

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

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

28 WHEREAS, Severe traffic congestion is preventing residents, students, and
29 businesses throughout the Baltimore-Washington area from taking full advantage of

1 the many educational, cultural, employment, retail, professional service, and
2 business opportunities for those in the Baltimore area who are being denied timely
3 access to such opportunities in Montgomery and Prince George's counties, and
4 vice-versa, and this reduced accessibility impacts all sectors of the regional economy,
5 including BWI Airport, the Port of Baltimore, the University System of Maryland,
6 and other key regional and statewide facilities; and

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

13 WHEREAS, The Intercounty Connector (ICC) and other road and transit
14 improvements throughout the region would serve to better connect the region and the
15 many venues being proposed in the Baltimore-Washington region's Olympics bid for
16 2012; and

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

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

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

27 WHEREAS, The Metropolitan Washington Council of Government's current
28 Vision Plan for the Washington Region calls for improved circumferential links
29 between the region's major corridors as one of the region's top transportation
30 objectives; and

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

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

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

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

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

8 WHEREAS, Using modern environmental design and mitigation techniques,
9 such as elevated "end-on" construction, limited tunneling in key sections,
10 community-oriented and aesthetically pleasing landscaping and design, and
11 advanced storm drainage filtration and collection systems would make the ICC a
12 national model for environmentally sensitive, community-oriented design and
13 mitigation techniques; and

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

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

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

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

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

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

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

39 RESOLVED BY THE GENERAL ASSEMBLY OF MARYLAND, That the
40 General Assembly urges the Governor to direct the Secretary of the Department of

1 Transportation to restart and bring to its full conclusion a National Environmental
2 Policy Act environmental impact statement process on the Intercounty Connector, as
3 recommended by the Montgomery County Planning Board's Transportation Policy
4 Report Task Force, and carry that process through to a Record of Decision as
5 prescribed by law; and be it further

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

17 RESOLVED, That a copy of this Resolution be forwarded by the Department of
18 Legislative Services to the Honorable Parris N. Glendening, Governor of Maryland;
19 the Honorable Thomas V. Mike Miller, Jr., President of the Senate of Maryland; the
20 Honorable Casper R. Taylor, Jr., Speaker of the House of Delegates; the Honorable
21 John D. Porcari, Secretary of the Department of Transportation; the Honorable
22 Kathleen Kennedy Townsend, Lieutenant Governor of Maryland; and the Members of
23 the Maryland Congressional Delegation.