THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
6611 Kenilworth Avenue • Riverdale, Maryland 20737

To: The Maryland-National Capital Park and Planning Commission (M-NCPPC)

Date: June 8, 2020

From: Carol S. Rubin, Special Project Manager
I-495 & I-270 Managed Lanes Study

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Subject: Briefing and Discussion for July 15, 2020, Full Commission Meeting
I-495 & I-270 Managed Lanes Study – DEIS Comments

The purpose of this briefing is for staff from the Montgomery County Planning Department, the Montgomery County Department of Parks, the Prince George's County Planning Department, and the Prince George's County Department of Parks and Recreation to provide our joint recommendations to the Commissioners from our review of the Draft Environmental Impact Statement (DEIS)[1] as part of the continuing National Environmental Policy Act (NEPA) process as the Maryland Department of Transportation State Highway Administration (MDOT SHA) continues through the I-495 & I-270 Managed Lanes Study. Based on the discussion with and action by the Commissioners on July 15, 2020, staff will prepare M-NCPPC's formal comments to the DEIS to submit prior to the close of public comment, currently anticipated to be in early October 2020. The Commission also has the opportunity to testify at any of the public hearings on the DEIS, anticipated to be held in Late-August/early September. A schedule of anticipated NEPA and P3 procurement activities is summarized at the end of this memorandum.

MDOT SHA has described the I-495 & I-270 Managed Lanes Study (MLS) as the largest initiative in the Traffic Relief Plan introduced by Governor Hogan to relieve traffic congestion along the I-495 and I-270 corridors. Since early 2018, the Federal Highway Administration (FHWA) and MDOT SHA have been moving through the NEPA process to evaluate a range of travel demand management alternatives and ultimately select a Preferred Alternative for improvements to I-495 from the vicinity of the George Washington Memorial Parkway in Fairfax County, Virginia to east of the Woodrow Wilson Bridge at MD 5, and on I-270 from I-495 to I-370. MDOT SHA has also begun pre-NEPA activities on I-270 north of I-370 I-70.

M-NCPPC is both the regional planning agency and the steward of the natural and built environments in Montgomery and Prince George's Counties. Therefore, the Commission is responsible for making well-reasoned and informed decisions with regard to any impact from the MLS on parkland, including the cultural and historic resources that M-NCPPC holds in trust for the residents of both Counties. M-NCPPC should hold MDOT SHA to the highest standards to avoid, minimize, or mitigate any impact to those critical resources for the ultimate

[1] This Memorandum is based on staff review of the First Administrative Draft of the DEIS because the final DEIS was not released until July 10, 2020. If any of the information or staff's recommendations change as a result of revisions from the Administrative Draft, we will point that out during the briefing.

implementation of the MLS. To do so, MDOT SHA must provide a comprehensive analysis that includes best practices in transportation and land use planning.

In accordance with the Maryland Public Private Partnership (P3) Act, the Board of Public Works (BPW), authorized MDOT SHA to move forward with procurement activities to establish a P3 with a private concessionaire for a limited segment of the MLS Study Area referred to as Phase 1, from and including the American Legion Bridge north on I-495 and up the western spur of I-270 to I-370, then combining that segment with the northern extension of I-270 from I-370 north to I-70 in Frederick. Phase 1 may be broken down into smaller sections for design, construction, financing, operations and maintenance to allow the P3 Developer to successfully and efficiently deliver the improvements. The final design and construction for any section of Phase 1 cannot proceed until the legally required final environmental impact document has been approved covering the limits of the specific section, and a Section P3 Agreement is approved by the Board of Public Works. The BPW authorization is subject to certain limitations including:

- No further procurement activities can occur on other segments of the MLS Study Area, specifically on I-495 east from I-270 to MD 5, and ultimately to the Woodrow Wilson Bridge without further BPW approval.
- MDOT SHA cannot acquire any property needed for the project until the BPW has approve the P3 Agreement (which also requires that the Final Environmental Impact Statement (FEIS) and Record of Decision (ROD) are completed.
- All transit buses would ride for free in the managed lanes.
- Before the Phase 1 P3 Agreement can be submitted for BPW approval, MDOT must complete memoranda of understanding (MOUs) with the affected counties (Montgomery and Frederick counties for Phase 1, Montgomery and Prince George's counties for future phases) that provides funding through the toll revenues to support regional transit service.
- MDOT SHA must engage local jurisdictions in the P3 process.

Notwithstanding that MDOT SHA only received authority from the BPW to move forward with the procurement of Phase 1, the DEIS as part of the NEPA process addresses the entire MLS project area <u>including I-495 east of I-270 to MD 5 in Prince George's County</u>. Although the DEIS was only recently made available to the public, in January, M-NCPPC as a Cooperating Agency was provided the opportunity to review an Administrative Draft of the DEIS. M-NCPPC staff in consultation with the Office of General Counsel, provided more than 300 specific comments to that draft. The MDOT SHA team did not provide specific responses to staff comments but made clear that some of those comments would be addressed in the DEIS, some were identified as more appropriate for later stages in the NEPA process or as part of the project implementation, and some would not be accepted. In order to communicate with the Commissioners clearly and concisely for this briefing, M-NCPPC staff categorized the comments made to the Administrative Draft with the following designations:

- <u>Major Issues</u>. These are the issues that staff believes need your attention and consideration as most likely to have the greatest impacts to the Commission's interests and the most likely to influence the Commission's decisions about parkland conveyance or other actions.
- <u>Technically Deficient</u>. Issues that rise to a level of import to the Commission that need to be reconsidered or addressed more thoroughly in development of the FEIS and ROD and provide assurance to M-NCPPC that MDOT SHA and the concessionaire have clear direction in the design, construction and operations of the project.

- Technical Comment. Issues that need attention to improve the DEIS and ultimately the FEIS and ROD so that MDOT SHA and the concessionaire understand concerns about the design, construction and operations of the project.

This memorandum addresses only the Major Issues for efficiency of discussion and as indicated, staff believes those issues need your greatest attention and consideration. Attached to this memorandum is a chart containing of the full suite of the M-NCPPC staff comments provided to MDOT SHA on the Administrative Draft of the DEIS as characterized above. Technical staff is available and prepared to discuss any concerns you may have with those comments as well.

MDOT SHA has indicated that it plans to recommend a Preferred Alternative after it has received and considered all public comment to the DEIS. Furthermore, MDOT SHA has consistently stated during both the procurement and NEPA processes that the private concessionaire, not the State will be responsible for the design, engineering and construction of the highway improvements. Therefore, the impacts presented in the DEIS are rudimentary and based on a limit of disturbance (LOD) as determined by MDOT SHA's preliminary planning and design without detailed engineering and constructability analyses, adding another layer of challenge to staff's review and analysis of the DEIS.

The Major Issues:

1. ***Insufficient Accounting for the ICC.***

   **MD 200 Diversion Alternative should be studied in more detail with various modeling assumptions, including analyses with and without the I-95 segment.** As M-NCPPC stated in its comments to the proposed Alternatives Retained for Detailed Study (ARDS), a prior stage of NEPA review, *not* considering environmental impacts as a differentiator between the preliminary screened alternatives and the ARDS is a flawed approached directly in conflict with the intent of NEPA. A major component of the NEPA process is to identify environmental impacts and to utilize the differences, as small as they may be, to select an alternative that avoids and minimizes potential impacts while also fulfilling the project's purpose and need. The major environmental differentiator between the MD 200 Diversion Alternative and all other build-alternatives is nullified by the addition of the I-95 segment from MD 200 to I-495, and there was no clear justification for adding that segment to the model for the MD 200 Diversion Alternative.

   The origin/destination (O/D) data indicates only a 5% usage between Prince George's County and north of I-270. And the O/D data for travel between Prince George's County and the American Legion Bridge (ALB) is lacking. The O/D data indicates significant potential for use (20%) between the ALB and north I-95. This managed lane addition to I-95 was not necessary to evaluate a MD 200 alternative and in dilutes the benefits of the MD 200 Managed Lane route, creates environmental impacts that otherwise would be avoided, AND creates traffic impacts on I-495 in Prince George's County. In fact, adding the I-95 segment between MD 200 and I-495 acts to the detriment of diverting traffic by encouraging travel on the most sensitive segments of I-495. I-95 now acts as a bottleneck to filter traffic onto I-495 and does this quite well. The MD 200 Diversion Alternative without this I-95 section would likely have very different results, which cannot be discerned with the information provided in the DEIS. Since the purpose of its consideration was environmental impact avoidance, there is not much logic in expanding the managed lane network

and creating additional environment impacts on I-95 without any rational need to toll or expand capacity on this section of I-95.

Based on M-NCPPC's technical evaluation, using Inrix travel time data, current conditions suggest that morning peak period travel in the southbound direction between I-95 at MD 200 and the ALB is faster on a regular basis using MD 200. Missing from the MDOT SHA model was a comparison of the average travel time between the I-95/MD 200 interchange and the ALB by direction and by peak period and projected travel times in 2040. The analyses model used by MDOT SHA, although valid, tends to hide more basic statistics that would be easier for the general public to understand, and we believe drives (pun intended) the logic behind the MD 200 Diversion Alternative. Furthermore, MDOT SHA failed to consider a variety of assumptions that would incentivize the MD 200/I-270 route as opposed to travelling on I-495/I-95 through operational changes such as restructuring the tolling systems and speed limits currently in place, and adding more dynamic signage.

Without the I-95 segment, the reduction in environmental impact provides a greater benefit for the MD 200 Alternative under the Commission's Park Policy and under Section 4(f) of the Federal Transportation laws (as discussed further below). Therefore, the analysis provided by MDOT SHA fails to demonstrate that it is not a reasonable avoidance technique under Section 4(f).

Although the financial structure of the P3 is not directly within M-NCPPC's wheelhouse for review, and staff is trying to stay in our lane (another pun intended), MDOT SHA did indicate that the financial difference between the MD 200 Diversion Alternative and the build-alternatives was not enough to warrant inclusion of the Diversion Alternative in the ARDS. However, there is no indication that the financial risks due to the likelihood of delay as a result of litigation to prevent the build-alternatives, or the difficult land acquisition process, particularly to expansion of I-495 in its most environmentally sensitive areas (Northwest Branch, Sligo Creek and Rock Creek), will impact the financial implications both to the P3 and the potential for unexpected burden on the taxpayers. The impact to the Purple Line Partnership due specifically to cost overruns from construction delays, land acquisition difficulties, and design changes – each raised as concerns under this DEIS review - is a perfect case in point.

2. ***LOD Modifications After the FEIS and ROD*.**

**The LOD[2] as currently proposed by MDOT SHA is unrealistic to depend on for impacts to parkland as it is a preliminary planning tool.** The LOD neither adequately reflects the area required to realistically address natural, cultural and recreational impacts during the expansion of the highway, nor does it take into account local traffic considerations. M-NCPPC needs to be positioned to be able to request changes in the LOD as the project progresses to ensure minimization of impacts to resources and encourage the best construction methods available to be implemented. The P3, in coordination with M-NCPPC must be given flexibility to address issues that arise in later stages of design and construction as more detailed information becomes available. It is our experience on similar projects that if this flexibility is not built into the framework of the P3 Agreement, that even if detailed engineering and constructability analyses

[2] Unless specifically stated, detailed LOD comments refer to Alternative 9 but should generally be applied to all build-alternatives since there is no significant difference in footprint among the build-alternatives.

identify more efficient, less impactful methods of construction, those methods will not be explored or implemented if they require expansion of the LOD.

a. *The LOD does not adequately address likely environmental impacts to natural, resources, some that occur outside the limits of the LOD*. Detailed field review demonstrates that the current LOD does not comprehensively reflect expectations of environmental impact and what will be needed to restore and mitigate for proposed construction. The LOD needs adjustments on Parkland in many locations; often to allow for stable outfall transitions, stormwater management, or rehabilitation of impacted assets.

*b.* *Inventory of cultural and historic resource impact is incomplete.* Please refer to the discussion provided in #8 below.

c. *Access decisions are flawed.* Both locations and the choice between direct access ramps or slip lanes appear to be based entirely on geographic impact without consideration of the relationship to existing and future origin-destination patterns, planned land use, economic development considerations including major facility planning, social equity, safe and efficient access to transit facilities, or effect on local traffic patterns. As indicated earlier, the private concessionaire, not the State will be responsible for the design and engineering of the highway improvements. Therefore, the access decisions presented within the LOD are based on MDOT SHA's preliminary planning and design without ample consideration of local planning and needs, and with minimal, if any engineering and constructability analyses. MDOT SHA has created the LOD without the detailed analysis that the private concessionaire will apply during the design, particularly based on the economics of the project. What are the major origin/destination areas? Where is traffic increasing, and can the local network and interchanges accommodate the additional traffic increases? The local impacts must be factored into this evaluation for traffic impacts and mitigation costs. As examples, i) the approved Montgomery County Master Plan of Highways and Transitways currently proposes a full interchange at the intersection of MD 355 and Gude Drive. If this need is accelerated by the project, it should be included in the project requirements. Without this mitigation, the effective capacity of one of the most important arterials in Montgomery County, MD 355 could be compromised, and ii) the closest access onto or off of the managed lanes is several miles in either direction to access the new UM Prince George's Hospital Center.

*d.* *Constructability concerns have not been appropriately addressed.* In one example, the road edge along Rock Creek near Cedar Drive has been designed with a retaining wall in an attempt to avoid impacting Rock Creek. The LOD, which determines the ultimate area of impact, does not extend into the stream. However, installation of the retaining wall in this location will certainly cause impacts and instability to the streambank and the stream bed. Moreover, for the stream to have long term stability along the retaining wall (and not undermine the wall) in-stream stabilization measures will be necessary, which are not accommodated in the LOD as currently shown.

3. ***Making Parks Whole Again.***

**Environmental responsibility must expressly address both the Federal Transportation Act Section 4(f) requirements and the Montgomery County Parks Policy for Parks - Park, Recreation and Open Space (PROS) Plan 2017. They require that if avoidance of an impact is deemed unreasonable – minimization of an impact must be explored. Once minimization of an impact has been reasonably exhausted, mitigation at equal or greater natural, cultural or recreational value must be sought and agreed upon.** Furthermore, best practices demand that the mitigation directly address the impacts through either replacement or enhancement within a reasonable geographic location to the impacted resource. Accordingly, the DEIS must include clear commitments that MDOT SHA and the concessionaire apply such avoidance and minimization efforts, and specific parkland mitigation must be at a greater or equal value for each impacted property. This statement applies for all parkland affected by the project.

The dense development surrounding the MLS Study Area, and the surrounding urban environment, particularly along I-495 has resulted in the natural, recreational and cultural resources around the project area being exceptionally critical to both Montgomery County's residents and the function of the existing ecological communities. Prior to approving the conveyance, or temporary impact to park property for this or any project, the Commission must determine that the *Policy for Parks* has been followed.

For projects that will impact parkland, non-parkland alternatives must be pursued first– unless environmental, economic, social and engineering impacts to move the project off parkland are proven to be prohibitive. In cases where the Commission has deemed that non-park use of parkland cannot be reasonably avoided and/or serves the greater public interest, the Commission shall:

- Require through a Park Construction Permit that the MDOT SHA and the concessionaire through the P3 Agreement minimize the impacts to parkland as much as possible.
- Determine how to make the park system whole through mitigation including but not limited to: reforestation, vegetation enhancements or replacements, tree replacement, impervious surface removal, stormwater management facility retrofit or creation, stream restoration, enhanced outfall stabilization, terrestrial or aquatic habitat restoration, Park recreational asset reconstruction and/or relocation, or other measures deemed appropriate for the impact.
- Where MDOT SHA must permanently take ownership of parkland, parkland replacement may be required. Parkland impacted by a project must be replaced at equal or greater natural, cultural, and/or recreational value at a qualitative level, and therefore the parkland replacement mitigation may exceed the acreage impacted by the project.
- If the Commission determines that the impacts to parkland caused by the project is of such magnitude that the park function affected can never be restored and/or there is no comparable replacement land in the County, a compensation plan may be agreed upon.
- Neither mitigation nor compensation will be considered in place of avoidance and minimization if at all possible, and in any case will need to be approved by the M-NCPPC.

Because the specific impacts to parkland are unknown at this time, the DEIS (and the FEIS and ROD) must contain a plan on how MDOT SHA and the concessionaire will meet avoidance, minimization and mitigation requirements, including regulatory (404), parkland mitigation, and parkland enhancements. In particular, the plan must include how the avoidance, minimization and mitigation requirements will be approved and implemented in relation to the proposed project phasing and the current questions that surround the timelines and approvals of future phases.

M-NCPPC has committed significant resources to providing a thorough technical review and expects significant coordination with MDOT SHA prior to the FEIS to further evaluate avoidance and minimization measures and to make necessary LOD adjustments and environmental restoration to create a sustainable project. Relying on incentives to the concessionaire will not be sufficient.

4. ***Adherence to the Capper-Cramton Act.***

**M-NCPPC will need a complete understanding and commitment from MDOT SHA regarding parkland impacts and mitigation before approval from NCPC is sought for change in use or ownership of Capper-Cramton parkland**. The DEIS merely states: "However, M-NCPPC is the designated applicant to NCPC for any proposed changes to parks funded by the Capper-Cramton Act." That language is insufficient and warrants further explanation to accurately capture the process. The Capper-Cramton Act of 1930 (46 Stat. 482) (Act) was enacted to create a comprehensive regional park, parkway, and playground system by providing federal funding to assist with the acquisition, establishment, and development of the George Washington Memorial Parkway and certain stream valley parks in Virginia and Maryland, including much of the parkland that is within the LOD for highway development. The Act provides strict requirements to be followed for the development and management of any land acquired with such funding (Capper-Cramton Parkland). Those requirements were memorialized in an Administrative Agreement between the National Capital Planning Commission (NCPC) and M-NCPPC. That Agreement prohibits, in whole or in part, conveyance, sale, lease, exchange or use of the parklands for "other than park purposes; and requires Capper-Cramton lands to be developed in accordance with plans approved by the NCPC." M-NCPPC must seek approval from NCPC for any change from the approved development or use of those lands.

