Stormwater issues with I-495 and I-270 expansion

Stormwater Partners of Montgomery County

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Interstates 495 and 270 cross many sensitive environmental areas, including extensive streams, wetlands, and significant acreage of floodplain forest and forest buffers, much of which falls in Montgomery County. Because I-495 and I-270 were built before the necessity of managing stormwater runoff was recognized and relevant regulations created by federal, state, and local jurisdictions, these highways now contribute to major flooding when significant precipitation occurs. Additionally, increased noise and air pollution, increased urban heat island effect, along with increased localized flooding, erosion, and poison runoff, are examples of the consequences borne by adjacent communities if these already-huge highways are expanded. When climate disruption such as hotter summers and more-intense precipitation events, hits the larger band of pavement that these highway expansions would create, the double-whammy will hit hard on your constituents' communities. The exacerbation of these issues due to the proposed Interstate expansions must be factored into any consideration of this project.

New lanes added to the Capital Beltway must trigger redevelopment requirements for the existing portions of the Beltway and I-270. The Stormwater Partners demand that any comprehensive addition and/or modification of the Beltway and I-270 mitigate stormwater from existing structures as well as any new construction, at least to meet the 50% state mitigation standard. In Montgomery County, construction should meet the "same requirements as new development" standard.

Recent comments by Montgomery County Planning Board Chair Casey Anderson reinforce our concerns:

> According to the Chesapeake Bay Foundation, stormwater runoff is the fastest growing source of pollution in the Chesapeake Bay …. Maryland has some of the strongest stormwater management rules in the country and these rules require new development (including redevelopment) to use environmental site design (ESD) and best management practices (BMPs) to capture and treat stormwater runoff before it enters our waterways.

Today, Maryland's Stormwater Design Manual governs the requirement to implement Environmental Site Design (ESD) to the Maximum Extent Practical (MEP) on any new development statewide. Excluding any major road project from this requirement is irrational.

Both state and Montgomery County regulations also require that significant new construction trigger requirements to mitigate existing structures, through redevelopment provisions.[1] According to the Stormwater Design Manual criteria, both the Beltway and I-270 are clearly "sites" which are "contiguous…in one ownership…where development is to be performed as part of a unit, subdivision or project." Therefore, any substantial change to either highway, in particular adding any additional width in the form of more lanes, triggers redevelopment standards under both state and county regulations. By these standards, complying with state law dictates that any lanes added to the Beltway or I-270 must trigger the requirement for redevelopment and stormwater management for at least the equivalent of 50% of the impervious surface of the entire (old and new) stretches of highway where new lanes are added.[2] Montgomery County requirements are even more stringent.[3]

This year, we suffered record annual rainfall and damaging rain events in the state, including the deadly flooding in Ellicott City. Rock Creek, Sligo Creek, and other waterways show stormwater flood damage unlike anything we've seen in recent history. A few years ago in the Northwest Branch of the Anacostia, the trunk sewer line was nearly exposed, requiring extensive expensive reconstruction of the stream and banks. Mitigation of stormwater runoff from roadways is particularly important since road runoff carries dangerous pollutants as well as volume.

We ignore the elephant in the room at our peril. We urge that any contract to redesign the beltway or I-270 comply with Montgomery County stormwater requirements-- for the health of our waterways, our aquatic wildlife, and our residents.

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[1] As defined in the Stormwater Design Manual: Redevelopment is defined as any construction, alteration, or improvement performed on sites where the existing land use is commercial, industrial, institutional, or multifamily residential and existing site impervious area exceeds 40%. The term "site" is defined as a single tract, lot, parcel of land, or combination of tracts, lots, parcels of land that are in one ownership, or are contiguous and in diverse ownership where development is to be performed as part of a unit, subdivision or project. [Sec. 5.5.1]

[2] Under state standards, "When redevelopment requirements apply, all existing impervious areas located within a project's limit of disturbance (LOD) are required for management" (Stormwater Design Manual Sec. 5.5.2), and the requirement for that management is to either "reduce existing impervious area within the LOD by at least 50%" or to "implement ESD practices to the MEP to provide water quality treatment for at least 50% of existing impervious area within the LOD," or a combination thereof, on or off-site, to meet the 50% reduction requirement (Stormwater Design Manual Sec. 5.5.2(1-2).

[3] Under the Montgomery County Code, "Unless otherwise indicated, redevelopment is subject to the same requirements that apply to new development under this Article" (Sec. 19-26(b)).