

MCPB
ITEM No.1
11-8-04

November 5, 2004

MEMORANDUM

TO: Montgomery County Planning Board

VIA: Jeffrey Zyontz, Chief
Countywide Planning Division

FROM: Alex Hekimian: 301-495-4525, for the Department of Park and Planning

SUBJECT: Joint Position of Local Staffs on I-270/US15 Multi-Modal Corridor Study

RECOMMENDATION

Approve the joint position of local staffs regarding the I-270/US 15 Multi-Modal Corridor Study and transmit it to the Montgomery County Council.

BACKGROUND

The Maryland State Highway Administration (SHA) and the Maryland Transit Administration (MTA) began the I-270/US 15 Multi-Modal Corridor Study over ten years ago, in June 1994. Since that time, the State has been evaluating highway and transit alternatives for a 31-mile corridor between the Shady Grove Metrorail Station and US 15 at Biggs Ford Road, north of the City of Frederick.

Our staff provided briefings to the Planning Board on July 18, 2002, and on October 2, 2003, after the study produced a Draft Environmental Impact Statement. As of the date of this memorandum, however, the State has yet to complete the next phase -- a decision on a preferred highway and transit alternative for the corridor. The study has experienced several delays due to the introduction of the new concept of "Express Toll Lanes" and uncertainties regarding reauthorization of the federal transportation act.

In the interim, however, the initial concepts for Express Toll Lanes in the I-270 corridor raised some common concerns among local agency staffs participating on the Maryland Department of Transportation project team. The local agencies expressed these concerns in the "Position Statement on I-270/US 15 Multi-Modal Corridor Study" shown in Exhibit 1, as approved by our staff and also the staffs of the Montgomery County Council, Montgomery County Department of Public Works and Transportation, Frederick County, City of Rockville, and City of Gaithersburg. This statement was presented to the SHA and MTA at a project team meeting on September 14, 2004. Our staff has yet to receive a formal written State response to the points made in this position statement.

Having achieved this consensus among local staffs, our staff requests that the Planning Board review the joint position statement and transmit the statement to the County Council before the State decides on a preferred highway and transit alternative. SHA and MTA anticipate making a decision on a preferred alternative next spring. When a preferred alternative is prepared at the project team staff level, our staff will return to the Planning Board with specific recommendations on the project.

DISCUSSION

The State is currently analyzing six basic highway/transit alternatives for the I-270 corridor. Five alternatives (including the "No-Build" alternative) were documented in the 2002 DEIS and the Express Toll Lane concept had been introduced during the past year. The alternatives range from "No-Build" to extensive reconstruction of I-270 to accommodate Express Toll Lanes and construction of the Corridor Cities Transitway. Local staffs have expressed several concerns about the State's current proposals. Among them are highway-related concerns – conversion of existing non-toll lanes and HOV lanes to toll lanes and I-270 widenings that are inconsistent with the County's master plans. These concerns are depicted in Exhibit 2.

Local staffs want to continue getting the maximum people-carrying capacity rather than just vehicle-carrying capacity out of highway lanes, and therefore do not want to see the existing High Occupancy Vehicle (HOV) lanes sacrificed for Express Toll Lanes. However, it would be acceptable to convert HOV lanes to High Occupancy Toll (HOT) lanes to make even more efficient use of those lanes. HOT lanes are lanes in which carpools, vanpools, and buses continue to have priority and are not charged a fee, and in which single-occupant vehicles are allowed to use any leftover capacity and charged a fee. Express Toll Lanes, on the other hand, are lanes in which every vehicle is charged a fee, regardless of the number of occupants. The Express Toll Lanes concept is shown in Exhibit 3, an excerpt from the SHA brochure distributed at public meetings in June 2004. A copy of the SHA brochure is provided as an attachment to this memorandum to Planning Board members only. Others may obtain a copy of the brochure at the Maryland-National Capital Park and Planning Commission staff offices in Room 105 at 8787 Georgia Avenue in Silver Spring or request a copy from SHA by calling 1-800-548-5026.

