

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

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

RESOLUTION NO. _____

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.