As previously explained, the DEIS provides imprecise and very rudimentary information about the potential impacts to parklands, including Capper-Cramton Parkland, as MDOT SHA intends that the final design and engineering of the highway improvements will be prepared at a later stage in the process by the private concessionaire. Therefore, M-NCPPC will need a complete understanding of the actual impacts to its parkland, including all Capper-Cramton Parkland within the Rock Creek, Sligo Creek, and Northwest Branch watersheds. Furthermore, in accordance with the *Policy for Parks* previously described of avoidance, *then* minimization of impact, *then* appropriate mitigation, the DEIS, as well as the FEIS, the ROD, and the P3 Agreement must include clear and binding commitments that MDOT SHA, and the concessionaire will follow the *Policy for Parks* before approval from NCPC is sought for the affected Capper-Cramton Parkland. This will include, but is not limited to, comprehensive

evidence of reasonable avoidance techniques, extensive impact minimization, on-site restoration, on-site mitigation, off-site mitigation, and necessary parkland dedication. And subject to M-NCPPC's satisfaction that MDOT SHA has sufficiently addressed that Policy, MDOT SHA must provide all necessary information and documentation for M-NCPPC to submit for NCPC approval.

5. ***Social Equity.***

**The DEIS does not sufficiently address impact to economically challenged populations or social equity as required under NEPA.** Since I-495 and I-270 are regional interstate facilities serving as the major freeways and commuter routes within Montgomery and Prince George's Counties, the need to conduct an equity evaluation on the transportation benefits of each of the Alternatives is of utmost importance. The DEIS's conclusory statements that everyone benefits, particularly given the widely-held perception that managed lanes are intended solely for those with the ability to pay is not acceptable. To simply conclude that everyone is benefiting with travel time savings when the project design does not provide equitable access to the managed lanes creates another layer of inequity. The equity/environmental justice evaluation in the DEIS falls far short of any best-practice equity analysis and does not make any reasonable recommendations to address the inequities such as adding or modifying access locations or developing a toll subsidy program. More detailed information is needed as part of the Environmental Justice evaluation to help determine whether equity mitigation might be necessary with the project, and what that equity mitigation would entail.

**6.** ***Alternative Modes of Travel*****.**

**The DEIS does not meet the stated goal of leveraging other modes of transportation.**

a. There is no discussion or analysis of how to bring transit across the Woodrow Wilson Bridge (WWB), which was designed and built to accommodate rail at significant cost to the State of Maryland.
b. There is no indication or commitment that the American Legion Bridge will be designed to structurally accommodate rail, whether now or in the future for this significant bridge replacement project as was done for the WWB, particularly considering the 50-year term proposed for the P3.
c. The DEIS must include consistent bike and pedestrian crossing in its design for better connectivity to transit and to break down the barriers to the local communities created by I-495 and I-270.

7. ***Non-auto driver mode share (NADMS).***

**NADMS is a primary performance metric and a goal in many Montgomery County master plans, particularly for the urban centers, yet the DEIS does not address how the project will impact those goals or how negative impacts to these goals will be mitigated.** While this is a standard metric in many Montgomery County Master Plans, it is often estimated using regional travel demand modeling, so it is certainly within the capabilities of the MDOT SHA team to evaluate. The NADMS workers' and residents' goals are often measured separately and have different mode share targets for master/sector plan workers and residents. At a

minimum, transit-related mitigation funded through the toll revenue[3] should be made available and applied to help develop non-auto programs that will offset any adverse impacts to NADMS goals.

8. ***Non-Conformance with the Historic Preservation Act*.**

**The DEIS does not adequately fulfill the Historic Preservation Act, Section 106 requirements as part of the NEPA process.** The Section 106 process, part of the National Historic Preservation Act of 1966, ensures that federal agencies (or agencies with projects using federal funds) take into account the effects of its actions on historic and/or cultural properties. This process must be followed rigorously as part of compliance with NEPA and Section 4(f) mitigation requirements for parkland impacts under Federal Transportation laws. This means that cultural resources, including but not limited to historic built structures and districts, historic landscapes, archaeological sites, and other sites of cultural significance must be systematically and thoroughly identified and analyzed for eligibility to the National Register of Historic Places. FHWA and MDOT SHA have not sufficiently completed the identification phase of Section 106 for certain archaeological sites and historic cemeteries. Additionally, the decision to evaluate critically important cultural landscapes that are foundational to the mission and identity of M-NCPPC as separate and discrete park units as opposed to evaluating them as a regional whole has led to an incomplete understanding of the historical significance of the M-NCPPC Parks' properties. In some cases, MDOT SHA has opted to delay identification to some future, unspecified date and/or has not made use of fully available research and fieldwork to understand a site's history, boundaries, and significance. The gaps in the identification process also mean that effects to historic properties cannot be properly gauged. This lack of complete identification and the consequent inability to assess project effects (whether adverse or not) results in process 'leapfrogging' in some critical areas, including FHWA and MDOT SHA's stated preference and ongoing request to proceed to the future step of negotiating a Programmatic Agreement (PA) on mitigation measures for the project. This lack of complete identification of resources eligible for the National Register of Historic Places, the inability to properly then conduct assessments of effect, and pressure to move nonetheless to the Programmatic Agreement phase represent a distinct problem in the project. Section 106 of the National Historic Preservation Act requires federal agencies and consulting parties to undertake every effort to reach agreement on measures to avoid, minimize, and mitigate adverse effects on historic properties. Unless this is achieved, the DEIS will not meet the legal threshold for properly incorporating Section 106. These unresolved issues with Section 106 in turn impact the baseline information required to properly complete the NEPA and Section 4(f) analysis. Guidance from the CEQ, Advisory Council for Historic Preservation, and the EPA make clear that complete identification and effects analysis for known cultural resources should be addressed in the early phases of the DEIS; moving ahead to the PA without this information hampers our due diligence for all subsequent phases as well as our ability to properly negotiate for any mitigation should adverse effects not be

[3] A condition of the BPW authority for the P3 includes a negotiated MOU between MDOT SHA and the local jurisdictions to apply a portion of the toll revenues toward transit initiatives.

avoided. This process problem has been brought to the attention of both FHWA and MDOT SHA's, but the problem has still has not been adequately addressed.

**9. *Inadequate stormwater treatment*.**

**The storm water management (SWM) approach presented in the DEIS is insufficient and ignores decades of degradation that the existing highways have inflicted on local land.** It is essential that all opportunities to include SWM facilities be evaluated to provide treatment for both new and existing impervious surfaces.

Current requirements only mandate 50% treatment of reconstructed impervious areas (which are defined as exposing bare earth during construction; anything less would not require any SWM). MDOT SHA currently estimates that 25% of the existing highway surfaces will be reconstructed, meaning the intention is only to treat 12.5% of the existing roadway. This is wholly inadequate as the runoff from the existing highways causes continued damage to downstream waterways and infrastructure in local jurisdictions. If MDOT SHA does not take this opportunity to address these issues as part of this project, the onus will fall on local jurisdictions to do so in the future.

In order to avoid off-site SWM mitigation and banking, M-NCPPC urges MDOT SHA to further explore the areas immediately surrounding the highways, as well as to investigate innovative techniques to fulfill their stormwater obligations. It is critical that SWM be further assessed at this early stage of the project and opportunities be identified to accommodate it, both within the LOD as currently shown and in areas adjacent to the highway. M-NCPPC has provided the MDOT SHA project team additional potential SWM locations and anticipates working collaboratively with MDOT SHA to identify all reasonable SWM opportunities. Moving forward, more emphasis needs to be put on the protection and restoration of aquatic habitat within identified sensitive aquatic resources and MDOT SHA must commit to going above and beyond the MLS project's regulatory stormwater requirements to address decades of water quality impacts these highways have inflicted on the receiving waters of some of the region's greatest natural resources.

**Next Steps.**

MDOT SHA has received four responses to its RFQ and will be issuing an RFP, and ultimately a single P3 Agreement for Phase 1 design, construction and operations of the Western Corridor (ALB to Frederick) that includes a portion of the 495 & 270 MLS (**no portion of 495 east of 270**) and the entirety of the 270 North project.

Anticipated NEPA and Procurement Schedules:

- **7/10/2020: DEIS Publication** (Notice of Availability) for the 495/270 Managed Lanes Study (MLS) has been made available to the general public through the MDOT SHA website, with printed copies at MDOT regional offices and at temporary kiosks in Montgomery and Prince George's Counties.
- **7/15/2020: Staff briefing** of the DEIS to the Full M-NCPPC for discussion/comment.
- **Late August/Early September 2020: Public hearings** (2 in Montgomery, 2 in Prince George's, and 2 virtual) -requirement is for public hearings no less than 30 days after the Notice of Availability.
- **7/2020: Shortlist from RFQ** for Phase 1 P3 Agreement.
- **Early October 2020: Close of public comment** must be no less than 45 days after the Notice of Availability. MDOT SHA has indicated that the close of public comment will be no less than 15 days after the last public hearing on the DEIS
- **9/2020: Notice of Intent to begin NEPA process for *270 North*** *portion of the project*
- **5/2021: FEIS and ROD for MLS**
- **5/2021: Final selection of Private Partner for Phase 1**

Attached are charts that indicate the full suite of the technical staff comments to the First Administrative Draft of the DEIS with detailed explanation and valuation, whether a Major Issue (MI), a Technical Deficiency (TD), or a Technical Comment (C). These charts were included to provide a more complete picture of staff's review and for you to decide whether any of these "lesser" concerns rise to the level of a Major Issue, or they provide an opportunity for clarification.

**Comment Ranking Legend:**

- Major Issues (MI). These are the issues that we would likely present to the Commission at the June 17th full Commission Meeting as needing their attention and discussion. Perhaps they would be the justification used for withholding conveyance of parkland or potential for litigation.
- Technically Deficient (TD). Issues that rise to a level of import to the Commission that need to be reconsidered or addressed more thoroughly in development of the FEIS.
- Technical Comment (C). Issues that need attention to improve the document.

| Comment No. | Commenting Agency | Page and Section | Value: SS, TD or C (See Legend) | Comment |
|---|---|---|---|---|
| 1 | M-NCPPC Montgomery General | General Comment; Page 6-2 Section 6.3 | C | Incorporation of prior comments. All prior comments by M-NCPPC to concurrence points, whether or not accepted by MDOT SHA and FHWA are specifically incorporated by reference into all subsequent Study documents. |
| 2 | M-NCPPC Montgomery General | General Comment | C | Multi-phased project. Although the NEPA process is not bound by the MD P3 Act, it is important that the DEIS and ROD include a discussion of the implementation phases and timing of this multi-phased project. Any phased project of this magnitude, particularly given the length of time anticipated between phases needs to be designed and evaluated at each phase with multiple alternatives. The impact from earlier phases has direct impacts on future phases that must be considered and evaluated at each subsequent phase with multiple alternatives. The DEIS should clarify the expected phases of implementation, the order and timing in which they are expected. |

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| 3 | M-NCPPC Montgomery General | General Comment | C | Separate RODs for each phase. The DEIS should clarify that separate RODs will be issued for different segments of the Study Area and limit the DEIS accordingly or include a commitment to the "No Build" Alternative for the segments of I-495 east of I-270 because the EIS will need to be reopened for any other Alternative to for that segment of the project area for the following reasons (among others):<br>a. The BPW specifically restricted acquisition of property until after the P3 Agreement is approved, so a mitigation plan cannot be approved without property acquisition for replacement property for parkland.<br>b. RPA for the I-495 segment and the ICC alternative are dependent on the outcome of the Western Corridor operations and success, including relief of the ALB bottleneck more reliably than theoretic modelling.<br>c. The ICC bond satisfaction date is integral for the financial analyses of the MD 200 Alternative. If the bonds will have been satisfied, tolls will no longer be *required*, changing the operations and use of the ICC supporting new travel analyses as well.<br>d. Changes in commuting patterns through land use implementations, technology and work force practices (i.e., telecommuting), and the Purple Line and several BRT systems having come online. |
| 4 | M-NCPPC Montgomery General | Page 2-16 Section 2.5.3 | TD | MD 200 Diversion Alternative should be studied in more detail, including analyses with and without the I-95 segment. It is not clear why that segment was added to the managed lanes since the O/D data indicates only a 5% usage between Prince George's and north of I-270. The data indicates significant potential for use (20%) between the ALB and north I-95, which does not support managed lanes on I-95 between MD 200 and I-495. In fact, it acts to the detriment of diverting traffic by encouraging travel beyond MD 200 to I-495 East. I-95 now acts as a bottleneck to filter traffic onto I-495 and does this quite well. The MD 200 Diversion Alternative without this I-95 section would likely have very different results, which cannot be discerned with the information provided in the DEIS. Since part of its development was environmental impact avoidance for 4f purposes, there is not much logic in expanding the managed lane network and creating additional environment impacts on I-95 as a result. There is no rational need to toll or expand capacity on this section of I-95. Furthermore, without the I-95 segment, the reduction in environmental impact provides a greater benefit for the MD 200 Alternative under 4(f). |
| 5 | M-NCPPC Montgomery General | General Comment | C | Northwest Branch bridge. There is no mention of the expected life-span of the bridge over Northwest Branch. The timing around the need to replace this bridge needs to be replaced, independent of a potential I-495 expansion, is relevant to the costs, timing of construction, and environmental impact directly related to the project. In that light, there should be an analysis of a possible terminus of managed lanes on I-495 coming from Prince Georges at 29 (Colesville Road). |

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| 6 | M-NCPPC Montgomery General | General Comment; Page 2-21 Section 2.5.4 | TD | Alternative composites. Although the RPA is not presented in the DEIS, it should be made clear whether an "ala carte" approach will be acceptable. In fact, the addition of Alternative 9M suggests otherwise. However, due to the size and scope of the project (48 miles), different segments of the effected highways, as well as impact to the surrounding road network does not lend the project to a single solution. There are multiple environmental, cultural and transportation impacts and solutions along the route, and therefore the selection of a single alternative may not be the better solution. |
| 7 | M-NCPPC Montgomery General | General Comment | MI | Environmental impact. Detailed field review demonstrates that the current LOD does not comprehensively reflect expectations of environmental impact and what will be needed to restore and mitigate for proposed construction. |
| 8 | M-NCPPC Montgomery General | Page 2-39 Section 2.8<br><br>Section 6.2.3, Alternatives Technical Report | TD | Financial Viability. The financial analysis is severely lacking in any data in which to understand or respond to the results. Further, each of the alternatives would require a significant state subsidy, which is contrary to all of the representations throughout the process that no taxpayer dollars would be required for the project. In fact, each of the alternatives would require some subsidy without description of the funding source. Financial viability is poorly presented within this document. Section 6.2 presents a range of economic outcomes based on two metrics, interest rates and capital costs. What set of conditions are being used to evaluate these Alternatives? What happens for all Alternatives in the best case, the worst case, and the middle of the road-case? This evaluation also assumes that all Alternatives have the same risk of unknown/unexpected costs, typically built into a contingency. Were different contingencies built into each Alternative cost estimate and how do they compare? Alternatives with lower contingencies have a lower risk of cost escalation and should be factored into this evaluation. Inclusion of a full financial evaluation report as a technical appendix is recommended. |
| 9 | M-NCPPC Montgomery General | Page 1-8 Section 1.9.2 | MI | Environmental responsibility must include language that requires – in the following order avoidance, then minimization of impact, then mitigation *at equal or greater natural, cultural or recreational value*. |
| 10 | M-NCPPC Montgomery General | Page 2-16 Section 2.5.2 | TD | Alternative 5. The DEIS indicates Alt 5 would have a minimum reduction in impact. There have been no efforts to focus on avoidance and minimization similar to what has been tried for the two-lane expansion options. This results in an unequal comparison of potential impacts. |
| 11 | M-NCPPC Montgomery General | Page 2-31 Section 2.7.3 | TD | SWM. A number of SWM opportunities on parkland have been proposed for consideration. Any SWM requirement deficits should first be met within the existing highway network and secondly within the impacted watershed. |
| 12 | M-NCPPC Montgomery General | Page 2-38 Section 2.7.7.c | C | Dynamic Tolling. Since the access points are limited, is there protection for driver to avoid increased tolls once entered onto the managed lanes? What is the notice and opportunity to avoid unintended charges? |

