



September 5, 2014

The Honorable Phil Mendelson  
The Honorable Mary Cheh  
Council of the District of Columbia

Dear Chairman Mendelson and Councilmember Cheh:

Thank you for holding the Joint Public Oversight Hearing regarding CSX's proposed expansion of the Virginia Avenue Tunnel. During the hearing, public testimony overwhelmingly opposed the expansion due in part to: (i) the proposal's grave public health and safety risks; (ii) the detrimental impact the proposal will have on passenger and commuter rail in the District; (iii) the lack of objectivity and accountability by DDOT in overseeing the review process and DDOT's pre-approval of the project before any environmental review had been conducted; (iv) lack of authority to expand the right of way; and (v) the lack of a meaningful mitigation and benefits package for residents and the District as a whole.

DCSafeRail supports the DC Council's District Rail Plan, and we believe that the Rail Plan will review all rail infrastructure goals in the District in a holistic and objective manner. Part of this review should include whether expansion of the Virginia Avenue Tunnel is in the District's best interest and whether there are better alternatives. Accordingly, we ask the DC Council to (i) enact legislation prohibiting DDOT from issuing any rail permits, including those required for CSX's proposed tunnel expansion, and (ii) request a suspension of the issuance of the proposal's Record of Decision unless and until:

- (1) The District Rail Plan is complete; and
- (2) The environmental review is re-performed and/or modified so that it includes a careful analysis of the conclusions and recommendations of the District Rail Plan.

There is ample precedent for a local government to reject a proposed private project that threatens the health and safety of its citizens. In fact, just two days after the hearing,<sup>1</sup> news broke that Maryland transportation officials cancelled a long-planned CSX intermodal rail facility in the Morrell Park neighborhood of Baltimore because the proposal, according to Baltimore City Mayor Stephanie Rawlings-Blake, had created a burden "at the expense of our residents and local businesses."<sup>2</sup>

Baltimore and Maryland stood to gain tremendously from CSX's proposal – both in terms of permanent jobs in the port as well as additional tax revenues. Despite those benefits, Maryland officials determined that the human cost was still too high. Here in DC the analysis is much easier. There is no benefit to the District by expanding the tunnel, and the costs to District residents are significant. Furthermore, expanding the tunnel contributes an added cost of threatening the District's future transportation goals of expanding passenger and commuter rail. And now that the Baltimore double-stacking terminal has been cancelled, CSX's primary rationale for expanding the Virginia Avenue Tunnel is called into question.

We have attached a letter from the Morrell Park community to Maryland DOT that describes how CSX treats communities when it comes to projects like these. Notably, CSX proved to be "not engaged" and "consistently unresponsive to the community's questions and concerns." In response to CSX's continued disregard for the community here in the District, we are looking to the DC Council to firmly represent the community's interests in this matter.

Sincerely,

Maureen Cohen Harrington  
DCSafeRail.org

cc: The Honorable Eleanor Holmes Norton  
Council of the District of Columbia

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<sup>1</sup> [http://articles.baltimoresun.com/2014-08-28/business/bs-bz-intermodal-funding-pulled-20140828\\_1\\_morrell-park-maryland-port-administration-west-baltimore](http://articles.baltimoresun.com/2014-08-28/business/bs-bz-intermodal-funding-pulled-20140828_1_morrell-park-maryland-port-administration-west-baltimore)

<sup>2</sup> <https://www.baltimorebrew.com/2014/08/29/a-victory-for-morrell-park-as-state-drops-plan-for-csx-intermodal-facility/>