



Lawyers for Neighborhoods

April 28, 2014

Via Electronic and First Class Mail

Mr. Leif Dormsjo
Deputy Secretary
Maryland Department of Transportation
7201 Corporate Center Drive
Hanover, MD 21076

Re: Proposed Intermodal Facility

Dear Deputy Secretary Dormsjo:

I am writing on behalf of Morrell Park Community Association and Morrell Park St. Paul's Improvement Association ("Associations") in response to the April 9, 2014 meeting between the Associations, the Maryland Department of Transportation, and Baltimore City regarding the proposed intermodal facility. The Associations appreciate the Department and the City's time and effort in responding to the recommendations contained in the National Center for Healthy Housing's Health Impact Assessment ("HIA"). However, the Associations continue to lack essential information about the proposed facility, which they have repeatedly requested from CSX and the Department.¹ The Associations also lack the technical expertise necessary to analyze the extent to which any specific measures could mitigate the facility's impacts on the community. Therefore, the Associations are not able to evaluate the responses until the Department and CSX provide that information.

The Environmental Effects Report ("EER") that the Department is required to prepare for the project under the Maryland Environmental Policy Act ("MEPA") and the recently enacted State budget seems to be an optimal mechanism for providing the Associations with the information and analyses that they currently lack. The EER is meant to "facilitate the fullest practicable provision of timely public information, understanding, and participation in the decision-making processes..." Md. Code Ann., Nat. Res. § 1-302. It must include the impacts that the facility would have on the community, measures that can or will be used to avoid or mitigate those impacts, and the facility's unavoidable adverse impacts. Md. Code Regs. 11.01.08.03. The Department and CSX should have sufficient information at this time to prepare an EER

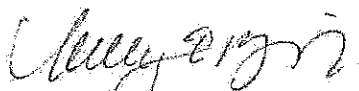
¹ See Attachments. CSX has not responded to the Associations' repeated requests for specific information and studies on the facility's operations and impacts. The Associations also provided copies of these communications to the Department when they were originally sent to CSX, and when we met on December 18, 2013, the Department indicated that it would respond to the community's requests for information. The Associations reiterated some of those requests when we met on April 9th, and in a follow-up email on April 14th.

that identifies the facility's impacts on the community, details the extent to which any specific measures will avoid or mitigate the facility's impacts, and discloses the facility's unavoidable adverse impacts.²

The Associations continue to believe that the intermodal facility does not belong in a residential area like Morrell Park, and that there will be significant unavoidable adverse impacts on the community from the project. Additionally, the Associations remain extremely concerned that CSX is not engaged in this process. It is the Associations' understanding that CSX was not involved in preparing the responses to the HIA and that CSX has not seen or approved any changes to the project plan. CSX will own and operate the facility, and many of the specific measures proposed by the Department and the City are subject to CSX's approval and implementation. Moreover, CSX has been consistently unresponsive to the community's questions and concerns regarding this project. Therefore, the Associations ask the Department to insist upon CSX's involvement in these conversations. The Associations would also appreciate an update from the Department on the recent meeting between CSX and Governor O'Malley, which we understand was planned for the week of April 14, 2014.

Finally, the Associations are aware that the Department provided a memorandum updating members of the General Assembly on its communications with the Associations. While the Associations agree that elected officials should be informed about the project, I respectfully request to be copied on any future communications with members of the General Assembly regarding the ongoing dialogue between the Department and the Associations to ensure transparency.

Sincerely,



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cc: The Honorable Barbara A. Mikulski, United States Senate
The Honorable Benjamin L. Cardin, United States Senate
The Honorable John P. Sarbanes, United States House of Representatives
The Honorable Verna L. Jones-Rodwell, Maryland State Senate
The Honorable Catherine E. Pugh, Maryland State Senate
The Honorable Keith E. Haynes, Maryland House of Delegates
The Honorable Keiffer J. Mitchell, Jr., Maryland House of Delegates

² CSX received a \$2.5 million grant from the Department on October 18, 2012 for planning activities, including traffic and noise studies, and environmental studies. Grant Agreement Among the Maryland Department of Transportation, CSX Transportation, Inc., and CSX Intermodal Terminals, Inc. 1-2 (October 18, 2012). Additionally, the HIA provided information and analyses on the facility's potential impacts on the community that should help inform the EER.

The Honorable Melvin L. Stakes, Maryland House of Delegates
The Honorable Frank M. Conaway, Jr., Maryland House of Delegates
The Honorable Barbara A. Robinson, Maryland House of Delegates
The Honorable Shawn Z. Tarrant, Maryland House of Delegates
The Honorable James T. Smith, Jr., Secretary, Maryland Department of Transportation
The Honorable Stephanie C. Rawlings-Blake, Mayor, Baltimore City
The Honorable Bernard C. "Jack" Young, President, Baltimore City Council
The Honorable Edward L. Reisinger, Vice-President, Baltimore City Council
Mr. John Griffin, Chief of Staff, Governor's Office
Ms. Kaliopé Parthemos, Deputy Chief, Baltimore City Mayor's Office