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| 13 | M-NCPPC Montgomery General | Page 2-39 Section 2.8 | MI | Financial risks. Were delays and cost of litigation risks included in analysis? Need data for MD 200 Alternative, as well. Each alternative appears to need a state subsidy. How will this be handled without exposure to taxpayer risk? |
| 14 | M-NCPPC Montgomery General | Page 2-39 Section 2.9 | MI | Benefits of ML. Did not address impact to lower economic population. How was the equity review conducted related to costs and access? |
| 15 | M-NCPPC Montgomery General | Page 3-10 Section 3.3.6 | C | Local Network needs closer and more transparent analysis. What areas were tested? How far out from the access points did the study go? |
| 16 | M-NCPPC Montgomery General | Page 4-2 Section 4.1.1 | TD | Land Use and Zoning. Were the land use patterns as designated in local master plans used in the model for future traffic patterns? If so, how were they modeled, such as impact of creating mixed use development – particularly the CR Zone to encourage walkable communities that shift away from car centric transportation on major highways. Noted that none of the major area master plans in Montgomery County that encourages development patterns to encourage such shift were cited in the DEIS. Therefore, the future transportation pattern modeled for 2040 is ignored and perhaps flawed. |
| 17 | M-NCPPC Montgomery General | Page 6-2 Section 6.2 | C | M-NCPPC is listed as a regional Cooperating Agency. The Maryland General Assembly expressly declared M-NCPPC as an agency of the State under Md. Code Ann., Land Use Art., §15-101(b). |

**Comment Ranking Legend:**

- Major Issues (MI). These are the issues that we would likely present to the Commission at the June 17th full Commission Meeting as needing their attention and discussion. Perhaps they would be the justification used for withholding conveyance of parkland or potential for litigation.
- Technically Deficient (TD). Issues that rise to a level of import to the Commission that need to be reconsidered or addressed more thoroughly in development of the FEIS.
- Technical Comment (C). Issues that need attention to improve the document.

| Comment No. | Commenting Agency | Page and Section | Value: MI, TD or C (See Legend) | Comment |
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| 1 | M-NCPPC Montgomery Planning | Page ES-1 Section DEIS, Executive Summary p. 1-1, DEIS | C | The selection and technical process to select the logical termini and phasing for this project has not been provided. This was highlighted when we reviewed the Purpose and Need and ARDS documents. We requested documentation/justification correspondence/documents to support the logical termini decisions, and this information has not been provided. |
| 2 | M-NCPPC Montgomery Planning | Pages 2-2, 2-21, 2-22 , DEIS | TD | A combination of Alternative 9M and the MD 200 Diversion Alternative should have been evaluated and presented with the same level of detail as the other Alternatives. This alternative would widen the top side of I-495 to provide one managed lane in each direction, use TSM/TDM at the ramp interchanges, and include MD 200 to help divert traffic away from the top side of the Beltway. A simple bottleneck analysis, consistent with the FHWA document **Traffic Bottlenecks: Identification and Solutions**[1], would have revealed this if conducted before developing this Alternative. |
| 3 | M-NCPPC Montgomery Planning | Pages 2-2, 2-21, 2-22 , DEIS | TD | Given the age of MD 200, when is the road scheduled to be fully paid? Why wasn't a sub-analysis/Alternative conducted to see if this facility could support the Managed Lane system by operating without a toll? The P3 contractor could cover road maintenance on this facility, which is the typical reason that toll roads are continued even after the bonds are paid off. If combined in a composite alternative with Alternative 9M, this strategy could significantly aid in the reduction in delays on the top side of I-495. |

[1] David Hale et al, ***Traffic Bottlenecks: Identification and Solutions****, Publication No: FHWA-HRT-16-064, US Department of Transportation, Federal Highways Administration, November 2016.C*

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| 4 | M-NCPPCC Montgomery Planning | Pages 1-1 to 1-8, DEIS | TD | M-NCPPC does not concur on the Purpose and Need per previous comments submitted to MDOT SHA. |
| 5 | M-NCPPC Montgomery Planning | Page 2-37, DEIS | C | Please explain how the planning purposes average toll rates were developed for each Alternative. Are other managed lane facilities tolled in the same manner, and do similar facilities, including the Managed Lane facilities operated by VDOT, achieve this 45-mph average speed and resulting traffic demand? What percent utilization or volume to capacity ratio is this equivalent to? |
| 6 | M-NCPPC Montgomery Planning | General | C | Please provide more-detailed volume information for the managed lanes by providing a breakdown of HOV3+, transit, and tolled traffic for each road segment. |
| 7 | M-NCPPC Montgomery Planning | General | C | When the 45-mph average speed was used to calibrate the managed lane demand, was this based on the worst-case location, or was this a simplistic assumption? If not, then what percentage of the managed lanes are projected to operate at this peak 45-mph average speed? Where are the peak demand locations along the managed lane network that essentially constrain the rest of the managed lane network? |
| 8 | M-NCPPC Montgomery Planning | General | C | Please provide average speed or travel time information by segment for the general-purpose lanes and managed lanes to show that the managed lanes do in fact provide a significant travel time savings throughout the network. A summary by peak hour, direction, segment, and by facility (managed lanes versus general purpose lanes) is needed. |
| 9 | M-NCPPC Montgomery Planning | Page ES-8 Section ES, DEIS | MI | This is likely a re-iteration of a previous comment made by the M-NCPPC; however, the determination of Alternative 5 as not meeting the Purpose and Need was never clearly defined, and it seems that it was simply excluded based in comparison to the other alternatives. Since it is the only alternative that proposes a reduced LOD footprint, it should be continued as an ARDS, or be considered for implementation as part of a composite alternative (i.e., Alternative 9M). The inclusion of Alternative 9M at this stage of evaluation and not as a full alternative is very frustrating, as the M-NCPPC has been asking for a composite alternative from the earliest stages, and our comments on this have largely been ignored. There should have been more composite alternatives considered at the ARDS stage. |
| 10 | M-NCPPC Montgomery Planning | Page ES-12 Section ES, DEIS | C | Provide more backup for the Annual Average Hours of Savings Per Commuter shown on Table ES-2. A breakdown by direction and segment and for the Managed Lanes and General-Purpose lanes is requested. Why was this metric not included in the overall traffic technical evaluation, but added into this Environmental Screening section? |

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| 11 | M-NCPPC Montgomery Planning | Pages ES-12 Section ES, DEIS, & Environmental Justice Section (by omission) | MI | On Table ES-2, for the metric Annual Average Hours of Savings per Commuter, who is experiencing these hours of savings, and has an equity evaluation been conducted on who is saving this time and what the equity implications of these savings are? It is not satisfactory to just say that everyone is benefiting. This is how managed lane equity/environmental justice evaluation typically fall short. More detailed information is needed as part of the Environmental justice evaluation to help determine whether equity mitigation might be necessary. Disproportionate benefits to those who can afford to pay can be defined as inequity even if all benefit, particularly if the project design is focused on ability and willingness to pay without options or mitigation for low-incomed citizens. The M-NCPPC has previously identified possible equity mitigation to address this. |
| 12 | M-NCPPC Montgomery Planning | Page 2-6, DEIS | C | The use of "Projects that in Visualize 2045" as an Alternative metric screening tool is an extremely poor and misleading metric. Projects were added to the Constrained Long-Range Plan at the request of MDOT, which is a member of MWCOG. The addition was not based on the conclusions of a long-detailed study, but on the desire and proposals from Governor Hogan's Traffic Relief Plan. This screening tool hampers any concept that is not part of the Governor's proposal. We would object to this metric less if the CLRP projects were based on discrete environmental studies. Please remove this section and eliminate the presence in Visualize 2045 as a metric. |
| 13 | M-NCPPC Montgomery Planning | Page 2-7, DEIS | C | It should be noted that CLRP-constrained element ID-1182 calls for two managed lanes in each direction, between the Baltimore Washington Parkway and the Virginia State Line/Potomac River at the Woodrow Wilson Bridge. By the definition of logical termini by MDOT, no Alternative proposed by MDOT meets this requirement. Since MDOT SHA has determined that MD 5, not the Woodrow Wilson Bridge, is their preferred logical termini location, we certainly expected considerable justification within the DEIS supporting this decision, contrary to the CLRP and Visualize 2045. This is lacking in the DEIS, in supporting Appendices or documents provided to the IAWG. We have previously requested this information from the Project Study Team. The M-NCPPC position is that Woodrow Wilson Bridge should be the southern logical terminus for this project. |

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| 14 | M-NCPPC Montgomery Planning | Page 2-8, DEIS | TD | M-NCPPC and the Montgomery County Department of Transportation have previously provided comments on the Alternatives proposed. Most of these comments have not been addressed adequately. The inclusion of transit alternatives without any real intention to evaluate a transit-focused alternative was extremely disingenuous. It has contributed to a public perception that the preferred alternative will only include road elements and that it is already selected before the technical evaluation is complete. More work is needed by MDOT SHA to address how transit could contribute to make the managed lane network work more efficiently. One method might be to identify over-capacity interchanges, such as Connecticut Avenue, and propose managed lane access at this location for transit and high occupancy vehicles only. The concept of managed lane bus stations has also not been explored. Transit funding, as required by the Board of Public Works, is also part of this. It is critical that this funding start before any managed lane construction is initiated, so that public transit can be part of the maintenance of traffic plan during construction as well as enhanced the project in the long-term. |
| 15 | M-NCPPC Montgomery Planning | Page 2-11, DEIS | C | Much of the discussion on the transit alternatives dealt with history, not what was being proposed for this project. The view that the Purple Line is the transit element of MDOT's solution to regional congestion is fine, but irrelevant to this project. The days of highway-only projects with no public transit support or components are past, despite the efforts and focus of this project, and the blatant disregard for public sentiment on developing regional multimodal solutions is concerning. If re-written correctly to show project team efforts, this section would be very short and blunt. Please move transit history to other sections, including the description of Alternative 1. |

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| 16 | M-NCPPC Montgomery Planning | Page 4-13 thru 4-19<br>Section 4.5, DEIS | MI | Environmental Justice should include a consideration whether the projected transportation benefits address Environmental Justice concerns. Since I-495 and I-270 are regional interstate facilities serving as the major freeways within Montgomery and Prince George's Counties, there is a need to conduct an EJ evaluation on the transportation benefits of the Alternatives, particularly given the widely-help perception that managed lanes are "Lexus lanes", intended solely for those with the ability to pay. While managed lanes can provide benefits for both the managed lanes and the general-purpose lanes, there is no evaluation in this DEIS on who is benefiting and to what extent. This is needed to assess whether any of the Alternatives address equity/environmental justice concerns to a greater degree. The provision of disproportionate benefits based on ability to pay is the precise type of EJ concern that needs to be addressed. Considering EJ concerns in this manner might result in project mitigation to address these EJ issues, including adding or modifying access locations, developing a toll subsidy program, and incorporating public transit focused on those areas where unequal benefits are likely to impact EJ populations. |
| 17 | M-NCPPC Montgomery Planning | Page 4-16<br>Section 4.5, DEIS | C | The use of the term "No Minority or Low-Income Population" in Figure 4-4 is misleading. There are in fact minority populations in most, if not all, of these spatial areas. This should be retitled to identify areas where significant populations are located by federal definitions. It would also be preferable if some range could be added to distinguish areas with higher versus lower EJ populations (lowest-income areas versus higher income EJ areas) instead of one selection per population. |
| 18 | M-NCPPC Montgomery Planning | Page 2-14<br>DEIS | C | Alternative 14C – this section spends a lot of time talking about CLRP BRT projects. This belongs under the discussion of Alternative 1, as these projects have no relation to what MDOT SHA is proposing for this Alternative at all. In fact, to-date, Montgomery County is working to implement these projects using mostly county funds, and in the case of the Corridor Cities Transitway, with no state funding or support at all. This alternative should have spent time evaluating other public transit connections or extensions. No time was spent doing this basic due diligence. This Alternative was never a serious alternative and it is insulting to the public to include this alternative in its present form within this evaluation. |

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| 19 | M-NCPPC Montgomery Planning | Page 2-16 Section 2.5.2 | TD | Alternatives 5, 9 and 13B included the conversion of the existing peak period only HOV lane on I-270 to 24/7 HOT operation. No evaluation has been presented what this would do to HOV use and off-peak general-purpose use and traffic operations of the peak and off-peak period HOV lane. If this Alternative created congestion in order to install a toll and push traffic into congested general-purpose lanes, that in itself should disqualify these alternatives on I-270. More detailed comparisons are needed to evaluate the impact of converting peak period only HOV use to HOT use on I-270. With the loss of one off-peak period travel lane in each direction (the existing HOV lanes), it is not clear if congestion is being artificially being created during the shoulder hours when HOV enforcement is not in effect. While this may be allowable by FHWA, it is a practice to be avoided unless it results in significant reductions in environmental impacts. The perception that this practice is simply adding a price tag to an existing use and a betrayal to past public non-SOV commitments should be addressed in the DEIS by evaluating how the project will or will not create congestion. Does this conversion result in significant HOV usage increases? If so, this should be documented. |
| 20 | M-NCPPC Montgomery Planning | General | MI | M-NCPPC has previously commented that the inclusion of the conversion of I-270 from a local/express system at part of all Alternatives actually hides the incremental benefits of the actions proposed. A separate analysis should have been prepared of Alternative 1 with the local/express system removed to provide this comparison. |
| 21 | M-NCPPC Montgomery Planning | General | TD | Given the fact that federal policies promote the reduction of Single-Occupant Vehicle (SOV) travel and the use of High-Occupancy Vehicle (HOV) travel, it is evident that no presentation on the impact of the alternatives on HOV usage has been presented in this entire document. We can find the existing HOV usage on I-270 (presented on pages 47-49 in the Traffic Technical Report). How do the Alternatives result in increased or decreased HOV usage overall, and as a percentage of total travel? How much of the managed lanes volumes/VMT/Throughout calculated are HOV users? Why isn't any of this information presented? A goal to managing congestion is to address all modes with a focus on reducing SOV travel. A detailed evaluation of how HOV or non-SOV travel patterns are likely to change by 2040 and how each Alternative contributes to this change is a critical decision-making metric that was omitted from this document. This omission leads this agency to conclude that it is not an important factor for MDOT SHA guiding any decisions related to this project. We assume that HOV is estimated, as these users do not have to pay to travel on the managed lanes, so reporting this breakdown between paying and non-paying users of the managed lanes should be easy to do. The Traffic Technical Report clearly states on page 79 that HOV volumes were determined for all Alternatives; therefore, it should be easy enough to provide this information for both 2040 daily and peak hour conditions for all Alternatives. |

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| 22 | M-NCPPC Montgomery Planning | Page ES-5 Section ES, Alternatives Technical Report, – Section 6.2.3 – pages 103-106 | TD | Your statement about financial viability does not seem consistent with the results presented in Section 6.2.3 of the Alternatives Technical Report. It is not guaranteed to require a significant public subsidy to deliver. The financial cashflows for Alternative 5 are better than Alternative 13B which was not dropped as an Alternative. Alternative 5 performs better than Alternatives 13B and 13C in the worst case cashflow scenario (High Capital Cost and High Interest Rate). The retention of Alternatives 13B and 13C but not Alternative 5 appears subjective and not entirely consistent with the data presented. |
| 23 | M-NCPPC Montgomery Planning | Page 2-5 and page 102 Alternatives Technical Report, | TD | The local roadway network evaluation is entirely inadequate to address concerns of local traffic changes. What happens at and near existing managed lane access points? Where is traffic increasing and can the local network and interchanges accommodate traffic increases? Where is traffic projected to decrease? Traffic delays at adjacent traffic signals for a distance of at least one major cross street, if not longer, should be evaluated. For example, at Gude Drive, the addition of the Managed Lanes system would need to be addressed at the intersection of MD 355 with Gude Drive (on the east side of I-270) in order to provide meaningful data and delay comparisons. These local impacts should be factored into this evaluation for traffic impacts and mitigation costs. Using Gude Drive as an example, the approved Montgomery County Master Plan of Highways and Transitways currently proposes a full interchange at the intersection of MD 355 and Gude Drive. If this need is accelerated by the project, it should be included in the project mitigation. Without this mitigation, the effective capacity of one of the most important arterials in Montgomery County, MD 355 could be compromised. |
| 24 | M-NCPPC Montgomery Planning | Page 99 Alternatives Technical Report Appendix A | C | The presentation of lane-miles operating at LOS F based on density should be presented for the GP lanes with more detail, by direction and by segment. |

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| 25 | M-NCPPC Montgomery Planning | Page 2-18, DEIS | C | The annual average hours of saving per commuter traffic criterion has been added into this Effects of the Screened Alternatives without significant documentation. Please provide detailed documentation of these calculations, including a breakout between GP lane users and Managed Lanes users for all Alternatives. Please provide this criterion information by highway section for each Alternative, including Alternative 5, 9M and the MD 200 Diversion Alternative. The results for the MD 200 Diversion Alternative are the most surprising. In comparison to Alternative 9, the most significant difference is that the top side of the Beltway would not have managed lanes at all with the MD 200 Diversion Alternative. Based on a comparison of Alternative 9 to the MD 200 Diversion Alternative, the top side of the Beltway would make up most of the difference between the MD 200 Diversion Alternative (19 annual average hours) versus Alternative 9 (73 annual average hours). This means that 74 percent of the annual average hours of savings per commuter for Alternative 9 would occur along the top side of the Beltway. This raises question about project design, project effectiveness on the other segments of I-495 and I-270, and most clearly, a serious question about equity. The "19" figure seems so out of proportion to the other results, as to appear to be an erroneous entry. Please provide the data requested, and if this number is correct, please provide discussion on why this Alternative does so poorly. |
| 26 | M-NCPPC Montgomery Planning | Page 115, Alternatives Technical Report | C | The rating of "low" for Alternative 13B as having a "low" ease of use due to the reversible lane system appears to overlook that a reversible lane system is very successfully in operation in the Commonwealth of Virginia on I-95 and I-395 and works quite well in a constrained environment when traffic flows are directionally peaked. This type of concept has merit precisely when space is constrained, and you are not able to widen outside the ROW. A lot of time has been spent to "bash" a concept in successful practice by VDOT for many years within the Greater Washington DC metropolitan area. While off-peak capacity and throughput are reduced, much of the negative discussion on page 115 is counter-productive and leads the reader to conclude that the final solution is already decided. This concept does have value, and the discussion should reflect that. |
| 27 | M-NCPPC Montgomery Planning | General | MI | Alternative 9M was discussed on page ES-6, page 2-2 and pages 2-21 and 2-22, but it has not been included within the Alternative evaluation presented in the DEIS. The M-NCPPC requests that Alternative 9M be elevated to a full alternative and the DEIS be modified to include all technical analyses |

