

HOUSE JOINT RESOLUTION 10

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2002 Regular Session
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By: **Delegates Taylor, Barve, Arnick, Doory, Hixson, Howard, Kopp, Rawlings, Rosenberg, Vallario, Wood, Amedori, W. Baker, Branch, Brinkley, Bronrott, Brown, Cadden, Cane, Carlson, Cole, Cryor, DeCarlo, Dobson, Eckardt, Edwards, Elliott, Flanagan, Franchot, Getty, Glassman, Goldwater, Gordon, Greenip, Hutchins, V. Jones, Kach, Kagan, Klima, Krysiak, La Vay, Leopold, Malone, Marriott, McClenahan, McHale, McKee, Minnick, Mitchell, Murphy, O'Donnell, Parrott, Patterson, Pendergrass, Petzold, Phillips, Ports, Redmer, Rzepkowski, Schisler, Shank, Sophoeleus, Stocksdale, Stull, Benson, and Swain Swain, Bates, and Giannetti**

Introduced and read first time: January 28, 2002
Assigned to: Ways and Means
Reassigned: Commerce and Government Matters, February 5, 2002

Committee Report: Favorable with amendments
House action: Adopted
Read second time: March 19, 2002

RESOLUTION NO. 15

HOUSE JOINT RESOLUTION

1 A House 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

1 worsened in recent years, with no projects that will provide significant relief
2 currently planned; and

3 WHEREAS, The Maryland Department of Transportation has indicated that the
4 periods marked by severely congested conditions on the Capital Beltway will expand
5 from the current average of five hours per day, to over fourteen hours per day by
6 2020, forcing hundreds of thousands of Maryland residents to endure long hours of
7 delay each day, diverting many vehicle trips onto already overwhelmed secondary and
8 arterial roads and inducing increased "cut-through" traffic in neighborhoods,
9 severely impacting the safety and quality of life of pedestrians and motorists, limiting
10 accessibility of jobs and affordable housing, and threatening the future of the local
11 economy; and

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

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

26 WHEREAS, The Intercounty Connector (ICC) and other road and transit
27 improvements throughout the region would serve to better connect the region and the
28 many venues being proposed in the Baltimore-Washington region's Olympics bid for
29 2012; and

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

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

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

40 WHEREAS, The Metropolitan Washington Council of Government's current
41 Vision Plan for the Washington Region calls for improved circumferential links

1 between the region's major corridors as one of the region's top transportation
2 objectives; and

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

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

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

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

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

21 WHEREAS, Using modern environmental design and mitigation techniques,
22 such as elevated "end-on" construction, limited tunneling in key sections,
23 community-oriented and aesthetically pleasing landscaping and design, and
24 advanced storm drainage filtration and collection systems would make the ICC a
25 national model for environmentally sensitive, community-oriented design and
26 mitigation techniques; and

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

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

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

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

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

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

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

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

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

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

