

February 11, 2019

The Honorable Kumar Barve
Chairman, House Environment & Transportation Committee
251 House Office Building
Annapolis MD 21401

Re: Letter of Opposition -House Bill 299 -Public-Private Partnership Projects -Real Property Acquisition -Prohibition

Dear Chairman Barve and Committee Members:

The Maryland Department of Transportation (MDOT) respectfully opposes House Bill 299, as it would impede the ability to provide congestion relief, economic development, safer local roads, and transit options in the National Capital Region.

For projects in major urbanized areas, linear property impacts along the existing interstates are often necessary not just for roadway improvements but also for revegetation, and mitigation of noise, and stormwater. Often, the purchase of property is necessitated to alleviate impacts to adjacent or nonadjacent land. For the project at hand, in locations where potential property needs were identified, a series of adjustments were applied to reduce the amount of potential property needed. As the process moves forward, MDOT SHA will incentivize the private sector to provide innovative solutions that will provide the most minimal impact and disruption to properties. Without the ability to undertake any fee simple land acquisition, House Bill 299 would prevent the State's ability to deliver this project, which will not only alleviate congestion, but provide new options for carpooling and new opportunities to meet underserved transit demand in these corridors.

As a stated goal in the I-495 & I-270 P3 Program, MDOT SHA is striving to avoid and minimize community impacts. The Phase 1 P3 solicitation, which was approved to move forward by the Maryland Board of Public Works on January 8, 2020, includes a portion of the I-495 & I-270 Managed Lanes Study on I-495 from the vicinity of the George Washington Memorial Parkway to I-270 and I-270 from I-495 to I-370. Further, Montgomery County's master plan advocates for high-occupancy toll (HOT) lanes on I-270 north of I-370 and on I-495 west of the I-270 West Spur.

The P3 program currently being considered will be at no net cost to the state. Maryland does not have funding available to provide meaningful congestion relief without the proposed Traffic Relief Plan. In addition to the forgone project cost of \$9-\$11 billion financed by the private sector, MDOT will need to invest \$1.7 billion in maintenance and rehabilitation over the next twelve years simply to maintain the existing roadways on I-495 and I-270 in Montgomery and Prince George's counties alone. The current cost of congestion in the NCR is \$1.7 billion annually, a 40% increase from the previous year.

The Honorable Kumar P. Barve
Page Two

The State of Virginia is continuing to make progress on the 495 Express Lanes Northern Extension Project, which would extend their Express Lanes to near the Maryland border. Without the Traffic Relief Plan, the American Legion Bridge cannot be addressed and Maryland will continue to be a bottleneck along I-495, subjecting residents living in the NCR Region to significant traffic for years to come.

MDOT has complied with every aspect of the P3 law, including the additional requirement for an outline of environmental issues which was required in the FY 2019 budget bill. For the project at hand, passage of House Bill 299 would jeopardize the ability of the State to engage local, national, and international expertise and labor to deliver congestion relief to the greater Washington Metropolitan Area and greatly improve the quality of life for many Marylanders.

The Maryland Department of Transportation respectfully requests the Committee grant House Bill 299 an unfavorable report.

Respectfully submitted,

Jeff Tosi
Director of Government Affairs
Maryland Department of Transportation
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