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| 28 | M-NCPPC Montgomery Planning | Page 2-16 through 2-21 | TD | The MD 200 Diversion Alternative evaluation is lacking some presentation of basis data needed to improve clarity. One of the reasons that the M-NCPPC recommended this Alternative is that Inrix data today suggests that peak period travel in the southbound direction between I-95 at MD 200 and the American Legion Bridge is in fact faster on a regular basis using MD 200. Missing from this evaluation was a comparison of the existing TTI, PTI, and average travel time between the I-95/MD 200 interchange and the American Legion Bridge by direction and by peak period and projected travel times in 2040. How many vehicles are projected to make this shift? Technical analyses, such as VISSIM, are valid but tend to hide more basic statistics (that are easier for the general public to understand) driving the logic behind this alternative. What is the current travel time advantage of the MD 200 Diversion Alternative, and how does this change by 2040 with the MD 200 Diversion Alternative in place? How would removing the tolls on MD 200 affect this alternative and overall Alternative effectiveness? |
| 29 | M-NCPPC Montgomery Planning | Page 3-9, DEIS | C | More detail is needed on those segments that will continue to operate at Level of Service F with all Alternatives. |
| 30 | M-NCPPC Montgomery Planning | Page 65, Section 3.3, MLS Traffic Technical Report | C | Please document how you determined that peak spreading would reduce and how this would vary by alternative. How does this peak spreading affect transit and HOV usage? On I-270, there is significant traffic flow outside of the peak period, and general-purpose traffic relies on the use of the existing HOV lane (when HOV usage is not enforced) to travel on I-270. With the elimination of this off-peak benefit, to what extent will some of this traffic shift back to the peak period? In order to determine this accurately, you would need to understand the elasticity of travel patterns, and to what extent typical driver behavior has been shaped by congestion. So, if the American Legion Bridge will continue to be congested in the general-purpose lanes even with the managed lanes in place, is the price offered in the managed lanes enough enticement to shift when drivers start their commute? |
| 31 | M-NCPPC Montgomery Planning | Page 65, Section 3.3 Traffic Technical Report | C | Please summarize throughput this DEIS for total throughput and by facility type (general-purpose lanes versus managed lanes). It is unclear how, where, and under what conditions the managed lanes benefit the throughput in the general-purpose lanes. |

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| 32 | M-NCPPC Montgomery Planning | Section 4.1.C, Page 74, Traffic Technical Report | TD | The section on latent demand and induced demand provides is not clear and extremely vague. The first sentence notes that both latent demand and induced demand have been accounted for. Then, no data is provided to document either demand case. The last part of this paragraph seems to indicate that further evaluations on induced demand has not been conducted but will be conducted when a Preferred Alternative is selected. Please modify this paragraph to correctly state what has been done, provide a summary of that work and conclusions, and note future efforts for the Preferred Alternative with the reason that this work cannot be performed for this DEIS. MWCOG not having a procedure is not a valid excuse to not to perform this evaluation. These concepts are well known, and this DEIS should have spent considerable time looking into this issue. When a project is not conceived with an attempt to minimize induced demand, the effective life of widening improvements is greatly reduced, and the Katy freeway in Houston is a great example of that. A good technical reference that should be considered for use in estimating generated traffic and induced demand has been prepared by the Victoria Transport Policy Institute[2]. |
| 33 | M-NCPPC Montgomery Planning | Figure 4-2, page 83, Traffic Technical Report | C | The inclusion of I-95 and MD 200 AAWDT data should be added to this Figure and any graphic dealing with existing traffic volumes on regional highways. |
| 34 | M-NCPPC Montgomery Planning | Page 86, Traffic Technical Report | C | The use of Alternative 9, "as an example" and shifting other Alternatives to Appendix G is a poor way to demonstrate some of the changes with future 2040 conditions as part of an unbiased evaluation. A summary should have been provided for all Alternatives with the more detailed evaluation for all Alternatives reserved for Appendix G. |
| 35 | M-NCPPC Montgomery Planning | Page 94, Traffic Technical Report | C | A 2025 year is shown in Figure 5-13. How is this interim year being used for Alternative evaluation, what is the purpose of the year 2025 in this table and other evaluations? Is the project intended to be phased with phase 1 anticipated by 2025, and if so, where is this phase 1 build evaluation? |

[2] Todd Littman, ***Generated Traffic and Induced Travel: Implications for Transport Planning***, Victoria Transport Policy Institute, March 18, 2019.

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| 36 | M-NCPPC Montgomery Planning | Page 105, Traffic Technical Report | TD | The corridor travel time summaries in Table 5-5 and 5-6 show only marginal to no benefits for managed lanes on I-270. During the AM peak hour in the peak southbound direction, both Alternatives 9 and 13B only show a two-minute travel time savings (from 12 to 10 minutes using the managed lanes). This is in comparison to Alternative 1 (No Build) which has a 17-minute travel time. Meanwhile, in the PM peak hour in the peak northbound direction, Alternative 9 has a one-minute savings (12 versus 11 minutes) using the managed lanes, and Alternative 13B has a three-minute savings (12 to 9 minutes) using the managed lanes. This is in comparison to Alternative 1 (No Build) which has a 11-minute travel time. This essentially increased travel time due to these two Build Alternatives in the general-purpose lanes by one minute. An Alternative increasing general-purpose lane travel time compared to Alternative 1, for any reason, should be a non-started/fatal flaw. |
| 37 | M-NCPPC Montgomery Planning | Page 105, Traffic Technical Report | C | The segments used in Tables 5-5 and 5-6 are too long to be useful for travel time evaluation. I-495, for example, should be divided at a minimum into segments based on major intersecting regional freeways (American Legion Bridge to I-270,I-270 to I-270, I-270 to I-95, I-95 to BW Parkway, BW Parkway to US Route 50, US Route 50 to Woodrow Wilson Bridge). I-270 should have at least 3 to 5 segments as well (I—270 East Spur, I-1270 West Spur, Spur End to Montrose Road, Montrose Road to MD 28, MD 28 to I-370). This segmentation is needed for all evaluations of I-495 and I-270 within this DEIS. |
| 38 | M-NCPPC Montgomery Planning | Section 5.3 page 107, Traffic Technical Report | TD | The following text related to Person Throughput is troubling: *..";however, it does not account for trips using bus service. Although transit buses will be permitted to use the managed lanes, specific transit routes are currently undetermined and therefore, appropriate bus throughput cannot be assessed at this time*." As part of a DEIS, the team should have done very basic data collection to inventory existing bus routes and ridecheck data for these routes. On I-270, this would include MTA buses and some RideOn buses. This is unacceptable, when you are reporting and projecting Person Throughput and data sources are available, and I assume, the model can even be used to estimate future bus ridership. More documentation is needed in this DEIS to support what existing buses and bus ridership currently use I-495 and I-270 and how this is projected to change with the project Alternatives. Without an accurate assessment of existing and future transit ridership, how can you possibly assess modal shift? |

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| 39 | M-NCPPC Montgomery Planning | Table 5-21, page 124, Traffic Technical Report | C | The 2040 PM peak period presents a very grim evaluation for two segments on I-495: Inner Loop from the George Washington Memorial Parkway to I-270 and Inner Loo from I-270 Eastern Spur to I-95. For the first section, only Alternatives 10, 13B and 13C provide TTIs lower than 2.0. For the second section, all Alternatives return TTIs greater than 2.4. This suggest that none of the Alternatives adequately addresses this PM peak hour Inner Loop O-D pattern. This is the most critical concern within Montgomery County, and this project will do little to address it. While the TTIs do go down, the problem is that road solutions alone cannot address major regional travel patterns that will result in this congestion. It is also difficult to believe that this is sustainable when Alterative 1 is projected to experience a TTI of 5.5 for the first section and 5.0 for the second section. Even with TTIs in the 2.4 to 2.6 range, this project is unlikely to be viewed as a success and will be little to prevent traffic from inundating the local road system to compensate for this overage. |
| 40 | M-NCPPC Montgomery Planning | Table 5-21, page 124, Traffic Technical Report | C | With projected TTIs above 2.4 or higher on the Inner Loop between the I-270 Eastern Spur and I-95, the project team should consider an alternative tolling strategy to more equitably balance out the TTIs between the general-purpose lanes and the managed lanes. TTIs have not been reported for the managed lanes, but I assume that they are approximately 1.0 to 1.2 by design. When a dramatically unbalanced condition is projected between the managed lanes and the general-purpose lanes, a reduction in the toll rate should be considered to reduce this unbalance. While this will slow traffic down on the managed lanes, it should provide some benefit over general-purpose lanes. In this manner, $40 tolls would never occur, as the managed lanes would help to process more traffic by capping the toll during extreme congestion conditions. What are typical TTI differentials on other managed lane projects, especially the projects now in operation in Virginia? I assume that TTI differentials roughly equate to a very high toll rate. So in the segments with this high TTI differential, are we anticipating similar tolls (i.e, $40 tolls)? |
| 41 | M-NCPPC Montgomery Planning | Table 5-21, page 124, Traffic Technical Report | C | What are the weighted TTIs for I-495 and I-270 (general-purpose and managed lanes combined)? All presentations of TTI should provide overall, general-purpose and managed lanes results. |

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| 42 | M-NCPPC Montgomery Planning | Section 5.8, Page 125, Traffic Technical Report | TD | The congestion on the I-270 and I-495 corridors today cause diverted trips onto many parallel roads throughout Montgomery and Prince George's Counties. Along I-270, this includes MD 355, Great Seneca Highway, MD 28 and the many connector roads along I-270 at existing interchanges, including Germantown Road, Middlebrook Road, Clarksburg Road, etc. Diversions off these roads are in fact latent demand that theoretically could return to their primary travel route when additional capacity is provided. Induced demand is new traffic that is created by the availability of new road capacity, and this can occur with transit trips shifting back to auto usage, workers taking a job further away from home, because they can now reach that job in an hour or less, drivers can leave for work later and shift their impact from off-peak to the peak hour, and other factors. The evaluation presented falls well short of evaluation any of these factors adequately. |
| 43 | M-NCPPC Montgomery Planning | Page 2-36, DEIS | C | Provide studies referenced in text box concerning "Lexus lanes." |
| 44 | M-NCPPC Montgomery Planning | General | C | Weighted General-Purpose TTI is meaningless. Show the calculated TTIs in this section as shown in the Traffic Technical Report which shows TTIs for Alternative as high as a TTI of 5-5.5 in the Inner Loop Montgomery County sections. The TTI differential between the general-purpose and managed lanes should be shown and discussed. |
| 45 | M-NCPPC Montgomery Planning | Section 4.1.G. page 77, Traffic Technical Report | TD | The last sentence in this section is erroneous and misleading. "The net result of removing the Collector-Distributor lane system is reflected in the Build VISSIM results, which are presented in Section 5 of this Report." The results in Section 5 show the combined effect of removing the C-D lane system **PLUS** the addition of managed lanes. Nowhere in this DEIS has the net effect of just removing the C-D lane system been evaluated. This is critical in order to understand what the incremental benefits are. If the majority of the Alternative transportation benefit is due to the removal of the C-D lane system, not the managed lanes, this could lead to an entirely different project on I-270. The addition of a modified Alternative 1 (with the removal of the C-D lane system) is needed to address this incremental benefit on I-270. |
| 46 | M-NCPPC Montgomery Planning | Page 90-93, Traffic Technical Report | C | The breakdown of projected General Purpose and managed lane volumes should also show the breakdown of tolled versus untolled users in the managed lanes. |
| 47 | M-NCPPC Montgomery Planning | Page 5-13, Section 5.6 | C | This section identifies Alternatives 5, 9M and the MD 200 Diversion Alternative as not meeting the Purpose and Need. Where is this evaluation presented in detail. |

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| 48 | M-NCPPC Montgomery Planning | Page 2-36, DEIS | C | Consider scaling toll rates based on income level to ensure access to the Managed Lanes for a wider portion of the population. |
| 49 | M-NCPPC Montgomery Planning | Page 2-41, DEIS | MI | How does the managed lanes project impact major activity centers and their non-auto driver mode share (NADMS) goals as specified in various adopted master plans? NAMDS is a primary performance metric in many of Montgomery County master plans, particularly the urban centers. |
| 50 | M-NCPPC Montgomery Planning | Figure 3-1, DEIS | C | Figure 3-1 should identify interchanges with proposed direct managed lanes access. |
| 51 | M-NCPPC Montgomery Planning | Page 2-30, DEIS | C | Page 2-30 indicates direct access from I-270 is provided via Wootton Parkway (and not Montrose Road) while page 3-4 indicates direct access to I-270 is provided via Montrose Road. |
| 52 | M-NCPPC Montgomery Planning | Page 3-6, DEIS | C | Which segments of I-270 experience severe congestion during the peak periods (TTI greater than 2.0)? |
| 53 | M-NCPPC Montgomery Planning | Page 3-7, DEIS | C | How was the annual ADT growth rate calculated? |
| 54 | M-NCPPC Montgomery Planning | Page 3-10, DEIS | C | Was person throughput calculated factoring for increased transit ridership? |
| 55 | M-NCPPC Montgomery Planning | General | C | Explain how the average hours of savings per commuter was calculated. Does this differentiate the time savings for the individuals who are using the managed lanes segments vs. the general-purpose lanes? Please differentiate them. |
| 56 | M-NCPPC Montgomery Planning | Page 1-5, DEIS | C | The segments shown on 1-5 are relatively short. Because travel time difference is not shown, it could be the case that a large percentage discrepancy in TTI is only a relatively minimal, or acceptable, difference in time. |
| 57 | M-NCPPC Montgomery Planning | Page 2-32, DEIS | C | On 2-32, the stormwater management discussion is under-developed and requires more information. Where will the off-site mitigation occur? What other kinds of alternate treatments could be explored, as discussed in a cursory fashion in the narrative. |

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| 58 | M-NCPPC Montgomery Planning | Page 2-34, DEIS | C | Explain what is meant in the text box by "direct and indirect" access. Which transit stations will have direct access to the lanes? |
| 59 | M-NCPPC Montgomery Planning | Page 2-34, DEIS | C | More information is required about how the project provides the opportunity for "planned or modified bus service" to connect to underserved communities. What is meant here? This statement requires more explanation. |
| 60 | M-NCPPC Montgomery Planning | Page 2-35, DEIS | C | If the bridge reconstruction is a component of the project, then a clear, concrete vision for the pedestrian and bicycle connections should be included in the document. As written, it's unclear if this project will construct the pedestrian and bicycle facilities. |
| 61 | M-NCPPC Montgomery Planning | Page 2-35 Section2.7.6 | C | Transit, Bicycle and Pedestrian elements. Key element of P&N includes enhancing existing or planned multimodal mobility and connectivity. Bicycle and pedestrian connections should be added as an opportunity to accommodate such connectivity. Walkways and bikeways are often used as non-vehicular access to transit facilities. Replacement in-kind is insufficient and not forward thinking. See email sent on 12/6/2019 entitled "495 & 270 MLS: Pedestrian/Bicycle Considerations". |
| 62 | M-NCPPC Montgomery Planning | Page 2-38, DEIS | C | Explain why HOV was chosen to be 3+ persons instead of 2+. If the choice of HOV "current thinking" is HOV3+, please provide an alternative evaluation using HOV2 and present this information to the IAWG. How |
| 63 | M-NCPPC Montgomery Planning | Page 3-4, DEIS | C | Are all of the projects listed here included in *Visualize 2045?* It seems strange to include the CCT as the State has ended its funding commitment for this project. If the County is able to use the revenue to potentially support transit, it's most likely that the CCT would not be constructed until following the build year of the highway. |
| 64 | M-NCPPC Montgomery Planning | Table 3-3, DEIS | C | It appears that results for alternatives 8, 9, 10, 13B, and 13C are so close as to be negligible by an actual roadway user. Should speed really be a significant metric? The benefit would depend on how long users are actually along the highway for a given commute trip. |
| 65 | M-NCPPC Montgomery Planning | Table 3-7, DEIS | C | Show the average vehicle throughput, broken out by the general-purpose lanes and the lanes for the given improvement. |
| 66 | M-NCPPC Montgomery Planning | Table 3-10, DEIS | C | The analysis done to assess impacts to the local network seems too broad. There will be additional impacts to local roads that serve the existing and proposed direct access points. These impacts should be directly assessed in the DEIS. |

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**Comment Ranking Legend:**

- Major Issues (MI). These are the issues that we would likely present to the Commission at the June 17th full Commission Meeting as needing their attention and discussion. Perhaps they would be the justification used for withholding conveyance of parkland or potential for litigation.
- Technically Deficient (TD). Issues that rise to a level of import to the Commission that need to be reconsidered or addressed more thoroughly in development of the FEIS.
- Technical Comment (C). Issues that need attention to improve the document.