The State claims that HOV or HOT lanes are too difficult to enforce, and yet Virginia and every other state in the nation that has considered adding toll lanes to existing highways have not found enforcement to be an insurmountable obstacle in their recommendations to implement either HOV or HOT lanes. No other state has added toll lanes in an existing freeway corridor without providing priority for carpools, vanpools, and transit in those lanes. Proposals to convert existing freeway lanes to toll lanes are contingent upon future approval of specific elements of the federal transportation act reauthorization.

There is considerable concern that the Express Toll Lanes proposal is inconsistent with Virginia's plans to implement HOT lanes on the Capital Beltway. It is also troublesome that converting existing HOV lanes and general-purpose lanes to Express Toll Lanes and making I-270 much wider near Clarksburg would be contrary to the County's master plans. Local staffs also note that the State could merely select premium bus service on I-270 in lieu of construction of the master-planned Corridor Cities Transitway as part of its preferred alternative.

Local staffs point out that the State needs to make new technical information available to the public before making decisions on a preferred alternative. Since the concept of Express Toll Lanes was not considered in the DEIS, the State must now generate new data to show the impact of such lanes on highway and transit travel in the corridor. The State believes, after conversations with the Federal Highway Administration, that the Express Toll Lanes concept in this study is not enough of a change to cause federal agencies to require a Supplemental DEIS. We have not yet heard directly from the federal agencies regarding that conclusion.

AH:gw
Attachments

memo to MCPB re I-270 study.doc

**POSITION STATEMENT ON
I-270/US 15 MULTI-MODAL CORRIDOR STUDY**

**Presented to the Maryland Department of Transportation
September 14, 2004**

Since the time the 2002 DEIS for the I-270 Multi-Modal Corridor Study was prepared, the State has introduced a new concept – Express Toll Lanes. It is not clear to us what that concept entails, especially with respect to the role of the Corridor Cities Transitway. In an effort to better understand the implications of this new concept and to keep the study schedule on track, the staffs of the affected jurisdictions want to convey to the State our current thinking on the concept, as it applies to the I-270 Corridor. This letter also requests information that will help us formulate our jurisdictions' upcoming recommendations on a Preferred Alternate.

