Comments on the Preliminary Range of Alternatives
to Alternatives Retained for Detailed Study
for the I-495 & I-270 Managed Lanes Project Environmental Impact Statement

We, the undersigned organizations, submit the following comments in response to the Maryland State Highway Administration's (SHA) solicitation of public input at a workshop summarizing the scoping comments, purpose and need, and preliminary range of alternatives for the project.

Alternatives tied to construction outside study scope

In developing its preliminary highway alternatives, SHA looked beyond the limits of the corridors defined for study in the EIS, thus implicitly expanding the study area. Yet it did not do the same for transit alternatives. It proposed managed lane alternatives that are predicated on construction beyond the limits of this study, yet it excluded transit alternatives that are similarly predicated. This improperly biases the study.

For example, if a 4-managed-lane alternative in this study is adopted for I-270 and nothing else is done, I-270 will narrow from 16 lanes at I-370 to 6 lanes at Middlebrook Road. This would create severe congestion in the transition area; thus, the managed-lane alternatives are predicated on a widening of I-270 outside the study area between I-370 and Frederick. Yet adding trackage on the CSX Brunswick Line south of Shady Grove, a plan that would similarly require adding trackage between Shady Grove and Frederick, was not among the preliminary alternatives.

Incompletely specified toll lane alternatives

Some alternatives consist of "price managed lanes," or for more simplicity and greater honesty, "toll lanes." These alternatives are incompletely specified. In the detailed analysis of alternatives, toll lanes managed by the public sector must be distinguished from those managed by the private sector. How the toll lanes are managed will have a strong impact on the lanes' financial performance.

There is a trade-off between relieving congestion and revenue generation. The public sector can manage toll lanes with the best interest of the public in mind. The state will have the option of operating the toll lanes to maximize traffic flow and minimize congestion. On the other hand, toll lanes managed by the private sector will be managed for the purpose of maximizing profit, with the interests of the public secondary. If the private sector has to reduce traffic flow, causing increased congestion on non-tolled lanes, in order to maximize profit on toll lanes, it will do so.

The high toll rates charged in Virginia on I-66 and I-495 toll lanes show that the Washington, DC metropolitan area has a substantial number of wealthy drivers who are willing to pay very high tolls. For example, Prof. T. Donna Chen of the University of Virginia found that the imputed value of time for the marginal user of I-495 toll lanes during morning peak is $159 per hour. High tolls that depress use of managed lanes benefit the private-sector toll operator in several ways: (1) most directly, high toll rates increase revenue per vehicle, (2) when more middle-class drivers use the non-tolled lanes, non-toll lanes are more congested so the wealthy

save more time on toll lanes and thus have a greater willingness to pay high tolls, and (3) with less traffic, maintenance costs are reduced on toll lanes.

Given the extreme levels of income inequality in the study area, it is likely that traffic volumes on toll lanes would be far below roadway capacity when managed lanes are tolled to maximize profit. Without knowing the traffic volumes, it is impossible to determine the environmental impacts of the managed-lane alternatives or their effectiveness in meeting the project's purpose and need. Without detailed analysis, we cannot exclude the possibility that four profit-maximizing toll lanes would carry fewer vehicles than two toll lanes with tolls set to carry as much traffic as possible at free flow speed. Therefore, in the detailed analysis of alternatives, managed-lane alternatives must specify who operates the toll lanes or how tolls will be set. Analyses of privately operated toll lane alternatives must be based on the profit-maximizing traffic volume rather than assuming they will operate at full capacity during peak hours.

Financial self-sufficiency

One selection criterion for preliminary alternatives is whether the alternative has the potential to be financially self-sufficient. This selection criterion favors high-risk alternatives that are predicated on forecasts of high traffic volumes on non-toll lanes and rules out the most financially responsible options, especially low-risk alternatives. In all likelihood, none of the build options can be implemented without state guarantees and/or subsidies. The finances of toll lanes are hard to predict because of the high sensitivity of revenue to traffic volumes on the non-toll lanes. Thus a toll lane alternative that had a small probability of being self-sufficient but was more likely to require massive subsidies would pass the criterion while a low-risk investment that would require a smaller state expenditure for a very high return would be excluded. The criterion should be adjusted to appropriately balance risk against self-sufficiency.

Carbon emissions reduction

The environmental criteria used to screen the range of alternatives are insufficient. The State Highway Administration must account for how projects used to relieve traffic would allow the state to meet its legally-mandated requirement to reduce carbon emissions 40% by 2030.

Purpose and need

We are concerned about the failure to publish a more detailed and carefully thought-out statement of purpose and need. A generalized, cursory summary statement of purpose and need, such as that presented at the workshop is not sufficient for the public to fully understand why the project is being carried and what the scope of the project entails. Furthermore, FHWA, the lead agency, has not approved the statement of purpose and need for the project prior to drafting the range of preliminary alternatives to alternatives retained for detailed study. The lack of official approval could result in misleading the public as well as unnecessarily wasting time and effort in the drafting of preliminary alternatives and selection criteria for alternatives.

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