

SENATE JOINT RESOLUTION 8

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By: **Senators Miller, Forehand, Ruben, Roesser, Hogan, Colburn, Hafer, Stone, Astle, Baker, Blount, Bromwell, Conway, Currie, DeGrange, Dyson, Exum, Ferguson, Haines, Hoffman, Hollinger, Hooper, Hughes, Jacobs, Jimeno, Kasemeyer, Kelley, Kittleman, McFadden, Middleton, Mitchell, Mooney, Munson, Neall, Schrader, and Stoltzfus**

Introduced and read first time: January 25, 2002  
Assigned to: Finance

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Committee Report: Favorable with amendments  
Senate action: Adopted  
Read second time: March 14, 2002

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RESOLUTION NO. 14

SENATE JOINT RESOLUTION

1 A Senate Joint Resolution concerning

2 **State Highways - Intercounty Connector - Restart of Environmental Impact**  
3 **Statement Process**

4 FOR the purpose of urging the Governor to instruct the Secretary of the Department  
5 of Transportation to restart and bring to its full conclusion a National  
6 Environmental Policy Act (NEPA) environmental impact statement process to  
7 study the Intercounty Connector (ICC), a limited-access, east-west,  
8 multi-modal connector that would accommodate general purpose, HOV/carpool,  
9 and bus-rapid-transit service, with integrated hiker-biker trails, to facilitate  
10 access between Montgomery County, Prince George's County, Greater  
11 Baltimore, and other locations throughout the State of Maryland.

12 WHEREAS, New road and highway construction in suburban Maryland has  
13 lagged significantly behind both population and job growth over the past several  
14 decades; and

15 WHEREAS, Traffic congestion in the Greater Washington region, particularly in  
16 Montgomery County and Prince George's County, is severe and has dramatically  
17 worsened in recent years, with no projects that will provide significant relief  
18 currently planned; and

19 WHEREAS, The Maryland Department of Transportation has indicated that the  
20 periods marked by severely congested conditions on the Capital Beltway will expand  
21 from the current average of five hours per day, to over fourteen hours per day by  
22 2020, forcing hundreds of thousands of Maryland residents to endure long hours of  
23 delay each day, diverting many vehicle trips onto already overwhelmed secondary and

1 arterial roads and inducing increased "cut-through" traffic in neighborhoods,  
2 severely impacting the safety and quality of life of pedestrians and motorists, limiting  
3 accessibility of jobs and affordable housing, and threatening the future of the local  
4 economy; and

5 WHEREAS, Severe traffic congestion is preventing residents, students, and  
6 businesses throughout the Baltimore-Washington area from taking full advantage of  
7 the many educational, cultural, employment, retail, professional service, and  
8 business opportunities for those in the Baltimore area who are being denied timely  
9 access to such opportunities in Montgomery and Prince George's counties, and  
10 vice-versa, and this reduced accessibility impacts all sectors of the regional economy,  
11 including BWI Airport, the Port of Baltimore, the University System of Maryland,  
12 and other key regional and statewide facilities; and

13 WHEREAS, The Metropolitan Washington Council of Governments has  
14 identified a growing transportation "crisis" in the region, despite years of sustained  
15 effort and investment by State and local governments to reduce vehicle demand  
16 through improved transit service, carpooling incentives, concentration of development  
17 around transit stations, employment policies favorable to flex-time schedules and  
18 teleworking, and other demand-reduction measures; and

19 WHEREAS, The Intercounty Connector (ICC) and other road and transit  
20 improvements throughout the region would serve to better connect the region and the  
21 many venues being proposed in the Baltimore-Washington region's Olympics bid for  
22 2012; and

23 WHEREAS, The ICC has been on both Montgomery and Prince George's  
24 counties' Master Plans for over 30 years; and

25 WHEREAS, The Master Plan Alignment of the ICC is consistent with  
26 Maryland's Smart Growth laws because it links major job and population centers  
27 within existing priority funding areas, and all of its exits serve existing priority  
28 funding areas; and

29 WHEREAS, Montgomery County's and Prince George's County's original  
30 "wedges and corridors" General Plans, developed in the 1960's, identify the ICC as a  
31 critical east-west connection to support planned growth within the I-270 and I-95  
32 corridors; and

33 WHEREAS, The Metropolitan Washington Council of Government's current  
34 Vision Plan for the Washington Region calls for improved circumferential links  
35 between the region's major corridors as one of the region's top transportation  
36 objectives; and

37 WHEREAS, The last Draft Environmental Impact Statement (DEIS) on the ICC  
38 was abandoned in 1997 before reaching any final conclusions on alternatives, and  
39 without completing the required steps identified in the National Environmental  
40 Policy Act (NEPA); and

