be on September 1st, which is a Tuesday, and then after that will be Thursday, September 3rd. And then our final one will be Thursday, September 10th. The September 1st hearing will be in Prince George's County. The September 3rd hearing will be similar to this hearing in that it will be through the through the phone. And then the September 10th hearing on Thursday, September 10th will be in Montgomery County. For those who are listening and would like to provide public testimony but have not yet registered. In order to register, you need to go to the Program website at 495-270-P3.com/DEIS. You then click on the joint public hearing button and then you click on the click to register to provide virtual public testimony button. You can also leave your testimony by voicemail by calling 855-432-1483. There is no registration required in order to leave voicemail testimony. So as I said, we will be in recess until another person enters the speaker's queue. Right now it is 5:55 PM and we will be in recess until 6:15 when I will come back and provide an update. Thank you.

[IN RECESS]

AUTOMATED MESSAGE: Thank you for attending the I-495 & I-270 Managed Lanes Study, public hearing. Today's sessions begin at 9:00 AM, 1:00 PM, and 5:00 PM. Thank you for your patience.
[REPEATS]

ANDREW BING: OK, it is 6:16, we are coming back from recess because we do have someone who has entered the speaker's queue. The person is Susan Yasse-Oziel. Susan, you're going to have three minutes. I just want to point out that there will be a tone that you'll hear when there are 30 seconds remaining and a double tone when there are 10 seconds remaining. After the automated message please state your name, spell your name and state your address.

SUSAN YASSE-OZIEL: My name is Susan Yasse-Oziel - spelled (S-U-S-A-N Y-A-S-S-E-HYPHEN-O-Z-I-E-L). I live at 6 Owens Court in Rockville. For the record, I am opposed to the P3 Managed Lanes Plan and support the No-build Option. I am a 38-year homeowner and taxpayer in Montgomery County. The main issues that concern me are noise and air pollution as well as the cost to the State and taxpayers. As we all know for financial reasons alone, this is not the best time to spend State and taxpayer's money on a Project that may not even reduce traffic congestion. The studies show that expanding highways only encourages driving more and toll lanes are unfair to lower and middle-income motorists. Maryland is better than this. Motorists should not be allowed to buy their way out of congestion. Governor Hogan and his supporters have said that the State needs to reduce traffic congestion because it's harming quality of life. And my quality of life - along with so many residents and taxpayers who live along the Beltway and I-270 Corridor - needs to be considered as well. Before the pandemic when we could socialize with others at our home, I hesitated to have meals and gatherings on our back deck due to the inability to hear one another. I also invested in new windows in hopes of blocking out traffic noise. It

didn't work and most of the time we can't open our windows to bring in fresh air due to high noise levels and air pollution - and I don't even live right up against the highway. Not only am I concerned about the noise level after the Project is completed, I am even more troubled about the noise and air pollution from construction that will go on for years. This isn't the time to risk billions of dollars to forge ahead with this Project. Everything that I have read indicates that there is no consensus on the effectiveness of toll lanes in reducing traffic and there will be a detrimental effect on the impact additional lanes will have on neighborhoods and the environment. The governor claims that the toll rolls - toll roads will pay for themselves. However, the recent impact study suggests that there will be a significant cost to Maryland taxpayers. Our dollars will be better spent on essential services to build a strong, healthy community, education, health care, and public transportation options to improve the environment are just a few of the areas that need our State's attention. That's the way a smart Maryland needs to move forward. If the governor is determined to spend taxpayer's money, he should invest in new and improved sound walls to reduce traffic noise and pollution along the I-270 Corridor. My neighbors and I have been fighting to get.

ANDREW BING: I need you to wrap up right now, Susan.

SUSAN YASSE-OZIEL: Yes, my neighbors, and I have been fighting to get sound walls with little success for many years. This will have a far less financial impact on the state and have a stronger impact on the quality of life for thousands of residents. Thank you.

ANDREW BING: Thank you. At this time we do not have any other callers in the speaker queue. So we are going to go back into recess. I will come back at 6:45 to provide an update unless we have someone enter the speaker's queue. And then I will come back before then and reconvene the evening session of our hearing. So at this point, we are in recess.

[IN RECESS]

AUTOMATED MESSAGE: Thank you for attending the I-495 & I-270 Managed Lanes Study, public hearing. Today's sessions begin at 9:00 AM, 1:00 PM, and 5:00 PM. Thank you for your patience. [REPEATS]

ANDREW BING: Good evening, it's 6:45 PM. We are still in our evening session of our August 25th public hearing. We do not have any additional callers who have entered the speakers queue. So we are going to remain in recess. I will come back with an update at 7:10. If we don't have any callers between now and then, I will come back at 7:10. But we will remain in recess until then. Thank you.

[IN RECESS]

AUTOMATED MESSAGE: Thank you for attending the I-495 & I-270 Managed Lanes Study, public hearing. Today's sessions begin at 9:00 AM, 1:00 PM, and 5:00 PM. Thank you for your patience. [REPEATS]

ANDREW BING: OK, it's 7:10 PM. We still do not have any callers in the speakers queue. So we are going to stay in recess. I do want to point out to everyone that the two prior hearings, the one that was done on August 18th and the one that was done on August 20th are now on the Program website. So, if you

go to the Program website at 495-270-P3.com/DEIS, you can click on on the home page. You'll see prior videos, past hearing videos, I should say, and you can click on either of them to - to review them if you'd like to. I also want to let people know that because we don't have any speakers currently in the queue, the speakers queue, if you'd like, you can dial 855-925-2801 and enter the access code 6747. You then will have to listen to the entire welcome message. But at the conclusion of the welcome message, you will press the star button and then the number 3 to enter the speaker queue. So that is a way if you are listening or observing this hearing and you would like to provide public testimony, you can directly access the speaker queue by calling 855-925-2801 and entering the access code 6747. We will stay in recess. I will come back at 6:35, I should say 7:35 for one final update. Obviously if we get any callers between now and then we will come back. But if not, we are in recess until 7:35. Thank you.

[IN RECESS]

AUTOMATED MESSAGE: Thank you for attending the I-495 & I-270 Managed Lanes Study, public hearing. Today's sessions begin at 9:00 AM, 1:00 PM, and 5:00 PM. Thank you for your patience.
[REPEATS]

ANDREW BING: OK. It is 7:35 PM. We are still in in recess, wrapping up our public hearing on August 25th. We will be going till 8:00. So for another 35 minutes. Right now, there are no speakers in the speaker queue. So we will remain in recess. For one final time I will point out that since we do not have any callers in the speaker's queue, if you are listening and would like to call in and offer public testimony, you dial 855-925-2801. You then enter the access code 6747. You'll have to listen to the entire welcome message and then you will press the star key, the star button and then press the number 3. And that will bring you into the speaker's queue and you can provide public testimony. This is - this is the process for the next 25 minutes until we close at 8:00. And so we will remain in recess until someone calls in or we close out at 8:00. Thank you.

[IN RECESS]

AUTOMATED MESSAGE: Thank you for attending the I-495 & I-270 Managed Lanes Study, public hearing. Today's sessions begin at 9:00 AM, 1:00 PM, and 5:00 PM. Thank you for your patience.
[REPEATS]

ANDREW BING: OK, it is now 8:00. This is the end point for our August 25th public hearing. We are going to close for the day. I do you want to remind everyone that we do have public hearings on Tuesday, September 1st, Thursday, September 3rd and Thursday, September 10th. It is currently, as I said, 8:00 and we are closed. Just as a reminder of the public comment period will remain open until October 8th, 2020. Thank you and good night.