

April 5, 2023

The Honorable Paul J. Wiedefeld, Secretary of Transportation  
Harry R. Hughes Dept. of Transportation Building  
7201 Corporate Center Dr.  
Hanover, MD 21076-0548

Dear Mr. Secretary:

We congratulate you on your appointment to lead Maryland's Department of Transportation (MDOT) and look forward to working with you towards a more equitable and sustainable transportation system in Maryland. We appreciate the concerns you and Governor Moore have raised about the Phase I South plan to add private toll lanes to I-495 and I-270 and your commitment to collaborate with local leaders and community stakeholders about how to address transportation needs in the corridor. We share your concerns about the impact the project would have on equity, the environment and social justice and urge you to cancel the toll lanes and seek a more effective, equitable and sustainable transportation solution.

According to the Maryland-National Capital Park and Planning Commission, adding private toll lanes would not resolve congestion in the I-495/I-270 corridor. In their comments on the Supplemental Draft Environmental Impact Statement for the project, they stated, "The Preferred Alternative does not eliminate congestion in the corridors studied but and [sic] instead shifts it from the vicinity of the ALB (e.g., McLean and Potomac) to other areas in Maryland. While some of these bottleneck shifts were expected, the degree of congestion resulting from the proposed project is severe on I-270 north of I-370, on the Inner Loop on the top side of the Beltway, and on the Inner Loop in Prince George's County."<sup>i</sup>

Drivers who can afford the tolls would be able to escape congestion caused by the bottlenecks, but the toll lanes would be unaffordable for most commuters and would exacerbate the East-West economic and racial divide in the region. Under the MDTA plan, at the 2023 soft cap rate of \$1.62 per mile, the toll for the 12-mile stretch from the George Washington Memorial Parkway to Gaithersburg would total more than \$19 during the evening rush hour. But according to the MDTA, segments on I-495 would exceed the soft cap rate more than 60% of the time, raising the toll up to \$4.07 per mile or as much as \$49. The automatic escalation formula would have boosted the tolls higher by the time the lanes opened. A plan that provides relief from congestion for only the well-to-do is not only inequitable, it is unpopular. A recent *Washington Post* – University of Maryland poll found that only 41% in Montgomery and Prince George's County support the toll lanes.<sup>ii</sup>

We also have grave concerns about the financial risk of a public-private partnership to the State and its taxpayers. As noted in a 2016 report by the US Department of Transportation, "As Developers cannot manage many of the underlying drivers of traffic and the revenue stream they generate (such as demographic trends, economic conditions, etc.) they will likely charge a premium for assuming the risk (known as inefficient risk pricing)."<sup>iii</sup> The adoption of telework

during the pandemic creates more uncertainty for developers and will likely cause them to charge an even higher premium.

Moreover, global corporations such as Transurban and Cintra are experts at negotiating contracts that maximize the return on their investment, in part, by constraining future decisions by public agencies that could lead to reduced toll revenue. MDOT must not lock itself into a multi-decade contract that would limit its ability to make future improvements to the I-495/I-270 corridor.

The I-495 and I-270 toll lane expansion would cause irreparable harm to our environment. The project would burden residents and environmental justice communities located near the highways with adverse health impacts by increasing the localized air pollutants, including particulate matter pollution during the construction and operation of the toll lanes. Expanding I-495 and I-270 would also cause irreversible damage to historic and cultural resources, including the Morningstar Tabernacle No. 88 Hall and Cemetery in the historic Black community of Gibson Grove in Cabin John, and Plummers Island, a globally unique biodiversity hotspot and site of over 120 years of long-term research. Adding highway capacity runs counter to the State's goal of cutting climate pollution since it would increase vehicle miles traveled, contributing to more greenhouse gas emissions.

There are many effective, equitable alternatives to the toll lanes which could be implemented more quickly, including transportation demand management strategies and transit. These would enhance opportunities for all Marylanders, not just those who have the ability to pay high tolls. We look forward to working with you on a better way forward.