1 WHEREAS, Abandoning the DEIS has left many key questions unanswered,  
2 including whether or not environmental impacts could be mitigated or avoided, and  
3 has led to no resolution under NEPA of a critical public facility issue; and

4 WHEREAS, According to the 1997 DEIS, the ICC on the Master Plan Alignment  
5 would provide a critical link between the I-270 and I-95 corridors, and "substantially  
6 reduce congestion," diverting up to 15,000 cars per day from the Capital Beltway and  
7 nearly 80,000 per day from congested neighborhood roads and arterial highways; and

8 WHEREAS, Alternative east-west routes on the Master Plan Alignment,  
9 including alternatives to upgrade existing roads, were found in the DEIS to be less  
10 effective than the ICC in meeting east-west transportation demands, cause equal or  
11 greater environmental damage, and result in more disruptions to established  
12 communities and more displacements of existing businesses and residences; and

13 WHEREAS, The DEIS study concluded that there are no practicable or feasible  
14 transit alternatives to the ICC; and

15 WHEREAS, Using modern environmental design and mitigation techniques,  
16 such as elevated "end-on" construction, limited tunneling in key sections,  
17 community-oriented and aesthetically pleasing landscaping and design, and  
18 advanced storm drainage filtration and collection systems would make the ICC a  
19 national model for environmentally sensitive, community-oriented design and  
20 mitigation techniques; and

21 WHEREAS, State and federal regulatory agencies have consistently approved  
22 projects with similar environmental impacts because of these modern environmental  
23 design and mitigation techniques, after a full and complete NEPA process; and

24 WHEREAS, The most recent study of the ICC performed in 2001 by the  
25 Montgomery County Planning Board's 34-member Transportation Policy Report  
26 (TPR) Task Force found that the ICC on the Master Plan Alignment is the single most  
27 effective road or transit project for relieving traffic congestion and improving travel  
28 times on areas roads; and

29 WHEREAS, A majority of the TPR Task Force voted to support construction of  
30 the ICC; and

31 WHEREAS, The Transportation Solutions Group, the most recent  
32 State-appointed study commission on this issue, recommended building the ICC  
33 using advanced environmental mitigation and design, aesthetically pleasing  
34 landscaping and pedestrian paths, and other parkway-style design elements; and

35 WHEREAS, The ICC would provide a capability for express bus service  
36 conveniently linking major job and population centers in the I-270 corridor and  
37 outlying communities to BWI Airport, downtown Baltimore, Prince George's County,  
38 and elsewhere; and

1 WHEREAS, Alternative financing methods, including public-private  
2 partnerships, could create alternative, non-tax, revenue sources to fund all or  
3 substantially all ICC construction and maintenance costs; and

4 WHEREAS, The NEPA requires completion of a DEIS, a Final Environmental  
5 Impact Statement, and Record of Decision, which are designed precisely to weigh all  
6 reasonable alternatives in an open process before rendering a final decision; now,  
7 therefore, be it

8 RESOLVED BY THE GENERAL ASSEMBLY OF MARYLAND, That the  
9 General Assembly urges the Governor to direct the Secretary of the Department of  
10 Transportation to restart and bring to its full conclusion a National Environmental  
11 Policy Act environmental impact statement process on the Intercounty Connector, as  
12 recommended by the Montgomery County Planning Board's Transportation Policy  
13 Report Task Force, and carry that process through to a Record of Decision as  
14 prescribed by law; and be it further

15 RESOLVED, That such a study include at least one alternative along the ICC  
16 Master Plan Alignment for a limited-access, east-west, multi-modal connector road  
17 which would accommodate general purpose, HOV/carpool, and bus-rapid-transit  
18 service, with integrated hiker-biker trails, to facilitate access between Montgomery  
19 County, Prince George's County, Greater Baltimore, and other locations throughout  
20 the State of Maryland, with modern environmental design and mitigation techniques  
21 such as elevated "end-on" construction, limited tunneling in key sections,  
22 community-oriented and aesthetically pleasing landscaping and design, and  
23 advanced storm drainage filtration and collection systems that would make this  
24 facility a national model for environmentally sensitive, community-oriented design  
25 and mitigation techniques; and be it further

26 RESOLVED, That a copy of this Resolution be forwarded by the Department of  
27 Legislative Services to the Honorable Parris N. Glendening, Governor of Maryland;  
28 the Honorable Thomas V. Mike Miller, Jr., President of the Senate of Maryland; the  
29 Honorable Casper R. Taylor, Jr., Speaker of the House of Delegates; the Honorable  
30 John D. Porcari, Secretary of the Department of Transportation; the Honorable  
31 Kathleen Kennedy Townsend, Lieutenant Governor of Maryland; and the Members of  
32 the Maryland Congressional Delegation.