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**Re: Baltimore-Washington Superconducting Magnetic Levitation (SCMAGLEV)
Project Comments on the Draft Environmental Impact Statement**

Dear Ms. Thorne and Mr. Bratcher:

Thank you for the opportunity to review the *Baltimore-Washington Superconducting MAGLEV (SCMAGLEV) Draft Environmental Impact Statement (DEIS)* distributed January 15, 2021. I have the honor, and concomitant responsibility, to serve as the Prince George's County Council member for District 1. This District consists of the northernmost portion of the County and encompasses all of South Laurel and Vansville. The portion the proposed alignments in District 1 consist entirely of elevated viaduct. In addition, the potential Trainset Maintenance Facility ("TMF") (West) would be located in District 1. The DEIS recognizes numerous community, social and environmental impacts in the District.

After reviewing the DEIS, the presentations provided to the County Council, and listening to constituents, I am submitting this letter for your consideration. As part of my comments, I incorporate by reference the Joint Signature letter of the Prince George's County Executive and the Prince George's County Council dated May 18, 2021 and the May 13, 2021 Comment Letter from the Maryland-National Capital Park and Planning Commission.

Impact to Environmental Justice Communities. The proposed alignments will traverse and/or abut densely populated residential areas and neighborhood parks impacting Prince George's County residents. Likely impacts include noise, vibration, loss of woodland, loss of recreational amenities, truck traffic, local roadway damage, and negative impacts to property values. In particular, the location of the TMF in proximity to these residential neighborhoods creates both short-term construction-related impacts as well as long-term impacts. Negative property valuations caused by adverse impacts such as noise, vibration, and visual proximity to the tunneling, related infrastructure and viaduct "elevated" guideway have not been studied and appear to be overlooked in the DEIS.

The proposed alignments bisect critical community resources in a manner that raises considerable Environmental Justice (EJ) concerns. The DEIS fails to adequately address these concerns in any meaningful detail. Examples include the removal of the bridge over the Baltimore-Washington Parkway (“BWP”) connecting historic Greenbelt, to alignments of the above-ground sections that directly impact historically African American and economically challenged communities. The DEIS fails to acknowledge the historic inequities or background of areas impacted by the proposed alignments with no proposals to avoid, minimize, or mitigate the impacts.

DEIS Appendix D.3, Socioeconomic Environment Technical Report, documents numerous impacts to Environmental Justice communities in District 1. Figure D.3-7 (Environmental Justice Population Areas) identifies all of the impacted area within District 1 as either “Minority EJ” or “Minority and Low Income EJ.”¹ The mapping of “Minority and Low Income EJ” communities, based on Census tract data is not sufficiently granular to identify Low Income townhouse and apartment complexes east of the BWP. Many of the residents of the Villages at Montpelier Apartments, the Evergreens at Laurel Apartments, the Applewalk Condominiums, the Laurelwood Condominiums and the Pheasant Run townhomes are lower income. As detailed in DEIS Appendix D.3, these communities and additional “Minority EJ” communities will experience substantial temporary and permanent impacts.

Appendix D.3B Land Use Impacts. Appendix D.3B addressees substantial Land Use impacts to District 1 EJ communities. Build Alternatives J and J1 and BARC West TMF would require the permanent change in land use of nearly 200 acres, including long-term permanent property from residential parcels on Gross Lane. Both BARC TMFs would be located in the Prince George's County Rural and Agricultural area, and both would be in consistent with Prince George's County Master Plan.² In addition:

Permanent partial property acquisition would be required from BARC. BARC has expressed that the development of either the BARC Airstrip TMF or the BARC West TMF would have a significant impact on BARC research activities and that the changes in land use would affect long-term research that would be permanently lost.

The BARC West TMF would have an impact on the Vansville community, an historically African American community. The proximity to the Vansville community is evident on Sheet 6 of Appendix F, Attachment A.

The potential mitigation strategies are inadequate to address the undermining of the comprehensive planning for this portion of Vansville and South Laurel.