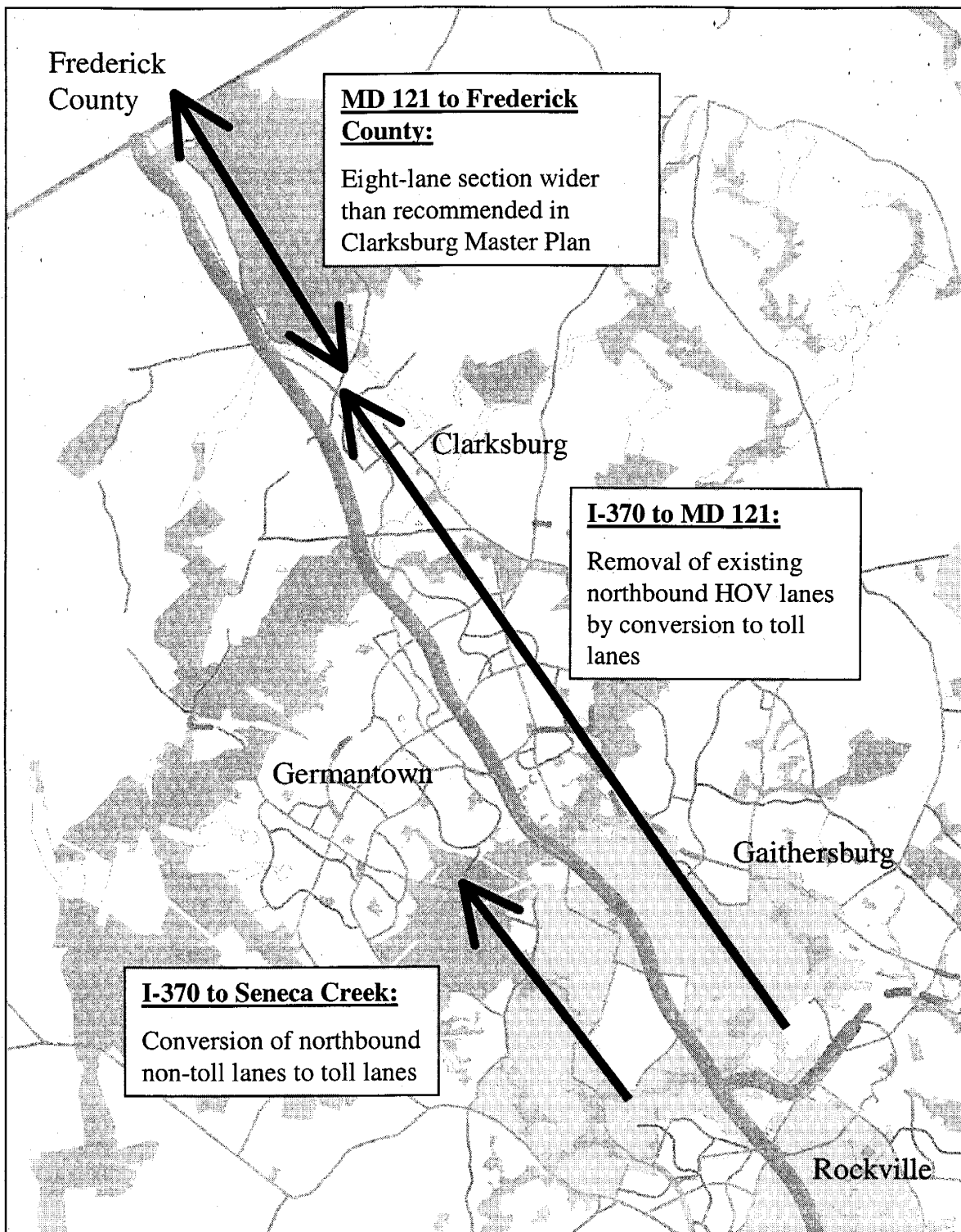
- A basic principle is that local staffs do not support the conversion of existing lanes to Express Toll Lanes. In that vein, it is our position that the HOV lanes on I-270 need to be preserved. If it can be demonstrated that there is excess capacity in the HOV lanes, then we would accept their conversion to HOT lanes, whereby carpools, vanpools, and buses continue to use the lanes free of charge. Likewise, to get the maximum people-carrying rather than vehicle-carrying capacity out of the lanes, any new managed lanes should be either HOV lanes or HOT lanes, not Express Toll Lanes.
- We find that certain aspects of the Express Toll Lanes concept are inconsistent with the highway and transit aspects of our area master plans. We would need to know the transportation, environmental, and community impacts of any departures from our master plans before we can determine if there is sufficient justification to change those plans. And, since the concept is different from Virginia's plans to implement HOT lanes, we need to know why Maryland has arrived at a different concept than Virginia. We believe it is vital that both Maryland and Virginia coordinate and support a regional HOV network that maintains continuity between major highways such as I-270 and the Capital Beltway.
- There is a lack of sufficient definition of the Express Toll Lanes concept and with which specific transit alternate it is paired. We are concerned that SHA has been considering the Express Toll Lanes as a design option under Alternate 5C, which includes premium bus as the only transit improvement, implying that the transitway alternative would not be pursued. We would like confirmation that SHA will include the Corridor Cities Transitway in the selected alternate, as indicated in the brochure publicizing the June 2004 Open Houses. Since the impacts of Express Toll Lanes would have implications on the type of transit selected, we need a description of the physical and operating characteristics of both the highway and transit components that are different from those in the DEIS. These descriptions need to be at the same level of detail as in the DEIS.
- The June 2004 public information materials suggested that important technical information will not be updated until after a Preferred Alternate is selected. However,

in order to make a reasoned judgment on the relative pros and cons of the available highway and transit alternates, we would need to see mode characteristics, levels of highway service, transit ridership, cost information, revenue projections, and other vital data before an alternate is selected. We find that the Express Toll Lanes concept is a significant change from the DEIS alternates, therefore any changes to DEIS tabulations attributable to either the Express Toll Lanes concept and/or revised assumptions for Alternates 2 through 5 need to be documented. Since traffic safety is also an important consideration, we see a need to demonstrate the comparative effects of traffic merging and weaving associated with the current collector-distributor road concept and the Express Toll Lanes concept.

- We have concerns regarding the State's process for possibly selecting a multi-modal alternate that is not in the DEIS. Since the Express Toll Lanes concept was not considered in the DEIS, the process would lengthen if the federal agencies that are reviewing this project find that the new physical and operational aspects of the Express Toll Lanes concept are enough of a change to require a Supplemental DEIS. We want to know if the federal agencies agree with the State's approach to satisfying the NEPA requirements so that we can properly advise our local officials this fall.