| Comment No. | Commenting Agency | Page and Section | Value: MI, TD or C (See Legend) | Comment |
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| 1 | M-NCPPC Montgomery Parks | DEIS General Comment | TD | Storm drain inlets should be water quality inlets and/or have trash/grit collectors that will be regularly maintained by SHA to decrease the transfer of those pollutants onto adjacent Parkland. |
| 2 | M-NCPPC Montgomery Parks | DEIS General Comment | TD | Apply noise wall along entire road adjacent to parkland, unless Parks request to not have a noise wall. |
| 3 | M-NCPPC Montgomery Parks | DEIS General Comment | MI | LOD needs adjusting on Parkland in many locations; often to allow for stable outfall transitions, stormwater management, or rehabilitation of impacted assets. Parks requests follow up meeting and coordination where specific location and GIS data can be shared. Unless specifically stated, detailed LOD comments refer to Alternative 9 but should generally be applied to all other alternative LODs. |
| 4 | M-NCPPC Montgomery Parks | Page 147 Section 3.1 Draft Section 4(f) Evaluation | TD | Parks requests a meeting to go through the comments that concern avoidance and minimization of parkland impacts. There are numerous instances where an LOD expansion is required to appropriately address resource impacts, protection, and restoration. Alternatively, there are locations where further avoidance and minimization need to be considered to reduce the LOD. In addition, Parks would like to discuss SWM locations on parkland that are described in our comments. We look forward to the opportunity to collaboratively address each of these issues. |
| 5 | M-NCPPC Montgomery Parks | Page 10 Section 1.2.7 Draft Section 4(f) Evaluation | MI | Parks will require additional avoidance and minimization efforts and specific parkland mitigation at a greater or equal value for each property before agreeing to any de minimis impact. This statement applies for all parkland affected by the project. |

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| 6 | M-NCPPC Montgomery Parks | Page 5 Section 1.2.2 Draft Section 4(f) Evaluation | TD | The report states "The land must be returned to a condition that is at least as good as existed prior to the project..." and Parks intends to have site restoration and mitigation for all temporary usage areas. The restoration and mitigation will need to be approved by Parks. A temporary use can, and often does, result in permanent impacts and Parks will review and only permit temporary use after an agreement about proper restoration and mitigation is reached. |
| 7 | M-NCPPC Montgomery Parks | Page 10 Section 1.2.8 Draft Section 4(f) Evaluation | MI | The report states "However, M-NCPPC is the designated applicant to NCPC for any proposed changes to parks funded by the Capper-Cramton Act." Parks will need a complete understanding and commitment from SHA regarding parkland impacts and mitigation before approval from NCPC is sought for the affected parks. This will include, but is not limited to, extensive impact minimization, on-site restoration, on-site mitigation, off-site mitigation, and parkland dedication. At the appropriate time Parks would expect SHA to provide necessary information for any potential submission to NCPC. |
| 8 | M-NCPPC Montgomery Parks | Page 16 Section 2 Draft Section 4(f) Evaluation | TD | Parks expects additional coordination on avoidance and minimization as detailed in our other comments. We appreciate the efforts done by SHA thus far, but this review is the first time Parks has seen many of the potential measures. As more detail is provided Parks will seek clarification around any proposed impacts to parkland and coordination throughout the design. |
| 9 | M-NCPPC Montgomery Parks | Page 119 Section 2.2.2 Draft Section 4(f) Evaluation | C | Cabin John STA 3685+00 R 575ft - along Tuckerman Lane outfall is degraded, outfall has filled in. If the area remains in LOD, restore outfall and channel. |
| 10 | M-NCPPC Montgomery Parks | Page 119 Section 2.2.2 Draft Section 4(f) Evaluation | C | Cabin John STA 3683+50 R - along Tuckerman Lane outfall, incorporate plunge pool and stable tie in to Cabin John Creek. |
| 11 | M-NCPPC Montgomery Parks | Page 119 Section 2.2.2 Draft Section 4(f) Evaluation | C | Cabin John STA 3683+00 R - along Tuckerman Ln Area designated for SWM contains thick spicebush understory and numerous large tulip poplar and sycamore trees. The area is in the floodplain of Old Farm Creek and adjacent to a wetland, therefore the area is not suitable for SWM. The outfalls in the area should be enhanced with plunge pools and step pools. |
| 12 | M-NCPPC Montgomery Parks | Page 119 Section 2.2.2 Draft Section 4(f) Evaluation | C | Cabin John STA 3683+00 R - If the culvert for Old Farm Creek is lengthened or replaced, stream restoration downstream of the culvert should occur for at least 220ft. LOD should be expanded to include this section of stream. |

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| 13 | M-NCPPC Montgomery Parks | Page 119 Section 2.2.2 Draft Section 4(f) Evaluation | C | Cabin John STA 3684+00 R - Area designated for SWM would be difficult to access due to retaining wall, with steep slope and trees. |
| 14 | M-NCPPC Montgomery Parks | Page 119 Section 2.2.2 Draft Section 4(f) Evaluation | C | Cabin John STA 3639+50 R - Area designated for SWM has numerous mature trees, understory of spice bush and large sycamores. SWM location will need to be revised. |
| 15 | M-NCPPC Montgomery Parks | Page 119 Section 2.2.2 Draft Section 4(f) Evaluation | C | Cabin John STA 3640+00 R - degraded outfall channel with headcut will need to be restored. |
| 16 | M-NCPPC Montgomery Parks | Page 119 Section 2.2.2 Draft Section 4(f) Evaluation | C | Cabin John STA 3635+00 R - to 3640+00 R provide SWM along ROW in a linear shape, relocate trail and avoid forest interior and wetland. Revise LOD in coordination with Parks. |
| 17 | M-NCPPC Montgomery Parks | Page 119 Section 2.2.2 Draft Section 4(f) Evaluation | C | Cabin John STA 3628+00 L - suggested location for SWM, avoid mainstem stream. Degraded outfall. |
| 18 | M-NCPPC Montgomery Parks | Page 119 Section 2.2.2 Draft Section 4(f) Evaluation | C | Cabin John STA 3627+00 L - restore degraded outfall from roadway. |
| 19 | M-NCPPC Montgomery Parks | Page 119 Section 2.2.2 Draft Section 4(f) Evaluation | C | Cabin John STA 3627+00 L - Culvert repair and installation should include stream work immediately upstream and downstream of culvert. Culvert should have a natural channel bottom. |
| 20 | M-NCPPC Montgomery Parks | Page 46 Section 2.1.8 Draft Section 4(f) Evaluation | C | Rock Creek STA 491+50 L - Currently outfall is stable. LOD provided is in Rock Creek for culvert replacement. Include bank stabilization of Rock Creek on right bank and stable outfall transition. Repaired and replaced culvert should have a natural channel bottom and promote fish passage. |

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| 21 | M-NCPPC Montgomery Parks | Page 46 Section 2.1.8 Draft Section 4(f) Evaluation | C | Rock Creek STA 489+00 L - Outfall not shown on SHA maps. Will need to be addressed and a provide a stable transition into Rock Creek. |
| 22 | M-NCPPC Montgomery Parks | Page 46 Section 2.1.8 Draft Section 4(f) Evaluation | C | Rock Creek STA 493+50 L - Expand LOD to include enhancing outfall to Rock Creek. |
| 23 | M-NCPPC Montgomery Parks | Page 46 Section 2.1.8 Draft Section 4(f) Evaluation | TD | Rock Creek STA 485+00 L - The right bank of Rock Creek will need to be stabilize and improved from 482+00 to 493+00. LOD expansion to include this work is required. If retaining wall is replaced, additional LOD and stream and bank restoration will be required. |
| 24 | M-NCPPC Montgomery Parks | Page 46 Section 2.1.8 Draft Section 4(f) Evaluation | C | Elmhirst STA 490+00 R - Restore trail after project. Keep trail open or provide detour during construction. |
| 25 | M-NCPPC Montgomery Parks | Page 46 Section 2.1.8 Draft Section 4(f) Evaluation | C | Elmhirst STA 489+50 - Provide justification for need of new pipe and impacts to stream. New culvert should have a natural channel bottom and promote fish passage. |
| 26 | M-NCPPC Montgomery Parks | Page 46 Section 2.1.8 Draft Section 4(f) Evaluation | C | Elmhirst STA 489+50 R - Include stream restoration with in-stream structures and stream stabilization. |
| 27 | M-NCPPC Montgomery Parks | Page 46 Section 2.1.8 Draft Section 4(f) Evaluation | C | Elmhirst STA 489+50 R 300ft - Expand LOD for stream and trail work. Coordinate LOD and design with Parks. |
| 28 | M-NCPPC Montgomery Parks | Page 46 Section 2.1.8 Draft Section 4(f) Evaluation | C | Rock Creek STA 485+00 L - Address trash being washed down from roadway, clean up during construction and add trash racks to all inlets. |

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| 29 | M-NCPPC Montgomery Parks | Page 46 Section Draft Section 4(f) Evaluation | TD | Rock Creek STA 485+00 L - Stabilize bank in this reach due to close proximity to highway. |
| 30 | M-NCPPC Montgomery Parks | Page 46 Section 2.1.8 Draft Section 4(f) Evaluation | C | Rock Creek STA 484+50 L - Need to stabilize existing outfall tie in to Rock Creek. |
| 31 | M-NCPPC Montgomery Parks | Page 46 Section 2.1.8 Draft Section 4(f) Evaluation | C | Rock Creek STA 483+00 L 200ft - In conjunction with outfall add riffle over WSSC crossing and stream structure at bend, stabilize bank. |
| 32 | M-NCPPC Montgomery Parks | Page 46 Section 2.1.8 Draft Section 4(f) Evaluation | C | Rock Creek STA 483+00 - Daylight outfall earlier, do not pipe directly into Rock Creek. Expand LOD to allow for the day lighting of this outfall pipe. |
| 33 | M-NCPPC Montgomery Parks | Page 46 Section 2.1.8 Draft Section 4(f) Evaluation | C | Rock Creek STA 472+00 L - Restore tributary with appropriate stream structures and stabilize bank with tie in to Rock Creek. Expand LOD to include tie in to main stem. |
| 34 | M-NCPPC Montgomery Parks | Page 46 Section 2.1.8 Draft Section 4(f) Evaluation | C | Rock Creek STA 463+00 L - Unclear why this LOD bump out is so large here. Need justification to approve. |
| 35 | M-NCPPC Montgomery Parks | Page 46 Section 2.1.8 Draft Section 4(f) Evaluation | C | Rock Creek STA 462+00 L -Stabilize outfall with plunge pool and fix degraded area. Catch trash and road grit. Limit LOD in high quality area. |
| 36 | M-NCPPC Montgomery Parks | Page 46 Section 2.1.8 Draft Section 4(f) Evaluation | C | Rock Creek STA 458+00 L- Outfall degraded. Concrete flume with significant road grit and trash. Remove concrete, stabilize and install grit separator. |

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| 37 | M-NCPPC Montgomery Parks | Page 46 Section 2.1.8 Draft Section 4(f) Evaluation | C | Rock Creek STA 466+00 L - Potentially cut back pipes and day light culvert, install structure to stabilize and tie in to Rock Creek. Expand LOD to include stream tie in. |
| 38 | M-NCPPC Montgomery Parks | Page 46 Section 2.1.8 Draft Section 4(f) Evaluation | TD | Rock STA 495+00 L - from station 495+00 to 500+00 tighten LOD and implement measure to protect existing forest resources outside LOD, especially trees on the stream bank. Replanting and forest enhancement will be required. |
| 39 | M-NCPPC Montgomery Parks | Page 46 Section 2.1.8 Draft Section 4(f) Evaluation | C | Rock Creek STA 500+00 L- Justify LOD here, should tighten LOD to the ROW. |
| 40 | M-NCPPC Montgomery Parks | Page 46 Section 2.1.8 Draft Section 4(f) Evaluation | C | Rock Creek STA 500+00 L - Clogged outfall. Restore with plunge pool and remove adjacent phragmites australis. |
| 41 | M-NCPPC Montgomery Parks | Page 46 Section 2.1.8 Draft Section 4(f) Evaluation | C | Rock Creek STA 505+00 L - Add plunge pool, include channel tie in into the existing floodplain. Expand LOD for work. |
| 42 | M-NCPPC Montgomery Parks | Page 46 Section 2.1.8 Draft Section 4(f) Evaluation | C | Rock Creek STA 510+10 - expand LOD from outfall to Rock Creek and include outfall/stream restoration. Floodplain drainage into outfall/tributary should be restored to reduce incision and enhance floodplain hydrology. |
| 43 | M-NCPPC Montgomery Parks | Page 46 Section 2.1.8 Draft Section 4(f) Evaluation | C | Rock Creek STA 517+50 L – expand LOD from culvert/outfall to confluence with Rock Creek. Incorporate stream and bank restoration. |
| 44 | M-NCPPC Montgomery Parks | Page 46 Section 2.1.8 Draft Section 4(f) Evaluation | C | Rock Creek STA 529+00 L - Potential SWM location. If grade works stage and stockpile then add SWM to drain into Tributary. Expand LOD. Control existing invasive plants as part of site restoration. |

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| 45 | M-NCPPC Montgomery Parks | Page 46 Section 2.1.8 Draft Section 4(f) Evaluation | C | Rock Creek STA 537+50 L - protect existing high quality wetland between toe of slope and Rock Creek. Provide Parks SWM plans so we can ensure that wetland is not affected. |
| 46 | M-NCPPC Montgomery Parks | Page 46 Section 2.1.8 Draft Section 4(f) Evaluation | C | Rock Creek STA 558+00 L - failed CMP culvert. Need replacement. Expand LOD to Rock Creek. Include plunge pool, step pools, and channel restoration. |
| 47 | M-NCPPC Montgomery Parks | Page 46 Section 2.1.8 Draft Section 4(f) Evaluation | C | Rock Creek STA 563+50 R - Potential SWM location, linear facility. |
| 48 | M-NCPPC Montgomery Parks | Page 46 Section 2.1.8 Draft Section 4(f) Evaluation | TD | Rock Creek STA 566+50 L - Facility Impacted. 565+00L to 599+00L include Rock Creek and 30 ft to the N/W of Rock Creek in LOD to incorporate stream improvements and bank stabilization. This area has 8-10 ft high vertical banks and is degraded from the existing transportation facility. |
| 49 | M-NCPPC Montgomery Parks | Page 46 Section 2.1.8 Draft Section 4(f) Evaluation | TD | Rock Creek STA 568+25 R - Highly value resource. Construct new pipe/channel/headwall to ensure that existing wetland water elevations are maintained or enhanced. |
| 50 | M-NCPPC Montgomery Parks | Page 46 Section 2.1.8 Draft Section 4(f) Evaluation | TD | Rock Creek STA 575+50 L - from STA 565+00 to 590+00 Rock Creek needs to be in the LOD to allow for required stabilization and improvements. The reality of having the proposed LOD so close to the bank as currently shown will impact this high value resource. Parks expects the LOD in this area to include Rock Creek and that the design will include stream restoration to enhance aquatic habitat, improve water quality, and provide bank stability. As stated to the project team previously, Parks' preference in this area would be to shift any necessary impacts resulting from widening to the south where environmental resources are of a lower quality. |
| 51 | M-NCPPC Montgomery Parks | Page 46 Section 2.1.8 Draft Section 4(f) Evaluation | C | Rock Creek STA 578+00 L 200 ft - Potential stream restoration. Address incised tributary, raise stream bed to promote floodplain activity. |
| 52 | M-NCPPC Montgomery Parks | Page 46 Section Draft Section 4(f) Evaluation | C | Rock Creek STA 580+80 L - Outfall degraded. Address outfall drainage channel. This outfall and channel need to be included within the LOD. |

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| 53 | M-NCPPC Montgomery Parks | Page 46 Section 2.1.8 Draft Section 4(f) Evaluation | C | Rock Creek STA 585+30 L - Potential floodplain tree planting area. |
| 54 | M-NCPPC Montgomery Parks | Page 46 Section 2.1.8 Draft Section 4(f) Evaluation | C | Rock Creek STA 587+00 L 300ft - address incision in tributary on left bank of Rock Creek. Raise tributary bed. |
| 55 | M-NCPPC Montgomery Parks | Page 46 Section 2.1.8 Draft Section 4(f) Evaluation | C | Rock Creek STA 587+00 - Incorporate improvements to Rock Creek under the beltway. Expand LOD to include Rock Creek stream to Jones Mill Road Bridge. |
| 56 | M-NCPPC Montgomery Parks | Page 46 Section 2.1.8 Draft Section 4(f) Evaluation | C | Rock Creek STA 590+00 - Facility impacted, keep trail open during construction, improve trail under beltway. |
| 57 | M-NCPPC Montgomery Parks | Page 122 Section 2.2.4 Draft Section 4(f) Evaluation | C | Locust Hill STA 466+50 R - Potential SWM location. Area receives runoff from outfall, degraded area with invasive plants. Treat invasive species if selected for SWM. |
| 58 | M-NCPPC Montgomery Parks | Page 122 Section 2.2.4 Draft Section 4(f) Evaluation | C | Locust Hill STA 467+00 - Tie existing stream work into outfall as directed by Parks. Current LOD is appropriate for culvert work, but would need to be larger for potential SWM facilities. |
| 59 | M-NCPPC Montgomery Parks | Page 122 Section 2.2.4 Draft Section 4(f) Evaluation | C | Locust Hill STA 467+10 R - Significant tree. There is a large sycamore within the LOD that should be protected and preserved. |
| 60 | M-NCPPC Montgomery Parks | Page 122 Section 2.2.4 Draft Section 4(f) Evaluation | C | Locust Hill STA 468+50 R - Potential SWM location. There is a small clearing, Parks suggests investigating SWM in this location. |