Neighborhoods and Community Facilities Impacts. Appendix D.3D addressees substantial Neighborhoods and Community Facilities impacts to District 1 EJ communities. The above ground viaduct, associated maintenance facilities, service roads, electrical equipment and related components will have devastating impact on South Laurel EJ communities. These impacts are clearly evident on Sheets 5B, 6B, and 7 of Appendix B., Mapping Atlas.

For both Build Alternatives, the elevated viaduct would operate within BARC and the South Laurel neighborhood within Prince George's County to beyond the Anne Arundel County border. BARC, in this area, consists of agricultural fields, streams, wetlands, open space, and

¹ DEIS Appendix D.3, Socioeconomic Environment Technical Report, at D-116.

² DEIS Appendix D.3, Socioeconomic Environment Technical Report, at B-35.

forested area. Residential areas, including single-family homes and townhomes, are within the Affected Environment in the South Laurel neighborhood.

Both Build Alternatives include a substation in the South Laurel neighborhood, east of the BWP for Build Alternatives with J alignments and west of the BWP for Build Alternatives with J1 alignments. The substation under Build Alternatives J would be located southeast of the MD 295 and MD 197 interchange near the Village at Montpelier Apartments. The substation under Build Alternatives J1 would be located near a residential area off Hermosa Drive in the South Laurel neighborhood. The location is currently forested and borders an electrical powerline right of way.³

For the J alignments, the South Laurel Drive EJ communities (*i.e.*, the Villages at Montpelier Apartments, the Evergreens at Laurel Apartments, the Applewalk Condominiums, and the Laurelwood Condominiums) would be totally enveloped by facilities supporting the SCMAGLEV Project. These facilities would have an adverse impact on community cohesion by displacing residents, businesses, and community facilities; introducing large transportation structures into residential and forested areas; changing residents' ability to navigate around their community; and disrupting interaction between people and groups within their community.

The Build Alternatives could cause community disruption in the following areas due to adverse permanent impacts further described in this section:⁴

* * * *

- Elmshorn Way, Hermosa Drive, and Frensham Court in the Montpelier Hills community, as well as Ivory Fashion Court, Blue Moon Court, Sea Pearl Court, and Sumner Grove Drive, South Laurel neighborhood in Prince George's County, (Build Alternatives J1-01 thru J1-06).
- The Villages at Montpelier Apartments, Evergreens at Laurel Apartments, the Applewalk Condominiums, and Laurelwood Condominiums, South Laurel neighborhood in Prince George's County, (Build Alternatives J-01 thru J-06).

Appendix D.3D identifies substantial negative Long-term Operational Effects to District 1 EJ communities.⁵

In the South Laurel neighborhood, the elevated viaduct would be located between the BWP and the residential communities of the Villages at Montpelier Apartments, Evergreens at Laurel Apartments, the Applewalk Condominiums, and Laurelwood Condominiums, all located east of the BWP, southeast of the MD 197/BWP interchange. The viaduct would run just west of these communities and as close as 90 feet to apartment buildings in the Villages at Montpelier. The viaduct would require the removal of a forested buffer between these communities and the BWP and would present a stark change from current views. The viaduct would impact residents due to increased noise and vibration, and changes to views and visual quality.

This description specifically highlights unacceptable impacts to these South Laurel EJ

³ DEIS Appendix D.3, Socioeconomic Environment Technical Report, at D-84-85.

⁴ DEIS Appendix D.3, Socioeconomic Environment Technical Report, at D-94.

⁵ DEIS Appendix D.3, Socioeconomic Environment Technical Report, at D-97.

communities. Appendix D.3D then identifies additional negative Long-term Operational Effects to these EJ communities.⁶

Ancillary facilities would be constructed in the South Laurel neighborhood south of the Villages at Montpelier Apartments, Applegrove Condominiums and Laurelwood Condominiums (systems building) and northwest and adjacent to the Villages at Montpelier Apartment (a substation and systems building). The construction of these buildings would require the use of full permanent acquisition of two commercial parcels and forested areas along BWP. In addition, high tension powerlines would be relocated to accommodate new utilities required for the project. These ancillary facilities and utilities would impact residents of these complexes, as well as the Tabernacle Church and Learning Center, due to acquisition of parking, increased noise and vibration, and changes to visual quality. These impacts, in combination with the impacts associated with the viaduct, could change the community feel and atmosphere.