Sincerely,

City of Rockville  
350 Montgomery County  
Advance Maryland  
AFSCME Maryland Council 3  
Aloha Enterprises Inc.  
Amalgamated Transit Union Local 689  
Audubon Mid-Atlantic  
Baltimore Transit Equity Coalition (BTEC)  
Beaverdam Creek Watershed Watch Group  
Bikemore  
Central Maryland Transportation Alliance  
Charles Village Homes LLC  
Chesapeake Bay Foundation  
Chesapeake Physicians for Social Responsibility  
Citizens Against Beltway Expansion  
Climate Action Plan Coalition  
Climate Reality Greater Maryland

Coalition for Smarter Growth  
Coalition for Transit Alternatives to Midcounty Highway Extended/M83  
College Gardens Civic Association  
DontWiden270.org  
DoTheMostGood  
Elders Climate Action Maryland  
Environmental Justice Ministry, Cedar Lane Unitarian Universalist Church  
Fix Maryland Rail  
Forest Glen Citizens Association  
Franklin Knolls Civic Association  
Friends of Moses Hall, Inc.  
Friends of Sligo Creek  
Glen Echo Heights Mobilization  
Greater Farmland Civic Association  
Greenbelt Climate Action Network (GCAN)  
Howard County (HoCo) Climate Action  
Indian Springs Citizens Association  
Indivisible Howard County  
Interfaith Power & Light (DC, MD, NoVA)  
Labor Network for Sustainability  
League of Women Voters of Maryland  
Locust Grove Homeowners Association  
Long Branch Civic Association  
Maryland Advocates for Sustainable Transportation  
Maryland Campaign for Environmental Human Rights  
Maryland Coalition for Responsible Transit  
Maryland Conservation Coalition  
Maryland Legislative Coalition  
Maryland Legislative Coalition, Climate Justice Wing  
Maryland Sierra Club  
NAACP Maryland State Conference  
National Parks Conservation Association  
Natural Resources Defense Council  
Nature Forward  
Neighbors of the Northwest Branch  
North Hills of Sligo Creek Civic Association  
Northern Virginia Citizens Association  
One Montgomery Green  
Progressive Maryland  
Regents Square Condominiums  
Rogue Tulips Consulting  
Save Our Seminary at Forest Glen  
Service Employees International Union Local 500  
Sligo Creek Golf Association

Stone Quarry HOA  
Strong Towns Baltimore  
The Ocean Foundation  
Transform Maryland Transportation Coalition  
Transit Choices  
Unitarian Universalist Legislative Ministry of Maryland  
Washington Area Bicyclist Association  
Washington Biologists' Field Club  
Woodley Gardens Civic Association  
Woodside Forest Civic Association  
Wyngate Citizens Association

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<sup>i</sup> SDEIS Comment Letter to FHWA and MDOT SHA from M-NCPPC, November 30, 2021, page 8.  
[https://montgomeryplanningboard.org/wp-content/uploads/2022/01/SDEIS-MNCPPC-Comment-Cvrltr\\_11.30.21.pdf](https://montgomeryplanningboard.org/wp-content/uploads/2022/01/SDEIS-MNCPPC-Comment-Cvrltr_11.30.21.pdf)

<sup>ii</sup> Washington Post – University of Maryland, September 22-27, 2022. See question 12 and scroll to the right for DC region responses.  
[https://docs.google.com/spreadsheets/d/147t2k8bzqJa4iJXZZfhMf\\_dA9ZLq2RCQ/edit#gid=988311946](https://docs.google.com/spreadsheets/d/147t2k8bzqJa4iJXZZfhMf_dA9ZLq2RCQ/edit#gid=988311946)

<sup>iii</sup> Revenue Risk Sharing for Highway Public-Private Partnership Concessions, U.S. Dept. of Transportation, December 2016, page 1.  
[https://www.fhwa.dot.gov/ipd/pdfs/p3/p3-toolkit\\_risk\\_sharing\\_white\\_paper\\_1216.pdf](https://www.fhwa.dot.gov/ipd/pdfs/p3/p3-toolkit_risk_sharing_white_paper_1216.pdf)