Staff representatives of the local agencies listed below have mutually approved the current thinking and the information requests included in this position statement. In early fall, we expect that the elected officials of the affected jurisdictions will discuss these issues and provide formal recommendations to the State on this proposed project. For that reason, we would appreciate a response to this position statement from SHA and MTA by the end of September.

City of Gaithersburg Planning and Code Administration
City of Rockville Department of Public Works
Frederick County Division of Planning
Montgomery County Council Staff
Montgomery County Department of Park and Planning
Montgomery County Department of Public Works and Transportation



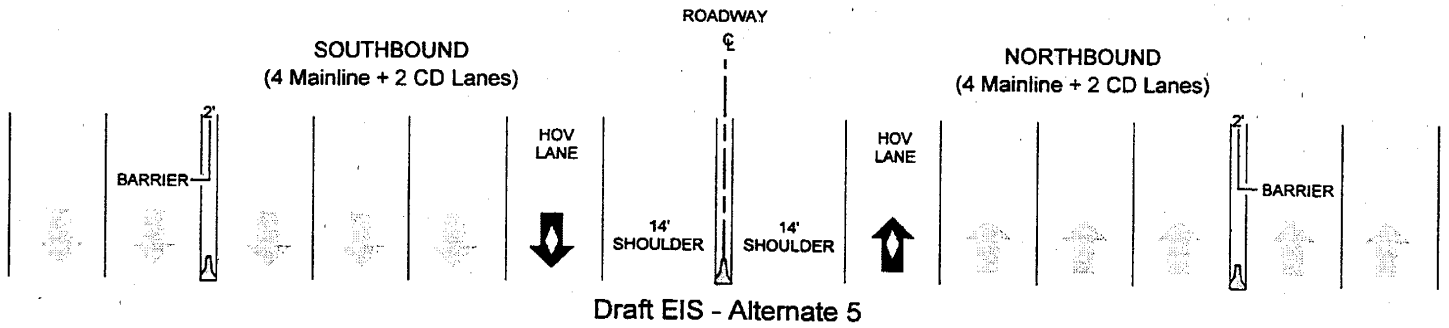
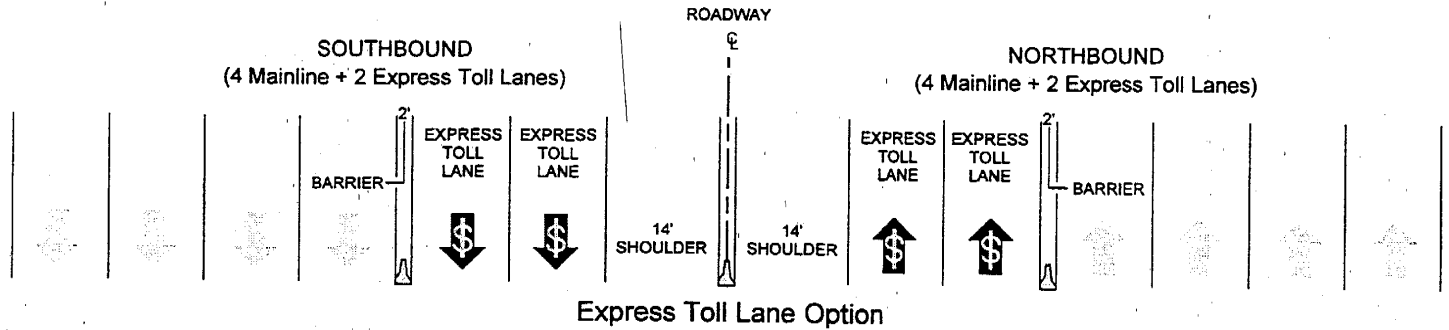
Location-specific concerns referenced in joint staffs position

I-270 EXPRESS TOLL LANE OPTION versus DRAFT EIS ALTERNATE 5

WORK IN PROGRESS (JUNE 2004)

BARRIER SEPARATED

I-270 South of Father Hurley Boulevard



BUFFER SEPARATED

I-270 North of Father Hurley Boulevard