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| 61 | M-NCPPC Montgomery Parks | Page 60 Section 2.1.15 Draft Section 4(f) Evaluation | C | Forest Glen STA 633+00 L- Noise wall must be constructed for this park. Park improvements, such as renovated basketball court, playground, and other improvements must be included at this location. |
| 62 | M-NCPPC Montgomery Parks | Page 63 Section 2.1.17 Draft Section 4(f) Evaluation | C | Sligo Creek STA 689+00 L - Potential SWM location, north of Beltway, east of Sligo Creek Parkway. There are two outfalls that flow into this area. Parks suggests investigating this area for SWM. |
| 63 | M-NCPPC Montgomery Parks | Page 63 Section 2.1.17 Draft Section 4(f) Evaluation | C | Sligo Creek STA 689+00 L - Outfall degraded. The outfall that flows onto parkland should flow into a SWM facility (referenced above) and should have a proper plunge pool. |
| 64 | M-NCPPC Montgomery Parks | Page 63 Section 2.1.17 Draft Section 4(f) Evaluation | C | Sligo Creek STA 691+00 L - Existing outfall channel from Beltway and Sienna School parking lot should be converted into enhanced outfall/SWM facility. STA 689+00 to STA 692+00. |
| 65 | M-NCPPC Montgomery Parks | Page 63 Section 2.1.17 Draft Section 4(f) Evaluation | C | Sligo Creek STA 688+50 R – Replace existing concrete flume with enhanced outfall with step pools. |
| 66 | M-NCPPC Montgomery Parks | Page 63 Section 2.1.17 Draft Section 4(f) Evaluation | C | Sligo Creek STA 687+00 L – Investigate use of parkland north of Beltway, west of Sligo Creek Parkway, and south of Forest Glen Road for Potential SWM location. |
| 67 | M-NCPPC Montgomery Parks | Page 63 Section 2.1.17 Draft Section 4(f) Evaluation | C | Sligo Creek STA 686+00 L - Outfall degraded. Extend LOD to include 30 feet beyond bank of existing drainage outfall. Construct enhanced outfall or linear SWM facility. STA 686+00 to 687+00. |
| 68 | M-NCPPC Montgomery Parks | Page 63 Section 2.1.17 Draft Section 4(f) Evaluation | C | Sligo Creek STA 685+50 L - Fix existing erosion gully over culvert. |

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| 69 | M-NCPPC Montgomery Parks | Page 63 Section 2.1.17 Draft Section 4(f) Evaluation | C | Sligo Creek STA 684+00 L - Potential stream restoration. SHA needs to install grade control structures upstream of culvert to help maintain flow through culvert. Right side of culvert has filled in and should be cleared out by SHA. |
| 70 | M-NCPPC Montgomery Parks | Page 63 Section 2.1.17 Draft Section 4(f) Evaluation | C | Sligo Creek STA 684+00 L - Potential SWM location, there is an existing SWM facility, but it does not appear to be a formal facility that is maintained by any agency. This area could be used for a SWM facility built by SHA. |
| 71 | M-NCPPC Montgomery Parks | Page 63 Section 2.1.17 Draft Section 4(f) Evaluation | C | Sligo Creek STA 682+50 L - Outfall degraded. Install enhanced outfall to transition water down the slope to trail culvert. |
| 72 | M-NCPPC Montgomery Parks | Page 63 Section 2.1.17 Draft Section 4(f) Evaluation | C | Sligo Creek STA 683+00 - Provide trail detour or maintain trail to be open during all phases of construction. |
| 73 | M-NCPPC Montgomery Parks | Page 63 Section 2.1.17 Draft Section 4(f) Evaluation | C | Sligo Creek STA 684+00 R - Install instream grade control below culvert, ensure fish passage through culvert. |
| 74 | M-NCPPC Montgomery Parks | Page 63 Section 2.1.17 Draft Section 4(f) Evaluation | C | Sligo Creek STA 687+00 R- The SWM Facility will be impacted by the proposed road work, the Flow splitter is being impacted and Will need to be reconstructed. Other work to enhance the existing SWM facility should be investigated. |
| 75 | M-NCPPC Montgomery Parks | Page 63 Section 2.1.17 Draft Section 4(f) Evaluation | C | Sligo Creek STA 685+00 R- SWM Facility impacted. Channel for inflow and outflow and overflow of the pond will need to be re-constructed as it is being impacted. Stable tie in to stream will be required. |
| 76 | M-NCPPC Montgomery Parks | Page 63 Section 2.1.17 Draft Section 4(f) Evaluation | C | STA 700+OO - MNCPPC requires coordination with the Montgomery County Revenue Authority to review proposed impacts and improvements to the Sligo Creek Golf Course. |

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| 77 | M-NCPPC Montgomery Parks | Page 67 Section Figure 2-14 Draft Section 4(f) Evaluation | C | STA 699+00 L - Noise wall is required all along the alignment in this location adjacent to parkland. |
| 78 | M-NCPPC Montgomery Parks | Page 67 Section Figure 2.14 Draft Section 4(f) Evaluation | C | STA 707+00 L - Parks is willing to investigate Potential SWM location on parkland |
| 79 | M-NCPPC Montgomery Parks | Page 67 Section Figure 2-14 Draft Section 4(f) Evaluation | C | STA 707+00 L – Park improvements to South Four Corners Neighborhood Park will be required. |
| 80 | M-NCPPC Montgomery Parks | Page 179 Section 5.1.8 Draft Section 4(f) Evaluation | TD | Indian Springs STA 743+50 R - Potential SWM location on parkland. Parks would like to investigate constructing a SWM facility adjacent to the sound wall. This area is the headwaters of Long Branch and all measure to improve water quality should be implemented. |
| 81 | M-NCPPC Montgomery Parks | Page 179 Section 5.1.8 Draft Section 4(f) Evaluation | TD | Indian Springs STA 745+00 R - Outfall degraded, incorporate plunge pool and level spreader to maintain braided surface flow of stream system. This area is the headwaters of Long Branch and all measure to improve water quality should be implemented. |
| 82 | M-NCPPC Montgomery Parks | Page 179 Section 5.1.8 Draft Section 4(f) Evaluation | TD | Indian Springs STA 744+00 R – Construct rectangular playing field on parkland to park standards. |
| 83 | M-NCPPC Montgomery Parks | Page 179 Section 5.1.8 Draft Section 4(f) Evaluation | TD | Indian Springs STA 753+50 R - Ensure no impacts to tennis court. |
| 84 | M-NCPPC Montgomery Parks | Page 179 Section 5.1.8 Draft Section 4(f) Evaluation | TD | Indian Springs STA 747+50 R - Facility impacted, reconstruction and improvement of basketball court will be required. |

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| 85 | M-NCPPC Montgomery Parks | Page 179 Section 5.1.8 Draft Section 4(f) Evaluation | TD | Indian Springs STA 747+50 R - Add noise wall adjacent to parkland. |
| 86 | M-NCPPC Montgomery Parks | Page 179 Section 2.1.27 Draft Section 4(f) Evaluation | TD | Indian Springs STA 745+00 - Maximize SWM in this location in general, this is the headwaters of Long Branch. |
| 87 | M-NCPPC Montgomery Parks | Page 179 Section 2.1.27 Draft Section 4(f) Evaluation | C | Indian Springs STA 757+00 - Extend LOD to Marshall Ave to improve channel. Channel improvements should be done in conjunction with SWM facility. |
| 88 | M-NCPPC Montgomery Parks | Page 71 Section 2.1.23 Draft Section 4(f) Evaluation | C | Northwest Branch STA 807+00 R – investigate potential SWM location here, Parks would consider providing parkland for a SWM facility. |
| 89 | M-NCPPC Montgomery Parks | Page 71 Section 2.1.23 Draft Section 4(f) Evaluation | C | Northwest Branch STA 795+00 – Environmentally friendly slope stabilization and replanting must be coordinated with Parks for the entire LOD around NW Branch to ensure adequate protection of steep slopes. |
| 90 | M-NCPPC Montgomery Parks | Page 80 Section 2.1.23 Draft Section 4(f) Evaluation | C | Northwest Branch STA 795+00 – all drainage from road should be assessed to implement the most sustainable drainage solutions, simply replacing structures in kind or in the same location is not sufficient due to the steep slopes. Parks would like to evaluate the potential for combining flows from multiple outfalls, incorporating longer pipe lengths, and other measures to reduce long term erosion. All concrete flumes should be removed. |
| 91 | M-NCPPC Montgomery Parks | Page 80 Section 2.1.23 Draft Section 4(f) Evaluation | C | Northwest Branch STA 807+00 - Increase LOD to tie in new pipe into the existing degraded channel. Create step pools in the existing channel. Extend LOD to end of SHA stream polygon or approximately 250ft down channel from existing LOD. |
| 92 | M-NCPPC Montgomery Parks | Page 80 Section 2.1.23 Draft Section 4(f) Evaluation | C | Northwest Branch STA 800+00 R- restore and enhance all outfalls on the southside of the beltway, remove concrete flumes, incorporate step pools, considering piping to outfall at lower elevations. |

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| 93 | M-NCPPC Montgomery Parks | Page 80 Section 2.1.23 Draft Section 4(f) Evaluation | C | Northwest Branch STA 801+00 L - Outfall on the North side of the Beltway and east of NWB is degraded, include entire outfall to NWB in LOD. |
| 94 | M-NCPPC Montgomery Parks | Page 80 Section 2.1.23 Draft Section 4(f) Evaluation | C | Northwest Branch STA 795+00 R 200ft – Outfall channel within proposed access road area is degraded, integrate enhanced outfall into site stabilization after bridge reconstruction. |
| 95 | M-NCPPC Montgomery Parks | Page 80 Section 2.1.23 Draft Section 4(f) Evaluation | C | Northwest Branch STA 795+00 R – Temporary use often creates a permanent impact and will need to be mitigated for as a permanent impact. |
| 96 | M-NCPPC Montgomery Parks | Page 80 Section 2.1.23 Draft Section 4(f) Evaluation | C | Northwest Branch STA 797+00 The trail must be restored to park standards after construction. The trail should remain open as much as possible during construction. |
| 97 | M-NCPPC Montgomery Parks | Page 80 Section 2.1.23 Draft Section 4(f) Evaluation | C | Northwest Branch STA 795+00 L - Outfall degraded. Concrete flume then minor erosion down steep channel. Investigate redirecting this runoff. |
| 98 | M-NCPPC Montgomery Parks | Page 80 Section 2.1.23 Draft Section 4(f) Evaluation | C | Northwest Branch STA 794+95 R - Multiple failed concrete outfalls. Holistic approach to drainage and outfall on this portion of the alignment is needed. Consider piping outfall to lower elevation then outfall for all flow in area. This location needs immediate attention from SHA. |
| 99 | M-NCPPC Montgomery Parks | Page 80 Section 2.1.23 Draft Section 4(f) Evaluation | C | Northwest Branch STA 794+00 L - Potential channel restoration. Extend LOD all the way to tributary to stabilize. Consider piping this water elsewhere. Severely eroded Outfall, not sure if water is supposed to be coming to this spot or is inadvertently coming down slope. |
| 100 | M-NCPPC Montgomery Parks | Page 80 Section 2.1.23 Draft Section 4(f) Evaluation | C | Northwest Branch STA 792+00 L - Outfall degraded, if this outfall stays in this location, expand LOD 150 down channel to build enhanced outfall. |

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| 101 | M-NCPPC Montgomery Parks | Page 80 Section 2.1.23 Draft Section 4(f) Evaluation | C | Northwest Branch STA 785+75 to 786+00 L - Restore outfall channel with step pools. Coordinate actual extent of work with Parks. Stable bedrock present in channel. |
| 102 | M-NCPPC Montgomery Parks | Page 80 Section 5.3.1 Draft Section 4(f) Evaluation | C | Brookview STA 823+00 – Investigate Potential SWM location with Parks. |
| 103 | M-NCPPC Montgomery Parks | Page 37 Section 2.1.4 Draft Section 4(f) Evaluation | C | Cabin John SVU STA 220+00 L – LOD from River Road to STA 215+00 should include Cabin John Creek and include stream improvements and stabilization. Outfalls should have stable tie-in to Rock Creek and consist of plunge pools and step pools. |
| 104 | M-NCPPC Montgomery Parks | Page 37 Section 2.1.4 Draft Section 4(f) Evaluation | C | Cabin John SVU STA 200+00 R- Incorporate stream improvements where Cabin John creek flows under highway. |
| 105 | M-NCPPC Montgomery Parks | Page 37 Section 2.1.4 Draft Section 4(f) Evaluation | C | Cabin John SVU STA 200+00 R- Ensure fish passage under Cabin John Parkway for Booze Creek. |
| 106 | M-NCPPC Montgomery Parks | Page 37 Section 2.1.4 Draft Section 4(f) Evaluation | C | Cabin John SVU STA 200+00 R- restrict LOD to ROW along south side of Cabin John Parkway. |
| 107 | M-NCPPC Montgomery Parks | Page 4-48 Section 4.15.4 DEIS | TD | Parks requests additional BMPs to protect water resources during construction activities in sensitive watersheds. |
| 108 | M-NCPPC Montgomery Parks | Page 2-30 Section 2.7.3 DEIS | MI | It is essential that SWM facilities be evaluated to provide treatment for all new impervious, but also prioritize treatment of as much existing highway impervious as feasible. The surface water resources in the study area have been negatively affected by the vast amount of untreated runoff from the highway system for decades and this project represents a significant opportunity to provide real improvement in surface water quality. MNCPPC is supportive of incorporating SWM where feasible and appropriate, even on park land. |

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| 109 | M-NCPPC Montgomery Parks | Page 4-48 Section 4.15.4 DEIS | TD | Parks requests on-site environmental monitors during construction to provide extra assurances that ESC measures are fully implemented and functioning as designed. |
| 110 | M-NCPPC Montgomery Parks | Page 2-30 Section 2.7.3 DEIS | MI | All potential SWM locations should be evaluated to maximize stormwater treatment. Even though redevelopment only requires treatment of 50% of reconstructed impervious area, the corridor should be closely evaluated to determine any areas where that could be exceeded and treatment above the required regulatory levels should be pursued when possible. SHA previously committed to this approach to provide a net benefit to affected resources. |
| 111 | M-NCPPC Montgomery Parks | Page 2-31 Section 2.7.3 DEIS | TD | Culverts less than 36 inches will require repair or replacement, dependent on their existing condition. In these instances, additional LOD may be required for appropriate restoration. Parks expects coordination when these assessments are made and existing highway infrastructure to be upgraded appropriately. |
| 112 | M-NCPPC Montgomery Parks | Page 2-31 Section 2.7.3 DEIS | TD | Based on our field investigations, many existing culverts (most CMP with concrete outfalls) are failing (both in size classes <36" and >36"). When failing culverts are identified in the project footprint, they should be replaced with natural bottom culverts (where appropriate in perennial systems to promote aquatic passage) and stable environmentally enhanced outfalls to protect downstream resources. |
| 113 | M-NCPPC Montgomery Parks | Page 2-31 Section 2.7.3 DEIS | MI | Utilizing offsite mitigation for stormwater management requirements should be avoided. The watersheds adjacent to the beltway are severely impacted from the existing beltway and would be further impacted with widening. More innovative techniques to treat stormwater at the source need to be explored. Where possible stormwater management requirements should be exceeded to compensate for areas where stormwater opportunities are more limited. |
| 114 | M-NCPPC Montgomery Parks | Page 2-32 Section 2.7.3 DEIS | TD | When the preferred alternative is chosen, and the detailed stormwater analysis is completed, the LOD will need to be altered to potentially accommodate additional areas of adjacent stormwater management. It needs to be acknowledged that adjustments to the LOD will need to occur when SWM design progresses. |
| 115 | M-NCPPC Montgomery Parks | Page 2-32 Section 2.7.3 DEIS | TD | More information on the treatment levels and adequacy of available SWM as shown needs to be provided. We are unable to adequately comment on the stormwater management proposed with the very limited information provided. |

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| 116 | M-NCPPC Montgomery Parks | Page 2-33 Section 2.7.4 DEIS | TD | Short-term impacts on parkland will require mitigation and restoration to MNCPPC standards. Temporary or short-term impacts can and often do, create permanent impacts to the site; mitigation and site restoration will be required. |
| 117 | M-NCPPC Montgomery Parks | Page 4-25 Section 4.7.3 DEIS | TD | Page 4-25 does not list Parkland as being considered eligible for noise walls. Noise walls should be constructed where the ROW is directly adjacent to parkland, unless Parks specifically requests a noise wall not be constructed. See comments from Appendix C regarding noise barriers shown on Environmental Resource Maps for specific noise walls comment. |
| 118 | M-NCPPC Montgomery Parks | Page 4-35 Section 4.1 DEIS | TD | Noise walls should be constructed where the ROW is directly adjacent to parkland, unless Parks specifically requests a noise wall not be constructed. The commitment to provide noise walls on and adjacent to parkland must be in the DEIS/FIES. |
| 119 | M-NCPPC Montgomery Parks | Page 4-62 Section 4.19.4 DEIS | TD | More emphasis needs to be put on the protection and restoration of aquatic habitat within identified sensitive aquatic resources. This is made more critical given the proposed longer culvert lengths. Culverts should holistically be installed/rehabilitated/replaced with an environmentally sensitive culvert design strategy. |
| 120 | M-NCPPC Montgomery Parks | Page 4-62 Section 4.19.4 DEIS | TD | Fish relocation from dewatered work areas on parkland will be required; this is not considered minimization or mitigation; it is a requirement. |
| 121 | M-NCPPC Montgomery Parks | Page 4-50 Section 4.15.2 DEIS | TD | Need to see assessment of temporary construction-related impacts of wetlands in later phases of design to assess impacts. |
| 122 | M-NCPPC Montgomery Parks | Page 4-51 Section 4.15.4 DEIS | MI | Parks requests further refinement of the LOD related to avoidance and minimization. Parks has submitted numerous detailed comments concerning the LOD. Parks appreciates both past and future efforts to reduce the LOD and construction impacts. However, Parks does expect the LOD to increase in some areas to allow room for appropriate work to occur to restore, stabilize, and protect various natural resources. An important aspect of avoidance and minimization is minimizing the roadway footprint while still potentially keeping a larger LOD to address environmental issues and/or adequately restore disturbed areas. |
| 123 | M-NCPPC Montgomery Parks | Page 4-51 Section 4.15.4 DEIS | TD | Parks requests details on retaining wall installation when being installed on or near a stream bank, Rock creek is an example. |