Residences west of the BWP on Elmshorn Way, Hermosa Drive, Fairlane Place, and Frensham Court in the Montpelier Hills community in South Laurel would experience impacts due to increased noise, as would residences on Ivory Fashion Court, Blue Moon Court, Sea Pearl Court, and Sumner Grove Drive northwest of the BWP/MD 197 interchange.

Northeast of the BWP/MD 197 interchange, the viaduct would be located between the BWP and the Pheasant Run community in South Laurel. Residences on Pheasant Run Court and Pheasant Run Drive, as well as the New Life Christian Center, would experience impacts due to increased noise and changes to aesthetics due to the presence of the viaduct.

Appendix D.3D further identifies negative Long-term Operational Effects to the Vansville EJ communities as a result of the BARC West TMF (Build Alternatives J-03 and J-06). Residents on Gross Lane, Odell Road and Ellington Lane would experience noise and visual impacts.⁷

Negative Long-term Operational Effects resulting from Alternatives J1-01 – J1-06 viaduct would be located between the BWP and residences west of the BWP on Elmshorn Way, Hermosa Drive, and Frensham Court in the Montpelier Hills community, as well as Ivory Fashion Court, Blue Moon Court, Sea Pearl Court, and Sumner Grove Drive, all located southwest of the BWP/MD 197 interchange in South Laurel.⁸ The viaduct would remove the forested buffer between the Montpelier Hills community and the BWP, with the massive viaduct being located a few dozen feet from residences. The community impacts would include increased noise, vibration, and changes to aesthetics. For a number of residents, the impacts would be devastating.

For Build Alternatives J1-02, J1-03, J1-05, and J1-06, the LOD extends into residential property on Elmshorn Way, Frensham Court, and Ivory Fashion Court and would eliminate parking; alter access to residences from Hermosa Drive and Muirkirk Road; and eliminate open space and picnic tables. Residents in these areas would experience property acquisition, changes to access, and impacts to community cohesion. The Villages at Montpelier Apartments and Evergreens at Laurel Apartments east of the BWP would also experience

⁶ DEIS Appendix D.3, Socioeconomic Environment Technical Report, at D-97.

⁷ DEIS Appendix D.3, Socioeconomic Environment Technical Report, at D-97-98.

⁸ DEIS Appendix D.3, Socioeconomic Environment Technical Report, at D-103.

impacts due to increased noise.⁹

In addition, under Alternatives J1-01 and J1-04, a maintenance of way (MOW) facility would consume the forested Springfield Road Park and would be constructed in close proximity to residences on Sumner Grove Drive in South Laurel, resulting in noise and visual impacts to residents. *Id.* Alternatives J1-01 and J1-04 will also result in three systems buildings in a currently forested area adjacent to the BGE electrical powerline right of way. These systems buildings will have adverse noise and visual impacts on the Montpelier Elementary School and residences on Frensham, Dortmund, and Vanfleet Courts. “These impacts, in combination with the impacts associated with the viaduct and MOW facility under Build Alternatives J1-01 and J1-04, could change the community feel and atmosphere.” *Id.*

Environmental Justice. USDOT Order 5610.2(a), *Actions to Address Environmental Justice in Minority Populations and Low-Income Populations (2012)*, sets forth the USDOT policy to consider EJ principles in all USDOT programs, policies, and activities. Identified EJ block groups account for 85% of all the black groups potentially affected by the SCMAGLEV Project. Appendix D.3E addresses substantial impacts to District 1 EJ communities that cannot be mitigated.

Significant impacts to District 1 park land and local transportation are not addressed in the mitigation section. With the exception of PRR, the entire length of the viaduct is located within and adjacent to EJ population areas, and the new aboveground elevated guideway would be visible to those EJ populations.¹⁰ The mitigation strategies discussed are almost comically vague and meaningless. Over 99% of the impacted noise receptors and 100% of the severe vibration impacts are located with EJ population communities.

The entirety of the viaduct and viaduct ramp locations would be located in or adjacent to Environmental Justice population areas. There is a section of unpopulated PRR-owned land adjacent to Build Alternatives J-01 – J-06. Powder Mill Road, MD 197, MD 198, and MD 32 are potential construction access points during viaduct construction. Both local and state roads within these EJ population areas would serve as access points to construction areas and would be subject to associated traffic, noise, and vibration impacts from construction vehicles.

Construction laydown areas would be required in multiple locations throughout the SCMAGLEV Project corridor. All identified construction laydown areas would be located within areas with Environmental Justice populations. The four long-term laydown areas include:

* * * *

- Konterra Site (on a vacant site within an EJ Population Area largely surrounded by major transportation corridors) – in the Konterra neighborhood in Prince George’s County and adjacent to the Laurel neighborhood. The Avalon Laurel Apartment community is within 450 feet of the Konterra Site. EJ populations would be temporarily impacted by to noise, vibration, and changes to aesthetics during construction.¹¹

⁹ DEIS Appendix D.3, Socioeconomic Environment Technical Report, at D-103.

¹⁰ DEIS Appendix D.3, Socioeconomic Environment Technical Report, at D-123.

¹¹ DEIS Appendix D.3, Socioeconomic Environment Technical Report, at D-129.

Vansville and South Laurel EJ communities will be negatively impacted by construction and waste haulage operations. These communities and Laurel will suffer impacts from the use of Konterra as a laydown site because Konterra is not in close proximity to the construction zone and can only access the construction zone through use of narrow local roads.

Air Quality. Although the ultimate goal of the MAGLEV is to provide alternatives to vehicle traffic to travel between Baltimore and Washington, the DEIS simply states that during construction, efforts will be made to use non-residential roadways and notes that the Baltimore-Washington Parkway precludes trucks below Route 175. Given the alignment alternatives and proposed TMFs, and location of fresh air portals/emergency exits, it is unrealistic to assume the massive infrastructure construction over several years will not impact air quality during construction and post construction during operations.

Prince George's County has the highest ozone levels in the state (2018 data). Within District 1, the two highest 8-hour ozone values were recorded (ppm) at .092 and .09 ppm in the Laurel-Beltsville, Maryland area. The American Lung Association reviewed over 700 studies examining the health effects of traffic pollution. They concluded that traffic pollution causes asthma attacks in children and may cause a wide range of other effects including the onset of childhood asthma, impaired lung function, premature death and death from cardiovascular diseases and cardiovascular morbidity. Studies found increased risk of premature death from living near a major highway or an urban road, decreased lung function associated with traffic-related pollution, increased risks of dementia for those living closest to roads.

Based on published research, the project must provide more details for construction and post-construction traffic and air quality impacts, and mitigation to be provided.

Construction Impacts. As noted above, I am very concerned about construction impacts. Prince George's County has spent significant amounts of money improving parks and facilities along the proposed route that will be impacted with no indication in the DEIS about how that will be mitigated during construction and repaired post-construction.

Staging areas for shaft tunnel entrance/exit for the tunnel boring machines during construction, TMF facilities, and air shafts will generate noise, truck traffic, dust, and visual impacts of this 24-hour, 7-day per week operation will be significant and constant for a period of years. Labeling these impacts "minor" and "temporary" minimizes the disruption that will be caused.

The proposal to transport 23+ million cubic yards of spoil over local roads and regional highways is ill-advised for any number of reasons. Prince George's County has previously recommended and continues to support that spoils from this project be transported by rail. The cost of facilities to support rail transport of spoil material, including, but not limited to, construction of a temporary siding, should be factored into the design and potential impact of this project. A rail loading facility is preferable to truck transport of spoil material. Additional and serious consideration should be given to the noise, dust, and traffic impacts of 24-hour spoils removal and transport to and through communities surrounding FA/EE locations and haul routes.

Environmental. The Beltsville Agricultural Research Center (BARC) is located in a designated Priority Preservation Area (PPA) of Prince George's County. Current tenants including NSA, have stated they do not want any facilities in the proximate areas.

Proposed impacts to the Patuxent Research Refuge (PRR) would be extensive under both alignments. This is particularly concerning. The placement of a TMF on the edge of the PRR would

result in forest fragmentation and the disturbance of a continuous block of multi-layer and high functioning habitat. The result will be the loss of very valuable combination of environmental resources which is becoming harder to find in Maryland, and it could also spur unwanted development in an environmentally sensitive area. The DEIS fails to provide evidence that avoidance, minimization, and mitigation have been considered.

Both proposed BARC and TMF locations would have significant detrimental impacts to Rare, Threatened and Endangered (RTE) and Forest Interior Dwelling (FID) Species. The DEIS fails to set forth any plans to avoid, minimize or mitigate the loss of these species and habitat that may turn out to be irreplaceable.

As such, the proposed TMF should not be located on BARC or in Laurel. The DEIS does not make the case that there is no other reasonable alternative to a location on private property that might be more appropriate, and it fails to provide evidence that avoidance, minimization, and mitigation have been seriously considered.

Parkland. Springfield Road Community Park is owned by Maryland-National Capital Park and Planning Commission. This property was transferred to M-NCPPC from the National Park Service (NPS) to provide a 100-foot buffer along the BWP and to provide for the future expansion of the parkway. Any other use of this property, as proposed, would require NPS approval as well as a finding by the Commission that the property is no longer needed and could be replaced with as good or better parkland. The DEIS fails to note these requirements which will add time and costs to the project's balance sheet.

The proposal for a Maintenance of Way (MOW) facility in this location, would result in an industrial use located in the backyard of approximately 16 single-family homes. Even if the NPS approves the change of use, and if the Commission could make the statutory findings, this appears to be a particularly inappropriate placement for this facility due to its proximity to single-family homes.

The DEIS characterization of this and other parkland impacts are noted as "minor" or "no" impact. This conclusion shows a lack of independent assessment but rather writing to support a pre-determined outcome. For example, the proposed construction of a power substation adjacent to the South Laurel Neighborhood Park may not impact the footprint of the park, but it will certainly impact the environmental setting and usability of a park that is designed for young children. Additional information is needed to fully determine parkland impacts.

Transportation. Ridership projections in the DEIS appears to be unreasonably optimistic and are mainly based upon assumptions that ridership will be siphoned from AMTRAK and MARC. Among the many problems with these assumptions are that both AMTRAK and MARC are publicly funded or heavily subsidized with public funds with many riders coming from areas not served by the MAGLEV. Substituting accessible, affordable regional train service with inaccessible, relatively expensive service and using public funds to do so seems illogical.

Safety and Maintenance. MAGLEV technology is noted in the DEIS as a new technology not yet used in the United States. The largest existing MAGLEV projects are located in China. There was not sufficient detail in the DEIS regarding safety data and specifics on how any accident in the elevated sections are to be mitigated. The Wenshou maglev train collision in China resulted in derailment of cars off the viaduct resulting in multiple fatalities.

As proposed, the SCMAGLEV alignments and related facilities will have significant negative impacts upon Prince George's County. However, Prince George's County residents will not

share in the economic or transportation benefits of the project because there is no station planned in the County. Further the DEIS fails to adequately address negative impacts on the County's economy.

Thank you again for the opportunity to review and comment on the *Baltimore-Washington Superconducting MAGLEV (SCMAGLEV) Draft Environmental Impact Statement (DEIS)*.

Sincerely,

A handwritten signature in black ink, appearing to read "Thomas E. Dernoga". The signature is fluid and cursive, with the first name "Thomas" being more legible than the last name "Dernoga".

Thomas E. Dernoga

cc: Angela D. Alsobrooks, County Executive, Prince George's County
Calvin S. Hawkins, Chair, Prince George's County Council