

**STATEMENT OF ED RICH, PRESIDENT
GREATER FARMLAND CIVIC ASSOCIATION
JOINT PRIORITIES HEARING
November 20, 2019**

I am the president of the Greater Farmland Civic Association, which represents over 3000 residents in the Old Farm, Tilden Woods, Hickory Woods, and Walnut Woods neighborhoods, directly abutting the twelve lane highway that is Interstate 270. Because of our location, the Governor's proposed expansion of 270 will have a substantially negative environmental impact on our community, numbering nearly a 1,000 homes with an elementary school enrolling over 800 students.

We have seen the Governor touting the benefits of his P3 project while downplaying the environmental impact on those who live near the project. We have seen how the state's Transportation Department pays lip service to our concerns while ridding the project of any alternatives other than the laying down of more concrete and asphalt. We have seen first-hand that building additional lanes leads to more cars, more traffic, and environmental degradation in our neighborhood and the surrounding areas. We listen daily to traffic reports about accidents on 270 and 495 that routinely shut down these highways and wonder how wide these highways would need to become for cars to get around a jackknifed tractor trailer or the frequent multi-vehicle pile-up, not to mention the inevitable rubber-necking that occurs in both directions that slows through-traffic to a crawl. We've seen the Governor's ill-conceived announcement of the reconstruction of the American Legion Bridge with no consideration of space for a monorail or other public transit that could alleviate traffic between Maryland and the employment centers in Tyson's Corner and Falls Church. It's time for some checks and balances with regard to this and other major projects and for the legislative to have a seat at the table.

For this and many other reasons, we **strongly support** the reintroduction and enactment of former **House Bill 1091 *Public-Private Partnerships—Reforms*** because it would allow the legislature to better protect the interests of Maryland residents like us. We were extremely disappointed that during this year's session Senator King chose to bottle up the bill in her committee, even though it passed the House with an overwhelming majority. Hopefully, the legislature has seen, through his actions since the session ended, the Governor's true intentions with regard to this project and recognizes the importance of its oversight of it.

First, HB 1091 prohibits non-compete clauses in P3 agreements that would "inhibit the planning, construction, or implementation of State-funded transit . . ." This provision protects State residents by preventing toll road builders and operators from essentially vetoing or blocking any future mass transit or road projects that give commuters a real choice and that support the State's goals for reducing our carbon footprint. The best way forward is to include transit in the current plans. Since the MDOT has recommended retaining only those alternatives that would add two or more toll lanes to I270 and I495, however, it is absolutely

essential that the ability to retrofit the existing roadbed or lanes with transit be retained within the 50-year contract span. Transit options must include High Occupancy Vehicle Lanes and Stand Alone Transit Alternatives, such as Bus Rapid Transit and Rail. HB1091 also requires annual payments to local governments affected by the P3 project for transit and road improvements.

Second, HB 1091 includes certain financial safeguards for Maryland upon entering a long-term P3 contract of this magnitude. Surely it is common sense to conduct a full credit rating of contractors, provide for the reimbursement of taxpayers for advanced project expenses, and clearly spell out how the contract will provide for “successor entities” which may take over the contract to operate and maintain the toll lanes. The contract also needs to specify the method and terms for revenue sharing. In essence, HB 1091 reinforces the need for, as well as, the terms of a satisfactory contract that will affect Maryland residents and commerce for 50 years.

Third, HB1091 requires that an Environmental Impact Statement be included in the presolicitation report for review and comment by the Department of Legislative Services and the House and Senate budget committees prior to any solicitation being issued. The MDOT, which has narrowed the options to one mandatory-to-consider no-build option and six multiple additional lanes options, prefers adding traffic lanes at the expense of the natural areas and neighborhoods along the route. The state has the responsibility to assess and communicate to voters the significant environmental impact of the options it is considering. The public must be allowed to weigh in on the decision with this critical information – concerning irreversible consequences – in hand. This legislation will require a comprehensive study that complies with the requirements of the National Environmental Policy Act regarding the environmental impact, including greenhouse gas emissions, of increasing the volume and size of I-270 and I-495 to be completed and submitted before any decision, let alone before any pre-solicitation report for a P3, can be made. Common sense, fairness, and transparency require that the environmental impact study include all of the original 15 proposals that the public was asked to comment on in 2018, as well as options not considered, such as creation of new and expansion of existing public transportation systems, smart-growth development at major transit hubs and development of affordable housing options close to major employment centers located at major transit hubs.

This very long-term contract, the Governor says, will allow the state to “build” a road for free. Leaving aside the obvious point that the lanes will be available solely for those who can afford to use them, the 50-year contract ultimately limits Maryland taxpayers in finding new solutions to traffic and environmental degradation in a period of time that a recent United Nations scientific report has called crucial to preventing the worst consequences of climate change, caused in large part by burning fossil fuels. There is much more at stake here than giving some commuters a faster drive to work. We feel the MLS and P3 project are the wrong approach. At the very least, adopting HB 1091 will mitigate some of the more obvious faults.

We stress that the state can and must find a fair, comprehensive approach that makes other modes of transportation more accessible, affordable, reliable and viable alternatives to the

private vehicle. Those can include expansion of the METRO and MARC systems, additional light rail options, including monorail and bus-rapid transit. In addition, the state can support employment centers and opportunities, along with affordable housing options, along the I-270 corridor at major transit hubs and telework options to reduce the need for numerous residents to drive to and from work.

We thank you for your consideration and urge you to do right by the people of our community, the many other communities along I-270 and I-495, and all Maryland residents.