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May 14, 2021

Maryland Department of Planning
301 West Preston Street, Suite 1101
Baltimore, Maryland 21201
Attn: Ms. Myra Barnes, Lead Clearinghouse Coordinator

RE: Superconducting Magnetic Levitation (SCMAGLEV) Project
Draft Environmental Impact Statement (DEIS), Draft Section 4(f) Evaluation, and Draft Section 106 Programmatic Agreement
(State Application Identifier - MD20210202-0061) R3: NOT CONSISTENT

The Departments of Planning and Transportation are in receipt of the Draft Environmental Impact Statement (DEIS), Draft Section 4(f), and Draft Section 106 Programmatic Agreement, as prepared by The Federal Railroad Administration (FRA) and the Maryland Department of Transportation (MDOT), to document the evaluation of the potential beneficial and adverse environmental impacts of the Superconducting Magnetic Levitation (SCMAGLEV) Project.

The project sponsor, Baltimore Washington Rapid Rail, LLC proposes to construct and operate an SCMAGLEV passenger train system between Baltimore, MD and Washington, DC, along the Baltimore Washington Parkway, and has identified and proposed two alternative station locations for the City of Baltimore: an above ground Cherry Hill Station to be located above the Cherry Hill Light Rail Station, and the other being an underground Camden Yards Station in Downtown Baltimore.

The City of Baltimore has several concerns with the DEIS related to equity, environmental justice, and community impacts. Additionally, the draft lacks a sufficient level of detail regarding current and future plans for the project which make a comprehensive analysis difficult. The proposed project is also not aligned with significant efforts underway to upgrade existing rail infrastructure in the corridor. These concerns are outlined below in more detail.

Construction Impacts on Communities

It is recognized that there are 13 alternatives that have moved forward in the DEIS, and one is a No-Build alternative. More specifically, there are 6 - J (Baltimore Washington Parkway West) Alignment Options, and 6 - J1 (Baltimore Washington Parkway East) Alignment Options. In either case, the proposed alignment options for J - (East of BW Parkway), and option J1 - (West of BW Parkway), exude concerns about the cumulative impacts and affects of an added passenger train service on the environmental confines within the 30+ mile alignment, to include federal property, and each of the local municipalities between Baltimore and Washington, DC.

More specifically, while numerous local jurisdictions and riders along the corridor would not be served by the SCMAGLEV, they would be subjected to the construction impacts. This consists of guideway structures and posts, tunnels, viaducts, vent shafts, emergency exits, and a Train Maintenance Facility (TMF), combined with the existing infrastructure for the MARC and Amtrak service. The affects upon which, would come at the expense of numerous impacts along the entire segment, to include any future northeast segments, that have not yet been engineered, or fully studied as part of the DEIS. It should also be noted that the proposed station area locations largely support preferred geotechnical alignments to allow for more streamlined guideways to achieve maximum speeds, as opposed to areas that may be the best from a land use perspective.

Environmental Impacts

More noticeably, this would also apply to areas identified in the DEIS, to address impacts to wetlands and waterways within the Chesapeake Bay Critical Area. Namely, the Critical Area(s), upon which would be all of those areas that include all land within 1,000 feet of Maryland's tidal waterways and tidal wetlands. This would include the permanent and temporary impacts associated with the construction of both the Cherry Hill Station and the Camden Yards Station, which would occur primarily in Baltimore City and are associated with the Middle Branch and Patapsco River. The Cherry Hill Station impacts would reportedly result in approximately 126 acres of permanent impacts and two acres of temporary impacts resulting from the station, parking garage, construction laydown areas and the substation, and nearly 9 acres of this permanent impact is within 100-foot Buffer. The Camden Yards Station would reportedly result in approximately 57 acres of permanent impacts and 27 acres of temporary impacts to the Critical Area.