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| 124 | M-NCPPC Montgomery Parks | Page 4-51 Section 4.15.4 DEIS | TD | Parks supports avoidance and minimization but requests adequate LOD to ensure stable tie in for outfalls, protection and restoration of stream banks, and to improve resources on-site that are impacted by the project. |
| 125 | M-NCPPC Montgomery Parks | Page 4-52 Section 4.16.4 DEIS | TD | MNCPPC requests clarification on how mitigation requirements, including parkland mitigation, will be committed to and defined in the DEIS, FEIS, and ROD. In particular, how will the mitigation be addressed in relation to the proposed project phasing? |
| 126 | M-NCPPC Montgomery Parks | Page 4-52 Section 4.16.4 DEIS | C | Parks request review of Appendix M – Compensatory Mitigation Plan |
| 127 | M-NCPPC Montgomery Parks | Page 4-54 Section 4.16.4 DEIS | C | Need to see assessment of floodplain impacts. |
| 128 | M-NCPPC Montgomery Parks | Page 4-55 Section 4.17.4 DEIS | C | Parks will provide tree species, locations, and planting requirements for forest mitigation. |
| 129 | M-NCPPC Montgomery Parks | Page 4-57 Section 4.17.4 DEIS | C | Parks requests invasive species treatment on parkland to mitigate for increased habitat fragmentation. |
| 130 | M-NCPPC Montgomery Parks | Page 4-57 Section 4.17.4 DEIS | C | Parks requests environmentally sensitive haul roads and other tree protection measures to protect critical rootzones of trees to minimize construction impacts to terrestrial resources. |
| 131 | M-NCPPC Montgomery Parks | Page 4-57 Section 4.17.4 DEIS | C | MNCPPC requests that all efforts be made to comply with forest mitigation plantings on-site and on public lands within the watershed. |
| 132 | M-NCPPC Montgomery Parks | Page 4-59 Section 4.18.4 DEIS | C | Parks requests review of the mapped potential vernal pool locations and coordination on how to limit these impacts. In addition, Parks will require construction of vernal pools and other habitat structures as part of site remediation. |
| 133 | M-NCPPC Montgomery Parks | Page 4-59 Section 4.18.4 DEIS | TD | The use of sediment and erosion control BMPs should not be considered mitigation or minimization for impacts to FIDs habitat as it is in Section 4.18.4. SHA should commit to providing an actual improvement to the affected forests outside the LOD by agreeing to develop an invasive management plan and implement the control of invasive species as directed by Parks. |
| 134 | M-NCPPC Montgomery Parks | Page 4-60 Section 4.19.4 DEIS | C | Natural culvert bottoms should be installed, where appropriate, as part of all culvert repair and replacement efforts. |

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| 135 | M-NCPPC Montgomery Parks | Page 5-4 Figure 5-1 DEIS | C | The area shaded/hatched also includes Sligo Creek Stream Valley Unit 3, Sligo Creek Stream Valley Unit 4, and Sligo Creek Golf Course |
| 136 | M-NCPPC Montgomery Parks | Page 5-8 Table 5-2 DEIS | C | The area shaded/hatched also includes Sligo Creek Stream Valley Unit 3, Sligo Creek Stream Valley Unit 4, and Sligo Creek Golf Course |
| 137 | M-NCPPC Montgomery Parks | Page 5-8 Table 5-2 DEIS | C | NCPC should be referenced as they have jurisdiction over Capper-Cramton parkland. |
| 138 | M-NCPPC Montgomery Parks | Page 5-9 Table 5-3 DEIS | C | NCPC should be referenced as they have jurisdiction over Capper-Cramton parkland. |
| 139 | M-NCPPC Montgomery Parks | Page 17 Section 2.4 App Q Conceptual Mitigation Plan | MI | Parkland impacts can only be considered de minimis if there is sufficient mitigation approved by MNCPPC. Parks with impacted resources will require reconfiguration to make the park whole and mitigation for the loss of parkland will be in addition to the onsite work. |
| 140 | M-NCPPC Montgomery Parks | Page 17 Section 2.4 App Q Conceptual Mitigation Plan | MI | The resources identified in the project area are finite resources that provide essential natural resource value in an already heavily developed landscape. Once the avoidance and minimization process is applied to all natural resources on parkland, there may be areas that are too heavily impacted to continue to have meaningful ecological function; in these areas it may be appropriate to investigate adding SWM or other project needs. SHA must coordinate with Parks during preliminary design to adequately reduce impacts to forests. Relying on incentives to the concessionaire will not be sufficient to provide the required avoidance and minimization on parkland. In addition to Forest Conservation obligations, tree impacts on parkland will also be subject to mitigation for the actual loss of trees and the appropriate number of plantings necessary to make the park whole. |
| 141 | M-NCPPC Montgomery Parks | Page 17 Section 2.4 App Q Conceptual Mitigation Plan | MI | All parkland must be considered of the highest value for the avoidance and minimization process, as is mandated by the Policy for Parks. The Policy outlines for any project that will impact parkland, all non-parkland alternatives be pursued first for all publicly funded projects – unless environmental, economic, social and engineering impacts to move the project off parkland are proven to be prohibitive. In cases where the Montgomery County Planning Board deems that non-park use of parkland is unavoidable and/or serves the greater public interest, The Department of Parks shall then employ minimization techniques and make the parks whole through mitigation at equal or greater natural, cultural, and recreational value. |

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| 142 | M-NCPPC Montgomery Parks | Page 14<br>Section 2.2<br>App Q Conceptual Mitigation Plan | TD | MNCPPC Montgomery Parks will require tree replacement for trees removed on parkland, this will be above and beyond any regulatory requirements. |
| 143 | M-NCPPC Montgomery Parks | Page 19<br>Section 2.4<br>App Q Conceptual Mitigation Plan | TD | Add the following bullet points to the Mitigation Strategy and Proposed Mitigation:<br>1. Rehabilitation of deteriorating facilities and assets on nearby Parkland<br>2. Relocation of impacted facilities and assets to allow for use similar to that pre-impact<br>3. Design and construction of new facilities as identified by Parks<br>4. Non-native invasive species management<br>5. Environmental enhancements with the goals of habitat and/or water quality improvements<br><br>Revise existing bullet points as follows:<br>1. In the second bullet, add fields, courts, stormwater facilities, parking lots, trails, swales, and buildings to the list<br>2. Clarify the 4th bullet, where is this intended? |
| 144 | M-NCPPC Montgomery Parks | Page 87<br>Section 6.1.6<br>App A Alternatives Technical Report | MI | As MNCPPC stated during the review of the ARDS, the approach of not considering environmental impacts as a differentiator between the preliminary screened alternatives is a flawed approached directly in conflict with the intent of the NEPA process. A major component of the NEPA process is to identify environmental impacts and to utilize the differences, as small as they may be, to select an alternative that avoids and minimizes potential impacts. |
| 145 | M-NCPPC Montgomery Parks | Page 32<br>Section 4.3.6<br>App A Alternatives Technical Report | MI | As MNCPPC stated during the review of the ARDS, the approach of not considering environmental impacts as a differentiator between the preliminary screened alternatives is a flawed approached directly in conflict with the intent of the NEPA process. A major component of the NEPA process is to identify environmental impacts and to utilize the differences, as small as they may be, to select an alternative the avoids and minimizes potential impacts. |
| 146 | M-NCPPC Montgomery Parks | General Comment<br>App C Environmental Resource Maps | MI | LOD on all maps needs to allow for future designs to appropriately tie into existing Park features; this is especially true of stream channels and outfalls. Parks expects further coordination to revise LOD to protect and restore parkland and the associated resources. |

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| 147 | M-NCPPC Montgomery Parks | General Comment App C Environmental Resource Maps | TD | LOD will need to be updated to reflect the potential for additional SWM facilities. Parks has noted numerous locations where additional SWM might be possible and expects further coordination to finalize these locations. |
| 148 | M-NCPPC Montgomery Parks | General Comment App C Environmental Resource Maps | TD | Noise Barriers are currently shown along most, but not all, of Parkland. Parks requires noise barriers along all Park corridors, unless stated otherwise. Specifically this includes (but is not limited to):<br>page 60, north side of beltway along Cabin John SVP;<br>page 64, north side of beltway along Rock Creek SVP, north side of beltway along Fleming LP;<br>page 65, north side of beltway along Rock Creek SVP;<br>page 66 – south side of beltway along North Chevy Chase LP;<br>page 69 – "Sligo Creek Parkway" (really, Sligo Creek Stream Valley Unit 3 and Sligo Creek Golf Course) – north and south sides where missing, including along golf course and near trail;<br>page 114 north side of beltway along Cabin John RP;<br>page 115 north side of beltway along Cabin John RP, south side of beltway along Cabin John SVP 6 |
| 149 | M-NCPPC Montgomery Parks | Page 31 Section 2.3.4 App K NRTC | TD | It is critical that SWM needs be further assessed at this early stage of the project and the LOD be enlarged to accommodate the designs. Deferring further analysis until the Full SWM design is completed at a later stage will ensure that SHA is unable to adequately address SWM needs and aquatic resource protection and enhancement. |
| 150 | M-NCPPC Montgomery Parks | Page 50 Section 2.4.2 App K NRTC | TD | Report acknowledges that Rock Creek was already relocated for beltway construction. SHA must commit to providing a net benefit to Rock Creek by expanding the LOD as directed by Parks to provide bank stabilization, bank restoration, in stream structures, and habitat creation. Two locations where Parks expects this to occur are near Cedar Lane and Jones Mill Rd. |
| 151 | M-NCPPC Montgomery Parks | Page 83 Section 2.4.4 App K NRTC | TD | Report states that waivers might be used to meet SWM requirements. SHA needs to provide Parks with the locations where SWM requirements cannot be met onsite and Parks will evaluate if there is available space on the adjacent Parkland to meet the SWM need to help protect downstream waters. |

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| 152 | M-NCPPC Montgomery Parks | Page 145 Section 2.9.3 App K NRTC | TD | This project has the opportunity to correct an existing impactful situation and these culverts won't be able to be addressed in the future. All culverts should be evaluated for several factors, including stability and habitat, and the project team should identify those and plan for replacement following modern guidelines and best practices. |
| 153 | M-NCPPC Montgomery Parks | Page 147 Section 2.9.3 App K NRTC | TD | Parks will require the removal of fish from dewatered work areas to limit fish mortality. The removal must be performed by staff certified through the Maryland Biological Stream Survey program. In addition, all best practices for ecological construction to limit impacts to aquatic biota must occur. |
| 154 | M-NCPPC Montgomery Parks | Page 147 Section 2.9.3 App K NRTC | TD | SHA must ensure that the extension and replacement of culverts results in improving aquatic organism passage, not a decrease. |
| 155 | M-NCPPC Montgomery Parks | General Comment- DEIS | TD | The report sometimes unnecessarily readers to other documents for information rather than just providing it where the reference is made immediately in the document. Section 4.4 states that two recreation areas in Mo.Co. will be impacted. Rather than naming them (just two), it refers the reader to Chapter 5 of the Technical Report and to the 4 (f) report. However, when the reader goes to this reference in the 4(f) report to try to find the names, that document refers the reader to yet another document (Appendix E). It is both time-consuming and frustrating to have to dig so far to get basic information which could have been easily added to the primary documents. |
| 156 | M-NCPPC Montgomery Parks | Page 4-28 Section 4.8 DEIS | TD | According to the text, Table 4-4 is for architectural resources yet the table also includes three archeological sites. These should either be in a separate table or the table should be labeled differently. It confuses the reader who is told that there are 10 architectural sites, sees 13 entries in the table. |
| 157 | M-NCPPC Montgomery Parks | Table 4-18 Section 4.8 DEIS | TD | Correct table to indicate correct agency (VD**H**R, not VDNR). Important distinction. |
| 158 | M-NCPPC Montgomery Parks | Page 4-27 Section 4.8.2 DEIS | TD | The report discusses numbers of sites involved, but does not list the site numbers and names, making it difficult to determine which sites are specifically being discussed and which sites have been evaluated and which evaluations are pending. |
| 159 | M-NCPPC Montgomery Parks | Page 4-27 Section 4.8.2 DEIS | TD | This section seems to contradict the Technical Report for Archaeology. That Technical Report indicates that more than one previously identified site will require additional work and be included in the PA |

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| 160 | M-NCPPC Montgomery Parks | Page 4-27 Section 4.8.2 DEIS | TD | A table specifically listing the archaeological sites and their status in the process would be helpful. Particularly indicating which sites have been determined eligible and which will require additional work and be included in the PA |
| 161 | M-NCPPC Montgomery Parks | Page 4-29 Section 4.8.3 DEIS | TD | The report states that Table 4-3 shows the summary of adverse effects for archaeological sites, but Table 4-3 is the Right of Way Requirements |
| 162 | M-NCPPC Montgomery Parks | Page 20 Section Impacts App Q | TD | This section does not make it clear that the evaluation process for archaeology is incomplete. The table 2.5.1 summarizes the properties known to currently have adverse effects, but until the evaluations are complete, the total number is not known |
| 163 | M-NCPPC Montgomery Parks | General Comment- DEIS | TD | Because comments on Appendices E, F, and G are not due to SHA until March 15 (after comments are due on the DEIS), it is possible that there will be additional comments on the body of the DEIS and the 4 (f) report after those appendices have been fully reviewed. SHA has received comments on some of the volumes within these appendices. Those comments stand. |
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| Comment No. | Commenting Agency | Page and Section | Comment |
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| 1 | | Page 4-5<br>Section 4.1.2 | In the second paragraph on the page, Functional Master Plans were not mentioned for Montgomery and Prince George's Counties. Were they evaluated? At the end of the paragraph Sector Master Plans are abbreviated as SMA. It should be noted that in Montgomery and Prince George's Counties, the term SMA is traditional used to referred to a Sectional Map Amendments. There may be some confusion. |
| 2 | | Page 4-69<br>Section 4.21.1 | First paragraph of the section, Montgomery County's SPA's were mentioned. There was not mention of the Prince George's County Green Infrastructure functional master plan designations. Were they considered? Did any study include it to determine the possible mitigation for the project? |
| 3 | | Page 4-77<br>Section 4.22.2 C | Typo, second paragraph of the section, line 6, "I-720" should be changed to "I-270." |
| 4 | | Page 4-77<br>Section 4.22.2 C | Last paragraph on the page, it discusses 7 of the 10 largest developments are in the study area, but are not dependent on managed lanes. So three projects are dependent upon managed lanes? Wonder what those projects are? Does this analysis reflect Amazon? |
| 5 | | Page ES-7<br>Section | First paragraph, does not address/acknowledge the new hospital or 202. |
| 6 | | Page 4-15<br>Section 4.5.2 | 79 of 82 block groups are EJ communities – how will you coordinate project information and impacts with them? What strategies will be used? |
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| 7 | | Page 4-16<br>Section | JBA No Minority & Low Income Populations? |
| 8 | | Page2-35<br>Section2.7.7 | If tolling is not part of the DEIS why is so much time being spent on this discussion |
| 9 | | Page2-33<br>Section 2.7.5 | The term "Transit" appears to really be only limited to buses. It might be clearer to dispel the notion that any other form of transit is seriously being considered. |
| 10 | | Page 3-4<br>Section 3.1.3 | State recently removed the CCT from state list, so why is it part traffic modeling assumptions? |
| 11 | **GENERAL COMMENTS** | | |
| 12 | | Page<br>Section | There is a lack of Green Infrastructure information discussed for Prince George's County. We have an ***Approved Countywide Green Infrastructure Plan*** |
| 13 | | Page<br>Section | What effects will the project have on the new zoning code? Are any changes recommended? |
| 14 | | Page<br>Section | How will this project reduce emissions? What is the reasoning behind this information? |

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| 15 | | Page<br>Section | What are the impacts on the Forest Conservation Act – our layer is incomplete |
| 16 | | Page<br>Section | There is a proposal for a solar array near Manchester Park. Project impacts could alter an existing private mitigation bank in the area. |
| 17 | | Page<br>Section | No mention of Plan 2035? |
| 18 | | Page<br>Section | Is there a way to separate Prince George's and Montgomery County throughout the document? The three separate segments are projects unto themselves with different characteristics and that should be analyzed in phases and separated out. |
| 19 | | Page<br>Section | Although, there is no mention of the BPW, exactly how will the project be implemented? Will it be phased with an additional reevaluation when the phase is appropriate for construction? How will the disconnect between the two be discussed with the public. |
| 20 | | Page<br>Section | |
| 21 | | Page<br>Section | |
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| Comment No. | Commenting Agency | Page and Section | Comment |
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| 1 | M-NCPPC Prince George's Parks | Page ES-12 | Table ES-2 Summary of Effects Comparison of Alternatives – please provide impact quantities broken down by individual Counties. This comment should be applied to all subsequent Tables and Appendices. |
| 2 | M-NCPPC Prince George's Parks | Page 2-21 Footnote 14 | Please explain why Average annual hours saving per commuter was not a metric used in assessing the Screened Alternatives. |
| 3 | M-NCPPC Prince George's Parks | Stormwater Management Report | Please provide a copy of the Stormwater Management Report |
| 4 | M-NCPPC Prince George's Parks | Appendix L | Please provide a copy of Appendix L – Avoidance, Minimization and Impacts Report |
| 5 | M-NCPPC Prince George's Parks | Appendix M | Please provide a copy of Appendix M- Compensatory Mitigation Report |
| 6 | M-NCPPC Prince George's Parks | Appendix N | Please provide a copy of Appendix N – Draft 404(b)(1) Evaluation |
| 7 | M-NCPPC Prince George's Parks | Appendix R | Please provide a copy of Appendix R - Joint Permit Application with supporting documents |
| 8 | M-NCPPC Prince George's Parks | General | M-NCPPC - PG Planning and Parks requests the opportunity to be included in all Agency meetings including Agency Field Visits |
| 9 | M-NCPPC Prince George's Parks | Traffic Analysis Report pg. 14 | Please make each image in Figure 2-3 a full page. Current Figure is difficult to read. |
| 10 | M-NCPPC Prince George's Parks | Traffic Analysis Report pg. 15 | Figure 2-4 is unreadable due to small size. Please enlarge Figure 2-4 to full page size |
| 11 | M-NCPPC Prince George's Parks | Traffic Analysis Report pg. 26 | Figure 2-16 – please change to Landscape orientation and enlarge to full page size |

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| 12 | M-NCPPC Prince George's Parks | Traffic Analysis Report pg. 27 | Figure 2-17 – please change to Landscape orientation and enlarge to full page size |
| 13 | M-NCPPC Prince George's Parks | Traffic Analysis Report pg. 28 | Figure 2-18 – please change to Landscape orientation and enlarge to full page size |
| 14 | M-NCPPC Prince George's Parks | Traffic Analysis Report pg. 29 | Figure 2-19 – please change to Landscape orientation and enlarge to full page size |
| 15 | M-NCPPC Prince George's Parks | Traffic Analysis Report pg. 30 | Figure 2-20 – please change to Landscape orientation and enlarge to full page size |
| 16 | M-NCPPC Prince George's Parks | Traffic Analysis Report pg. 31 | Figure 2-21 – please change to Landscape orientation and enlarge to full page size |
| 17 | M-NCPPC Prince George's Parks | Traffic Analysis Report pg. 32 | Figure 2-22– please change to Landscape orientation and enlarge to full page size |
| 18 | M-NCPPC Prince George's Parks | Traffic Analysis Report pg. 33 | Figure 2-23– please change to Landscape orientation and enlarge to full page size |
| 19 | M-NCPPC Prince George's Parks | Traffic Analysis Report pg. 34 | Figure 2-24– please change to Landscape orientation and enlarge to full page size |
| 20 | M-NCPPC Prince George's Parks | Traffic Analysis Report pg. 35 | Figure 2-25– please change to Landscape orientation and enlarge to full page size |
| 21 | M-NCPPC Prince George's Parks | Traffic Analysis Report pg. 36 | Does the MDOT Excellerator review past estimate results to present conditions to calibrate for any estimation errors? |
| 22 | M-NCPPC Prince George's Parks | Traffic Analysis Report pg. 39 | Please provide an analysis of TTI for each proposed Alternative. |
| 23 | M-NCPPC Prince George's Parks | Traffic Analysis Report pg. 41 | Please explain why the study considers only 7:00am-8:00am and 4:00pm-5:00pm as peak hours when the peak hours for the region have been clearly defined as 6:00am-9:00am and 3:00pm-7:00pm. |

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| 24 | M-NCPPC Prince George's Parks | Traffic Analysis Report pg. 42 | Figure 2-26– please change to Landscape orientation and enlarge to full page size |
| 25 | M-NCPPC Prince George's Parks | Traffic Analysis Report pg. 43 | When will the updated traffic counts for 2020-2021 become available for use in the National Capital Region Transportation Planning Board Travel Demand Forecast? |
| 26 | M-NCPPC Prince George's Parks | Traffic Analysis Report pg. 76 | Figure 4-1– please change to Landscape orientation and enlarge to full page size |
| 27 | M-NCPPC Prince George's Parks | Traffic Analysis Report pg. 81 | In reference to the Development of Peak Period Volumes on the Build Alternatives – do the multipliers include the 20% not accounted for in the Traffic Forecast Modeling? |
| 28 | M-NCPPC Prince George's Parks | Traffic Analysis Report pg. 128 | Figure 5-42– please change to Landscape orientation and enlarge to full page size |
| 29 | M-NCPPC Prince George's Parks | Alternatives Technical Report pg. 22 | Table 4-1– please change to Landscape orientation and enlarge to full page size |
| 30 | M-NCPPC Prince George's Parks | Alternatives Technical Report pg. 23-26 | Table 4-2 please change to Landscape orientation and enlarge to full page size |
| 31 | M-NCPPC Prince George's Parks | Alternatives Technical Report pg. 53-54 | Table 4-3– please change to Landscape orientation and enlarge to full page size |
| 32 | M-NCPPC Prince George's Parks | Alternatives Technical Report pg. 55-56 | Figure 4-19– please change to Landscape orientation and enlarge to full page size |
| 33 | M-NCPPC Prince George's Parks | Alternatives Technical Report pg. 71 | Figure 5-6 please change to Landscape orientation and enlarge to full page size |
| 34 | M-NCPPC Prince George's Parks | Alternatives Technical Report pg. 72-75 | Table 5-4– please change to Landscape orientation and enlarge to full page size |
| 35 | M-NCPPC Prince George's Parks | Alternatives Technical Report pg. 97- | Table 6-1– please change to Landscape orientation and enlarge to full page size |

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| 36 | M-NCPPC Prince George's Parks | Alternatives Technical Report pg. 98 | Table 6-2 - please change to Landscape orientation and enlarge to full page size |
| 37 | M-NCPPC Prince George's Parks | Alternatives Technical Report pg. 99 | Table 6-3– please change to Landscape orientation and enlarge to full page size |
| 38 | M-NCPPC Prince George's Parks | Alternatives Technical Report pg. 100 | Table 6-4– please change to Landscape orientation and enlarge to full page size |
| 39 | M-NCPPC Prince George's Parks | Alternatives Technical Report pg. 101 | Table 6-5 please change to Landscape orientation and enlarge to full page size |
| 40 | M-NCPPC Prince George's Parks | Alternatives Technical Report pg. 102 | Table 6-6 please change to Landscape orientation and enlarge to full page size |
| 41 | M-NCPPC Prince George's Parks | Alternatives Technical Report pg. 103 | Does the Financial Viability analysis include total cost of the project including mitigation and monitoring costs? |
| 42 | M-NCPPC Prince George's Parks | Alternatives Technical Report pg. 127 | Table 6-16 please change to Landscape orientation and enlarge to full page size |
| 43 | M-NCPPC Prince George's Parks | Indirect and Cumulative Effects pg. 6-7 | Figure 1-2 please change to Landscape orientation and enlarge to full page size |
| 44 | M-NCPPC Prince George's Parks | Executive Summary – 10 Avoidance and Minimization | In the first sentence, please refer the Agencies as State and Federal. |
| 45 | M-NCPPC Prince George's Parks | Executive Summary – 11 Paragraph 1 | Please use future tense, i.e., 62 properties "will" experience… 48 properties "will not", etc. |
| 46 | M-NCPPC Prince George's Parks | Executive Summary 3 – Chapter 5 | Please remove the word "significant" in front of parkland. |
| 47 | M-NCPPC Prince George's Parks | Executive Summary – 11 – What are the Next Steps? | Has the DEIS been distributed to Elected Officials too? See Executive Summary-2, third paragraph. |

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| 48 | M-NCPPC Prince George's Parks | General | MNCPPC, Department of Parks and Recreation will require forest restoration to the extent practical. |
| 49 | M-NCPPC Prince George's Parks | General | Please show all impact to the Prince George's County Department of Parks and Recreation. |
| 50 | M-NCPPC Prince George's Parks | Executive Summary – 12 ES-2 Table | Can the financial information be added to this table? Include average expected total per mile, state subsidies, and/or expected payment to State. |
| 51 | M-NCPPC Prince George's Parks | Page 1-4 Section 1.5 | Conversation should consider self-driving cars, alternative work schedules, and other adjustments to travel patterns. |
| 52 | M-NCPPC Prince George's Parks | General Comment | All prior comments by M-NCPPC to concurrence points, whether or not accepted by MDOT SHA and FHWA are specifically incorporated by reference into all subsequent Study documents. |
| 53 | M-NCPPC Prince George's Parks | General Comment | Although the NEPA process is not bound by the MD P3 Act, it is important that the DEIS and ROD include a discussion of the implementation phases and timing of this multi-phased project. Any phased project of this magnitude, particularly given the length of time anticipated between phases needs to be designed and evaluated at each phase with multiple alternatives. The impact from earlier phases has direct impacts on future phases that must be considered and evaluated at each subsequent phase with multiple alternatives. The DEIS should clarify the expected phases of implementation, the order and timing in which they are expected. |
| 54 | M-NCPPC Prince George's Parks | Page 2-2 Section 2-2 | Financial criteria have been mentioned several times. Is this report referring to construction costs or operational costs or both? |
| 55 | M-NCPPC Prince George's Parks | Page 2-6 Section 2.2.5 | Project allows for inflation and similar precedents. Can that be made public? |
| 56 | M-NCPPC Prince George's Parks | Page 2-6 Section 2.2.5 | P3 is for a 50-year period. Why is this study only going to 2040? |
| 57 | M-NCPPC Prince George's Parks | Page 2-6 Section 2.2.5 | What will happen if the P3 does not work out or if it goes bankrupt? |
| 58 | M-NCPPC Prince George's Parks | Page 2-7 Section 2.3 | Visualize 2045 mentions 3 financially constrained projects. Two of these mention taking Managed Lanes in each direction to the Virginia/Maryland state line in Prince George's County. Why doesn't this project? |

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| 59 | M-NCPPC Prince George's Parks | Page 2.9 Section 2.5 | Is the date 2018 or 2019? |
| 60 | M-NCPPC Prince George's Parks | Executive Summary Pg. ES-1 | The selection and technical process to select the logical termini and phasing for this project has not been provided. This was highlighted when we reviewed the Purpose and Need and ARDS document. We request documentation/justification correspondence/documents to support the logical termini decisions. |
| 61 | M-NCPPC Prince George's Parks | Page 4-13 through 4-19, Section 4.5 | Environmental Justice should include a consideration of whether the projected transportation benefits address Environmental Justice concerns. Since I-495 and I-270 are regional interstate facilities serving as major freeways within Montgomery and Prince George's Counties, there is a need to conduct an EJ evaluation on the transportation benefits of the Alternatives. While managed lanes can provide benefits for both the managed lanes and the general purpose lanes, there is no evaluation in the DEIS on who is benefitting and to what extent. There is a need to assess whether any of the Alternatives address equity/environmental justice concerns. |
| 62 | M-NCPPC Prince George's Parks | General Comment | Storm drain inlets should be water quality inlets and/or have trash collectors that will be regularly maintained by SHA to decrease the transfer of those pollutants onto adjacent Parkland. |
| 63 | M-NCPPC Prince George's Parks | General Comment | Apply noise walls along entire road adjacent to parkland, unless the Department of Parks and Recreation requests to not have a noise wall. |
| 64 | M-NCPPC Prince George's Parks | General Comment | LOD needs adjusting on parkland in many locations; often to allow for stable outfall transitions, stormwater management, or rehabilitation of impacted assets. The Department of Parks and Recreation requests follow up meeting and coordination where specific location and GIS data can be shared. |
| 65 | M-NCPPC Prince George's Parks | General Comment | The Department of Parks and Recreation requests a meeting to go through the comments that concerns avoidance and minimization of parkland impacts. Parks would like to discuss SWM locations on parkland. |
| 66 | M-NCPPC Prince George's Parks | General Comment | The Department of Parks and Recreation requires a separate permit issued by the Department of Parks and Recreation prior to entering any Park property prior to construction. |
| 67 | M-NCPPC Prince George's Parks | Page 5 Section 1.2.2 Draft Section 4(f) Evaluation | The report states "The land must be returned to a condition that is at least as good as existed prior to the project…" and the Department of Parks and Recreation intends to have site restoration and mitigation for all temporary usage areas. The Department of Parks and Recreation requires land to returned to the Department's satisfaction. The restoration and mitigation will need to be approved by the Department of Parks and Recreation. A temporary use can, and often does, result in permanent impacts and the Department of Parks and Recreation will review and only permit temporary use after an agreement about proper restoration and mitigation is reached. |
| 68 | M-NCPPC Prince George's Parks | General Comment | The Department of Parks and Recreation requests on-site environmental monitors during construction to prove extra assurances that ESC measures are fully implemented and functioning as designed. |

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| 69 | M-NCPPC Prince George's Parks | General Comment | MNCPPC requests clarification on how mitigation requirements, including parkland mitigation, will be committed to and defined in the DEIS, FEIS, and ROD. In particular, how will the mitigation be addressed in relation to the proposed project phasing? |
| 70 | M-NCPPC Prince George's Parks | Pg. 4-55 Section 4.17.4 | The Department of Parks and Recreation will provide tree species, locations, and planting requirements for forest mitigation. |
| 71 | M-NCPPC Prince George's Parks | Pg. 4-57 Section 4.17.4 | The Department of Parks and Recreation requests invasive species treatment on parkland to mitigate for increased habitat fragmentation. |
| 72 | M-NCPPC Prince George's Parks | Pg. 4-59 Section 4.18.4 | The Department of Parks and Recreation requests review of the mapped potential vernal pool locations and coordination on how to limit these impacts. In addition, the Department of Parks and Recreation will require construction of vernal pools and other habitat structures as part of the site remediation. |
| 73 | M-NCPPC Prince George's Parks | Pg. 4-59 Section 4.18.4 | The use of sediment and erosion control BMPs should not be considered mitigation or minimization for impacts to FIDs habitat as it is in Section 4.18.4. SHA should commit to providing an actual improvement to the affected forests outside the LOD by agreeing to develop an invasive management plan and implement the control of invasive species. |
| 74 | M-NCPPC Prince George's Parks | Pg. 4-60 Section 4.19.4 | Natural culvert bottoms should be installed, where appropriate, as part of all culvert repair and replacement efforts. |
| 75 | M-NCPPC Prince George's Parks | Conceptual Mitigation Plan Pg. 17 Section 2.4 | Parkland impacts can only be considered de minimis if there is sufficient mitigation approved by MNCPPC. Parks with impacted resources will require reconfiguration to make the park whole and mitigation for the loss of parkland will be in addition to onsite work. |
| 76 | M-NCPPC Prince George's Parks | Conceptual Mitigation Plan Pg. 17 Section 2.4 | All parkland must be considered of the highest value for the avoidance and minimization process, as is mandated by the Policy for Parks. The Policy outlines for any project that will impact parkland, all non-parkland alternatives be pursued first for all publicly funded projects – unless environmental, economic, social, and engineering impacts to move the project off parkland are proven to be prohibitive. In cases where Prince George's County Planning Board deems that non-park use of parkland is unavoidable and/or serves the greater public interest, The Department of Parks shall then employ minimization techniques and make the parks whole through mitigation at an equal or greater natural, cultural, and recreational value. |
| 77 | M-NCPPC Prince George's Parks | Pg. 104 Section 2.1.37A | Please change Patapsco to Patuxent; please change Anacostia to Patuxent. |
| 78 | M-NCPPC Prince George's Parks | Pg. 108 Section B | Coordination with WSSC for work in their ROW is suggested. |

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| 79 | M-NCPPC Prince George's Parks | Pg. 141 Section 2.3.2 | Add MNCPPC to Officials with Jurisdiction. |
| 80 | M-NCPPC Prince George's Parks | Pg. 80 Section 2.1.24 | Property was acquired from USDA, Secretary of the Interior must approve alternative use. |
| 81 | M-NCPPC Prince George's Parks | Pg. 81 Section C | Who will maintain the underground storage vaults? At what cost? |
| 82 | M-NCPPC Prince George's Parks | Pg. 95 Section 2.1.33 | Beckett Field is owned by the City of New Carrollton. |
| 83 | M-NCPPC Prince George's Parks | Pg. 199 Table 5-17 | What is the overall footprint of Alternative 5 compared to the other Alternatives? |
| 84 | M-NCPPC Prince George's Parks | Pg. 203 Section B | Please add a table summarizing impacts of all Alternatives including a column that indicates impacts to 4(f) properties. |
| 85 | M-NCPPC Prince George's Parks | Pg. 203 Section B | Please add a table summarizing financial benefits/impacts of all Alternatives. |
| 86 | M-NCPPC Prince George's Parks | General | Net payments to the State are over what period of time? Until 2040? |
| 87 | M-NCPPC Prince George's Parks | General | What year is Full Build Out anticipated? |