Other impacts reported by the project team, during which the FRA and MDOT captured and analyzed written comments to include input gathered during public meetings, coincide with some 1,879 total comments received from April 2017 through May 2018, that indicate that 1095 or 58% of the comments addressed property impacts, including property devaluation and the use of eminent domain. Another 939 or 50% of comments expressed direct opposition to the project (not just the specific alternatives), 35% addressed insufficient outreach, and 38% addressed project cost and funding, including ticket prices that are projected to average $60 one-way. These estimated costs would negate an affordable and alternate form of transportation to the average citizen, and/or rider(s).

Lack of Specificity on Plans for Future Alignments

The National Historic Preservation Act (NHPA) Section 106 coordination and consultant party requirements with Baltimore City regarding the respective future northeast segments is absent from the DEIS. The SCMAGLEV Project requires a more in-depth analysis of the full build out of the future segments and alignment(s) of the system. Along with the two (2) proposed Baltimore station location alternatives being proposed to choose from, a planned future extension of the Baltimore-Washington segment that is to continue through and/or underneath the northeast section of Baltimore City, to a destination(s)/station(s) in Delaware, Philadelphia, New York City, and a northernmost destination/station in Boston, MA, was not contained in the DEIS. This planned extension was shared with representatives from the City of Baltimore in a meeting with the BWRR Team on March 28, 2019. Future plans related to a planned northeast extension, which are not detailed in the DEIS, makes it unclear and fragmentary to evaluate the full extent of the environmental, historical, land use, and transportation impacts on the City of Baltimore.

Station Concerns

Cherry Hill Station

The proposed Cherry Hill Station raises concerns regarding the travel demands to be added to this community with a large-scale residential development project being proposed in the adjacent Westport Community. A more in-depth analysis to determine the feasibility of combining a regional/large-scale SCMAGLEV Station in such close proximity to a major development project that is to include 2,2000 multifamily units, 245 townhouses, and 4 stories of retail along Kloman Street near the water's edge, equates to unforeseen travel demands in this area, which currently has both limited and impeded roadway access along Waterview Avenue due to road widths, and an active CSX freight rail line, and Light Rail line. With that, the feasibility of constructing a SCMAGLEV Station at Cherry Hill, would further perpetuate the limited access to and from the communities of Cherry Hill, Westport and Lakeland, particularly during both peak hours for station access, as well as access to both the existing and the newly planned residential area.

More specifically, as the DEIS indicates with Section 4.2.9.5 – Mitigation Strategies which include modifications to Annapolis Road and Waterview Avenue streets, and approaches to and from Annapolis Road need to be fully evaluated. Such modifications or mitigation strategies however precede the proposed Westport Development, and are therefore inconclusive.

The Cherry Hill Station is to be an above ground/elevated station, located above the existing Cherry Hill Light Rail Station. This location would be approximately 2.5 miles from downtown Baltimore (Camden Yards). The last mile(s) access to downtown Baltimore would need to be accomplished via auto, shuttle bus or Light Rail service, adding an additional 8-18 minutes in travel time to/from downtown Baltimore.

The Cherry Hill Station option would also need to address the potential impacts to or resulting from the nearby active CSX rail line. This elevated station option would also largely rule out the potential for "Tail Tracks", and other support facilities identified in the DEIS. Tail tracks have been shown as being located in the Westport Community along the southern edge where there is now a newly planned waterfront residential community. The size and scale of a station at this location also raises concerns about what could be perceived as a similar passenger rail operation that exists at the West Baltimore MARC Station. The amount of traffic (both vehicular and pedestrian), parking demands, shuttle operations etc., during peak hours will likely be an issue for this location due to it having even less, or limited access. Passenger boarding counts at West Baltimore MARC, as of 2018, indicates a level of 700 per day. It is estimated that a total of 2,636 pedestrians would be loaded onto the Cherry Hill Station area sidewalk during the AM peak hour.

This station also requires the construction of a portal at the Annapolis Road and Patapsco Avenue Arena - Flea Market site. that would extend above and across I-295 to connect to an elevated station above the Cherry Hill Light Rail station. This location also raises concern due to its proximity to the proposed BWI Marshall Airport Station and the minimal travel distance between the two stations for high speed rail. More importantly, justification for this station seems to be largely based on cost versus ridership, as it would cost an estimated $1.4 Billion less than what it would cost to build a below ground station at Camden Yards.

Camden Yards Station

The proposed Camden Yards Station was viewed as more of a regional destination for commuters with better access to a highway system, with ample parking and more convenient intermodal connections. It would also be more pedestrian-oriented and provide a direct link to the Convention Center, much like the proposed SCMAGLEV Washington DC Station. From a cost perspective, constructing a downtown station would incur the added cost of using a cut and cover technique, or a top-down construction method which would likely require that several buildings, over the span of approximately three miles to be demolished. A top-down method of construction at this location would also impact a number of surrounding buildings, roadways and destinations including: Oriole Park at Camden Yards, M&T Bank Stadium, the MLK Boulevard viaduct, the Federal Reserve Bank, the Baltimore Convention Center, the historic Otterbein Church and Otterbein Historic District, likely the Sharp-Leadenhall Historic District, and the Inner Harbor.

The Camden Yards Station is also more challenging as the orientation and alignment does not match the existing Baltimore Street grid. To access the station area, the DEIS indicates that all buildings above the proposed station for a distance of 1,970 linear feet will have to be demolished to create space for a top-down construction. The SCMAGLEV Team reports that it is not feasible to build a station at this location using the tunnel boring method (TBM) because of the width required for a station, the presence of underground utilities and the presence of adjacent building and roadway support structures. The Camden Yards Station also proposed two entrances, one located on Conway Street and one located along sharp Street just south of Pratt Street. Passengers during the AM peak at Pratt Street east of Sharp Street are projected at an estimated loading of an additional 599 pedestrians, with an additional 523 pedestrians at the

leg on Conway Street west of Sharp Street. A total of 2,217 pedestrians are projected to be added to the Camden Yards Station area.

Impacts on Existing Rail Infrastructure

Existing rail service along the Northeast Corridor (NEC) via Amtrak, MARC, the Camden Line and Penn Line, to include the over $1 billion in Amtrak's FUTURE Program, and improvements to the B&P Tunnel for faster passenger rail service, are contrary to the SCMAGLEV Project. These are fully functioning and existing passenger train services along the United States' Northeast Corridor that we fully support for future funding, transportation efficiency, safety, access, and development.

Findings also indicate that in 2012, FRA launched the Northeast Corridor (NEC) FUTURE program to consider the role of rail passenger service along the 457-mile NEC rail line between Washington, DC and Boston, MA. The NEC is the rail transportation spine of the Northeast and the most heavily utilized rail network in the United States. The NEC FUTURE Environmental Impact Statement (EIS) included an evaluation of the current a future transportation demands and the appropriate level of investment in capacity improvements for the NEC. Through this process, the NEC FUTURE Program proposed improvements to the existing NEC between Washington DC and Baltimore, MD, that included increased frequencies for passenger rail, new station connections, and increased rail capacity. Amtrak has been focused on making improvements to the existing rail alignment along the NEC, and has a framework already in place that is contrary to the SCMAGLEV proposal. These upgrades include a $2.4 Billion DOT loan to Amtrak for NEC upgrades. Most notably, the FRA, reportedly did not incorporate advanced guideway options or similar new technologies, such as maglev technology, in the NEC Future EIS.

This upgraded rail service also includes the B&P Tunnel Project – A project to improve rail service on the Northeast Corridor (NEC) by addressing a longstanding bottleneck between West Baltimore MARC and Penn Station. MDOT was awarded a grant from FRA as part of the High-Speed Intercity Passenger Rail (HSIPR) Program, to complete an engineering and environmental study that identifies a new tunnel and alignment to replace the existing 145-year old B&P Tunnel. While Amtrak owns the tunnel, it is also used by MARC. The estimated cost since the FEIS was issued is $4.5 billion, and appears to be a viable project to be funded as part of the American Jobs Plan.

For all of the reasons stated above, Baltimore City supports and recommends the "No Build" Alternative.

For questions regarding the above, or if you need any additional information, please feel free to contact our office.

Sincerely,

Chris D. Ryer
Director,
Baltimore City Department of Planning

Steve Sharkey
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CC: