

MagLev Opposition Public Testimony (1).pdf

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THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

**Testimony in Support of SB79 – Prohibited Appropriations – Magnetic Levitation
Transportation Systems**

The MAGLEV train project is a proposed new form of high-speed transportation aiming to connect Washington, D.C., and Baltimore, Maryland with an interim stop at BWI Airport. The project has been under consideration in various forms since 2003 and has not been successful in moving forward for the past two decades.

There are multiple concerns with the state investing potentially millions of dollars in this proposed private project to include the following:

- High cost of construction, with estimates of \$13.8-\$16.8 billion;
- Potential loss of private property value due to eminent domain and the displacement of nearby low-income residents;
- Noise pollution due to the construction, as well as the operations of the transportation system;
- General inaccessibility to residents of Prince George's County due to the lack of train stops within the district.
- High-ticket prices estimated to be around \$60; and
- General obsolescence, considering that the MARC train fulfills a similar purpose at a much lower cost.

To address these concerns, I am proposing SB 79, which would ban state funding of this project and other magnetic levitation transportation system proposals going forward. The exception would be given the salaries of personnel involved in reviewing permits or other forms of approval for these projects.

For these reasons, I respectfully request a favorable committee report on SB 21.

SB0079 Maglev.pdf

Uploaded by: Anatol Sucher

Position: FAV

**Subject: Written Testimony in Favor of SB0079 – State Finance – Prohibited Appropriations –
Magnetic Levitation Transportation System (Cross-file HB0170)**

To: Chairman Guzzone, Vice Chair Rosapepe, and Members of the Budget and Taxation Committee,

My name is Anatol Sucher. I am writing in support of SB0079, sponsored by Senator Alonzo Washington.

Description of Bill:

Senate Bill SB0079 would prohibit Baltimore-Washington Rapid Rail (BWRR) from appropriating funds from the state of Maryland to build the proposed SCMaglev transportation system, “providing that the prohibition does not apply to certain expenditures for salaries” of state employees. This exception is in response to Northeast Maglev’s concerns that earlier versions of this bill had unintended consequences in that it would inadvertently tie their hands to work with the appropriate state personnel to acquire permits or other required approvals should the project go forward. By including this provision, the bill should be acceptable to BWRR and the Northeast Maglev.

There are numerous social, environmental, cultural and economic reasons why the costs of the proposed Maglev project greatly outweigh its benefits. The State is facing increased limitations in funding for transportation projects. Such projects must meet the needs of all Maryland residents. The SCMaglev will not relieve commuter traffic congestion. It is an overpriced, limited access train for the wealthy. It is a vanity project which will cause irreparable fiscal and environmental harm to the state.

BWRR and Northeast Maglev have stated they want to be able to access state funding “if” they need financial funding later in their project. As such projects always have cost overruns, and since federal funding for the project has been expended, this will lead to a chronic hemorrhaging of state funds if this legislation is not passed.

Infrastructure Investment and Jobs Act funding must serve the greater good for all Maryland residents, not be wasted on a vanity project that will serve only the wealthy few.

Currently the NEPA process has been paused on this project. Significant work needs to be done to move this project to the next level. But the federal funding to allow this is not in place. Instead, state funding will be demanded to push SCMaglev through regulatory hurdles.

The Japanese government has offered to invest in the project, putting the State of Maryland at risk of having the Japanese government demand state funds for the project.

The BWRR thus far has not demonstrated the ability to meet the Maryland Department of the Environment (MDE)’s requirements for protecting our watersheds and waterways. Construction of this project will significantly lower water quality in Tier II areas. BWRR is not able to mitigate the damage. Beaverdam Creek, the healthiest stream and sub-watershed in the Anacostia

Watershed will be irreparably imperiled as a result of SCMaglev. In addition, the ongoing use of the area for a train maintenance facility (using toxic substances) will be an ongoing threat and source of continued degradation.

Additional harm that this project would cause includes:

- Fragmentation of remaining forest leading to loss of species habitat and accelerating conditions for invasive species to flourish. The significance of forest fragmentation is grossly underestimated in the impact reports. The Patuxent Research Refuge as known today will be destroyed.
- Loss of biodiversity
- Disruption to Green Corridor - The area that covers Greenbelt Park, the Greenbelt Forest Preserve, Beltsville Agricultural Research Center, and Patuxent Research Refuge is the largest contiguous span of forest on the East Coast between Richmond, VA, and Boston, MA. Former senator Paul Sarbanes aptly referred to this area the "lungs of Maryland." It cannot be replaced!
- Loss of natural cooling, carbon storage and air pollution capture

SCMaglev will hinder, not help the state to face looming challenges due to the climate crisis. Based on recent research, the construction of the SCMaglev will generate more greenhouse gases than it will save for likely several decades. We do not have decades to wait for such a "benefit". In addition, the project will destroy hundreds of acres of wild green spaces including a forest preserve, wetlands and wildlife refuge all of which are needed for CO2 storage, clean air and water, and climate cooling

Senate Bill SB0079 will protect the state from losing funding for crucial transportation and infrastructure projects throughout the state.

In closing, I ask that SB0079 be given a favorable vote and moved out of committee.

Sincerely,
Anatol Sucher
10 Southway Unit U
Greenbelt, MD 20770
Tel. 415-225-2329

20240117 - Support SB0079-No Maryland Funds for SC

Uploaded by: Dan Woomeer

Position: FAV

**Title: Support Maryland General Assembly Senate Bill 79
State Finance - Prohibited Appropriations - Magnetic Levitation
Transportation System**

Testimony by:

Daniel E. Woomer
Board member - Maryland Coalition for Responsible Transit (MCRT)
Member - Citizens Against the SCMaglev (CATS)

Hearing: Senate Budget and Taxation Committee
West Miller Senate Building
11 Bladen Street - Room 3
Annapolis, Maryland 21401

Date: Wednesday, January 17, 2024

Time: 1:00 pm

Summary:

I join with the Maryland Coalition for Responsible Transit (MCRT) and the Citizens Against the SCMaglev (CATS), and Senator Washington, to support this session's Senate Bill 79 – "Prohibited Appropriations – Magnetic Levitation Transportation System" which prohibits "the State and certain units and instrumentalities of the State from using any State appropriated funds for the building and operating of a magnetic levitation transportation system in Maryland; providing that the prohibition "does not apply to expenditures for the salaries of personnel assigned to review permits or other forms of approval for a magnetic levitation transportation system."

Building the SCMaglev train will destroy the last large protected green areas on the east coast and bring irreparable environmental harm to surrounding areas, potentially threatening the health of our residents, and it will require government subsidies to build, maintain, and operate the system. It is very unlikely that revenues generated by ridership will cover the maintenance and operation cost of running this train. MCRT's and other's research have come to this same conclusion. Coupled with the budget reduction in transportation for 2024, Maryland taxpayer funds would be better spent on high-priority transportation infrastructure projects that benefit all Maryland's residents, not just the few wealthy who can afford the cost to ride the SCMaglev. While I, MCRT and CATS oppose the building of the SCMaglev, we strongly support the continued enhancements of existing transportation systems such as MARC and Amtrak, which benefit all Marylanders.

Testimony:

Good afternoon. My name is Daniel E. Woomer, I am the past president and a current Board member of the MCRT, as well as longtime member of CATS. I am pleased to this written testimony to you today in support of SB 79.

There are many reasons I, MCRT, CATS, our communities, environmental groups, Baltimore City, Washington D.C., and Anne Arundel and Prince George's Counties, as well as several federal agencies are opposed to building the SCMaglev:

- (1) The train will not serve all Marylanders, yet it will destroy communities and green spaces and its emissions will damage human health.
- (2) There are unanswered questions about the actual safety of the train itself.
- (3) It will generate insufficient revenue, therefore requiring government subsidies.
- (4) It will follow previous world experiences with such systems, many of which have failed or are being maintained with large government subsidies.
- (5) The Northeast Maglev (TNEM) and Baltimore-Washington Rapid Rail (BWRR) have made many claims about jobs and revenues but have yet to share their analyses supporting these claims.
- (6) The need for far more high-value and equitable transportation infrastructure improvements, such as MARC and Amtrak, far outweigh expending excessive funds on building and operating the SCMaglev.

(1) SCMaglev Does Not Serve Marylanders, Yet Destroys Our Communities and Green Spaces.

The SCMaglev project will result in:

- Detrimental impacts on swaths of homes, businesses, historic sights, and greenspaces throughout Prince George's County with the erection of the elevated sections of the SCMaglev.
- The destruction and/or disruption of the U.S. Department of Agriculture's Beltsville Agricultural Research Center (BARC), NASA's Optic Research Center, and the Patuxent Research Reserve (PRR), while bringing industrial level of pollution to the local streams, wetlands, the Patuxent River, and the Chesapeake Bay.

Note: In a letter dated December 22, 2017, the Maryland Department of the Environment (MDE) has received and reviewed BWRR's Water Quality Certification (WQC) and has announced MDE intends to deny BWRR's WQC.¹

- The potential disruption of the Anne Arundel County aquifer.
- The potential release of toxins, carcinogens, and radon gas collected in the SCMaglev tunneled sections into our communities through their surface ventilation facilities.
- Concerns about our schools' structures, personnel, and students associated with the impact of a high-speed, oscillating magnetic field train running under them.

Note: the Anne Arundel Board of Education noted their written objection to building and operating the SCMaglev on November 1, 2017.

¹ To read the MDE letter, go to: https://aa247ef8-bd4a-4dd2-890c-8b5ebdf396e2.filesusr.com/ugd/faf63c_9f3ca64e47ba489aba224e4473bf2d2a.pdf

- Increased vehicle traffic with the construction and operation of the SCMaglev facilities and track maintenance equipment on I-95 and the Baltimore-Washington Parkway.
- With only one stop in Anne Arundel County and no stops in Prince George’s County, the SCMaglev provides little to no benefit to the residents and businesses in our counties, yet these counties will face the greatest burden of the disruption and destruction.

(2) Unanswered Questions About the Actual Safety of the Train Itself Remain.

- Past proposals to build maglev systems in Florida, Pennsylvania, and Maryland using the German system were not approved for good reason.
- Despite certification by the German government that their maglev system was safe, on September 22, 2006, 70 percent of the passengers were killed and the rest injured in a maglev accident in Lathen, Germany.
- The Japanese government seeks to assure us of the safety of their SCMaglev. However, the number of passengers carried to date on their test track far less than the typical number carried by the Washington Metro (pre-COVID-19) in a single day.

Note: Japanese success with their wheel-rail trains does not automatically transfer to maglev technology.

- Justifications for the ongoing building of their SCMaglev are being questioned in Japan. The planned 2027 date for starting the first operation of the Tokyo to Nagoya line is unlikely to be met. This would make the United States the first place where the safety of SCMaglev technology would be tested in a high-frequency commercial operation.
- The Japanese SCMaglev has many unresolved safety issues that need to be addressed. Safety Rules of Particular Applicability (RPA) need to be developed by the Federal Railroad Administration before the project is authorized.
- The crashworthiness of the vehicles must be assessed for the safety of the passengers if something goes wrong. The SCMaglev should not evade the safety rules now required for Amtrak, MARC, or any train system operating in the United States. Promoters of the SCMaglev argue that the computer systems will prevent a crash, but so did the German government before that fateful day when 70 percent of passengers were killed in the Lathen maglev accident.
- The risk of the levitated SCMaglev train rising out of the guideway must be evaluated. What would happen should the train hit a small object that momentarily lifts the front end while travelling at over 300 miles-per-hour? Currently there are no physical restraints to prevent the train from rising out of the guideway.
- Below 93 miles per hour, the train will ride on retractable rubber tires. This raises many safety issues. If there is a power interruption, the rubber wheels may need to immediately support the train travelling at over 300 miles-per-hour before it comes to a stop, which is twice the speed of a commercial aircraft during landing.
- The dangers from the electromagnetic radiation need to be addressed. The BWRR *Alternatives Report* (November 2018) stated that people underneath the guideway “. . . need to maintain a minimum distance of 20 feet below the magnets . . .”

(3) SCMaglev Will Generate Insufficient Revenue Requiring Government Subsidies.

Having followed the SCMaglev project since its initial announcement, it is still difficult to see how this system will generate the revenues needed to operate and maintain itself without the need for government subsidies. We all have received mixed signals for the TNEM and BWRR leadership, who at one time state that all the funds needed for maintenance and operation (M&O) will be generated by ridership, and at another that any system such as the one proposed requires private and public support, as in the use of tax dollars to provide financial support. Independent research by Dr. Owen Kelly, of George Washington University, seriously challenges BWRR ridership statements.

Dr. Owen's published research, *Ridership Revisited: The Official Ridership Forecast for the Proposed Baltimore-Washington Maglev Is a Factor of Ten Too High*², provides a "deep dive" employing transparent methodology to project the likely SCMaglev ridership for the Baltimore to Washington, D.C. segment. His findings reinforce the report prepared by Ms. Carol Park³ of the Center for Business and Economic Competitiveness at the Maryland Public Policy Institute which discussed the demographics of Baltimore City. She argues the economic basis to support the SCMaglev does not exist as it does in Japan. In addition, Randal O'Toole of the Cato Institute states: "Clearly, the main users of the maglev line will be bureaucrats and lobbyists who will have someone else (mainly taxpayers) pay their way. What is less clear is why ordinary taxpayers should pay to build a line that they won't ever use . . ."⁴

To date, no major public rail system in the world operates without government subsidy. Amtrak is one of the best (pre-COVID), generating revenues that covered most of its annual M&O costs, and has shown improvement over the past decade, requiring a smaller percentage of M&O to be subsidized. While Amtrak openly provides its cost versus revenue analyses and projections, we have yet to see such projections and analyses from TNEM and BWRR to justify their revenue statements. One of the primary analyses as part of the \$27 million federal grant to study the feasibility of the system (a requirement for any business) is to determine if sufficient revenues can be generated to cover the M&O costs. Since the majority (approximately 80 percent) of the research to produce the Draft Environmental Impact Statement (DEIS) was funded by tax dollars, you as legislators and we as taxpayers have the right to know if the analyses on SCMaglev income and income sources versus costs for building, loan management, maintenance, and operation are financially sound. We all, you as legislators and

² Kelly PhD, Owen. *Ridership Revisited: The Official Ridership Forecast for the Proposed Baltimore-Washington Maglev Is a Factor of Ten Too High*. 2021. <https://www.greenbeltonline.org/wp-content/uploads/2021/08/kelley202108.magrider.pdf>

³ Park, Carol. Report from the Center for Business and Economic Competitiveness at the Maryland Public Policy Institute - Lessons from Asia for the Northeast SCMaglev. Originally published in the Daily Record. December 7, 2018. Copy provided attached to this testimony.

⁴ O'Toole, Randal. *Maglev to Destroy Habitat, Climate*. April 6, 2021. <https://www.cato.org/blog/maglev-destroy-habitat-climate>.

we as the impacted public, should have a clear picture of the level of subsidies needed to keep the SCMaglev system financially afloat before we make the decision to approve it being built. It is long past time that this information is made available to you and for our review.

While Amtrak openly provides its cost versus revenue analyses and projections, we have yet to see such projections and analyses from the TNEM and BWRR to justify their revenue statements.

SCMaglev will likely pull ridership from Amtrak, its rival and competitor in the high-speed train arena, which will require Amtrak subsidies to be increased. In effect, taxpayers, most of whom would not be able to afford a ticket to ride the SCMaglev, will be forced to subsidize two competing systems. Such funds will enrich the private SCMaglev investors, negatively impact existing transportation systems, and pull funding from other needed, more critical transportation infrastructure projects.

Let us remember our own prior experience in looking at a maglev system in Maryland. The Maryland Department of Transportation (MDOT) began to devote funding to the development and evaluation of a Maglev system in FY2001. At that time, the Federal Railroad Administration (FRA) and the Maryland Department of Transportation (MDOT) commenced the Environmental Impact Study (EIS) for the project as required by the National Environmental Policy Act (NEPA). The final EIS was never published because 2003 and 2004 state-enacted legislation prohibited the funding of the project as the result of the final report of the Task Force to Evaluate the Development and Construction of a Magnetic Levitation Transportation System. In its final report, issued in 2003, the task force noted:

that, among other challenges, a significant amount of funding would be required to implement a Maglev system in Maryland.

It is very likely the SCMaglev will also require such taxpayer funds, and likely far more funding than the previous legislative advisory task force considered in its prior finding.

And two issues to call your attention to. First, **High-end Earners are Leaving** as reported in *The Daily Record* on August 7, 2023:

“As the number of Americans filing tax returns with earnings over \$200,000 grows, these earnings are coupled with migration trends that are influencing states’ finances, according to a new report from SmartAsset.⁵ High earners are leaving states such as California and New York, instead choosing to move to states such as Florida and Texas.”⁶

⁵ Villanova, Patrick. “Where High Earners Are Moving – 2023 Study.” July 26, 2023. <https://smartasset.com/data-studies/where-high-earners-moving-2023>.

⁶ Kales, Eli. “Report: Maryland among states with highest loss of high-earning residents.” *The Daily Record*. August 7, 2023. <https://thedailyrecord.com/2023/08/07/report-maryland-among-states-with-highest-loss-of-high-earning-residents/>.

“Maryland was the state with the sixth-largest net outflows of high-earning households, trailing California, New York, Illinois, Massachusetts, New Jersey and Virginia . . . High earners are leaving Washington D.C. The nation’s capital lost a net total of 2,009 high-earning households between 2020 and 2021. As a percentage of all filers, high earners left D.C. at a faster rate than any state.” As reported by WTOP News on September 21, 2023, “High earners left Washington, D.C., costing the District in “\$3 billion in taxable personal income.”⁷

Second, Another factor further reducing the SCMaglev’s potential ridership pool is **Baltimore City’s continued population decline**. At its peak, Baltimore City had a population of approximately 1.2 million. Just since 2010, when TNEM started talking about building and operating the SCMaglev, Baltimore City’s population has declined by 8.2%, as seen in Table 1.

Year	Population	Year	Population
2010	620,942	2016	616,542
2011	620,493	2017	610,853
2012	623,035	2018	603,241
2013	622,591	2019	594,601
2014	623,833	2020	583,132
2015	622,831	2021	576,498
2016	616,542	2022	569,931

Table 1. Baltimore City’s Population by Year for 2010 through 2022 (estimate as of July 1, 2022)

This fact leads to many questions such as:

- What are the ridership projections considering the impact of the increasing use of teleworking?
- How have the ridership projects changed as a result of agencies and support contractor experiences with maintaining ongoing operations during COVID-19 “lock downs”?
- How much have the ridership projections decreased as a result of the increasing use of telework and the pool of potential riders leaving Baltimore and Washington, D.C.?
- What level of taxpayer subsidy will now be needed to maintain and operate the SCMaglev? What is the projected increase in subsidies?
- What is the projected impact on Amtrak and MARC ridership and their respective subsidy requirements?
- SCMaglev’s funding is reportedly a loan from a Japanese bank; how has COVID-19 loss of potential ridership affected that pledge? With loss of the population pool of potential riders, is Japan as willing to make a \$5 billion loan? If the SCMaglev operation fails, will the United States and we as its taxpayers become accountable for the loan repayments?

(4) SCMaglev Will Follow Previous World Experiences with Such Systems, Many of Which Have Failed or are Being Maintained with Large Government Subsidies.

⁷ Cooper, Kyle. “High earners who left DC during pandemic cost city \$3 billion in tax revenue, data reveals.” September 21, 2023. WTOP News. <https://wtop.com/dc/2023/09/high-earners-who-left-dc-during-pandemic-cost-city-3-billion-in-tax-revenue-data-reveals/>.

I again call your attention to a report by Ms. Carol Park, an analyst at the Center for Business and Economic Competitiveness at the Maryland Public Policy Institute entitled: “Lessons from Asia for the Northeast SCMaglev.”⁸ *(A copy is attached for your convenience)*

To quote Ms. Park:

“SCMaglev enthusiasts have been pushing the project despite warnings of significant risks, just like the supporters of the bullet train did in Asia. For instance, the South Korean government built the Seoul-Incheon line despite consistent warnings of inadequate demand. The project was politically, rather than commercially, driven as Korean officials wanted to present a futuristic version of Korea to the international community as part of the 2018 PyeongChang Winter Olympics.”

The line was closed in 2018 because 77 percent of seats continually were unoccupied.

Germany experimented with building a Maglev train. Following several years of development and building, with large and growing annual government subsidies, the lack of ridership, and a horrific crash that killed 70 percent of the passengers and injured the rest, on a system Germany certified as safe, the project was abandoned, the damage to communities and the environment can still be seen today.

For a current example of overpromise and underperformance, look no further than California’s experience with its high-speed rail system, which has become a financial nightmare. With massive overruns, building delays, and homes, businesses, and private properties taken, there is still no working system. The governor finally “pulled the plug” and the initial project, which now has been significantly downsized. However, destruction of farms, vineyards, and personal property has occurred with no value returned to the California community. The severely downsized system is still experiencing massive cost overruns and building delays.

Ms. Park states:

“Supporters of SCMaglev dismiss these concerns. They argue that the success of bullet trains in Japan demonstrate that these hurdles can be overcome. That’s exactly what officials in China, Taiwan and South Korea thought, only to discover that the situation in Japan is unique. Most of Japan’s 128 million inhabitants live in a few densely populated cities. Many of those residents are rich enough to afford expensive train tickets.”

Note: SCMaglev officials have repeatedly stated that ticket prices will be similar to Amtrak’s Acela.

⁸ Park, Carol. “Transportation Lessons from Asia for the Northeast Maglev.” The Maryland Public Policy Institute. December 7, 2018. www.mdpolicy.org/research/detail/lessons-from-asia-for-the-northeast-maglev?fbclid=IwAR2C1sAfojicOFJ7J6jXCqvtGmKADrtVAopQpP7XRZnc38V25p8G5wWp2s4.

“Compared to Japan, the situation is the polar opposite in Baltimore, where many of the residents who depend on public transit are low-income workers. If these residents are to commute between Baltimore and D.C., they would need an option that is affordable and easily accessible from their homes.” The SCMaglev is neither, whereas MARC provides a reliable and cost-effective transportation system, moving well over 8 million passengers (pre-COVID) into and out of Washington, D.C., annually.”

(5) TNEM and BWRR Have Made Many Claims About Jobs and Revenues But Have Yet to Share the Analyses Supporting These Claims.

- The promoters of high-speed and maglev trains promise lots of jobs. In 2017 it was 75,000, now the number is reported to be 200,000 - **These job numbers are misleading or appear flawed.** The underlying analyses, which has been funded by a federal grant of public tax dollars, needs to be made available for public review.
- Since 2017, we have asked to see the basis of this claim, the work breakdown projections, and information to substantiate their statements - **We have not seen anything to substantiate BWRR’s jobs projection.**
- Jobs created to build the SCMaglev will be short term. Once the system is built between Baltimore and Washington, D.C., the construction jobs in Maryland will end. These jobs will then move north if BWRR gains approval to extend the system to New York and Boston - **Maryland will lose these jobs, and likely many of the laborers, and the related tax revenues as the construction moves to Pennsylvania and New York. In addition, there will be an increase in unemployed support costs until the displaced workers who stay in Maryland find work.**
- If the operation of Beltsville Agricultural Research Center, Patuxent Research Refuge, and the National Aeronautics and Space Administration’s Optics Centers are curtailed or shut down, the career, high-paying jobs will be lost from Anne Arundel and Prince George’s Counties and the state of Maryland – **The long-term net effect is that Maryland will lose many career, high-paying jobs and their related tax revenue.**
- Many high-speed and maglev train projects across the world have cost far more than promised by the promoters. In some cases (e.g., California’s high-speed train fiasco), there has been an increase of many times the original projected cost (to date and growing), requiring increasing amounts of government (i.e., tax dollar) subsidies. - **When the cost is far more than projected, larger tax-dollar subsidies are required and forced on governments.**
- As high-speed and maglev train projects across the world experienced building delays - **Many have experienced protracted schedule overruns and far longer periods of disruption to impacted communities.**
- Coupled with the 2024 proposed transportation budget cuts, the tax dollars needed for moving forward with equitable, high-priority transportation infrastructure projects will likely be further downsized or cancelled as funds are used to subsidize the building and operation of the SCMaglev. After the SCMaglev is built, the construction jobs are finished, subsidies will likely be needed to maintain the operation of the system. These tax dollars should be used to expand and enhance public transportation systems, as well as to maintain, repair, or enhance existing bridges, roads, and tunnels used by the vast majority

of drivers and riders to commute and travel and as used by commerce (e.g., trucking and delivery) vehicles, which is the financial lifeblood of Maryland - **Tax dollars are better spent to help all residents, not the wealthy SCMaglev system owners and their “well heeled” riders.**

- The SCMaglev will take ridership from Amtrak and Acela, requiring increased subsidies to maintain the existing East Coast rail system - **Tax dollars will be used to subsidize two competing train systems.**
- BWRR states that large numbers of vehicles will be taken off the road – **Where is the analysis to support this claim?** The SCMaglev DEIS⁹ refutes this statement in multiple places¹⁰, and with the annual growth of traffic in Maryland, whatever savings BWRR states will be made would likely be overcome by the annual pre-COVID-19 vehicle usage growth. Again, SCMaglev ridership will likely come from Acela or air flights, not cars commuting to and from Washington, D.C.
- COVID-19 has created a significant wrinkle for BWRR’s SCMaglev project and all mass transit ridership projections and revenues. Many agencies and support businesses have proven their knowledge workers can work remotely. The cost of office space in Washington, D.C. is very high, and agencies and businesses are already looking at downsizing their office footprint and invest the rent savings back into mission-related work – **How does the massive growth in remote working impact BWRR’s claims? Where is/are the analysis(es)?**
- As stated before, it is unlikely that greenhouse gases and road congestion will be reduced by the SCMaglev. The operation of SCMaglev maintenance vehicles would add to the existing traffic congestion - **SCMaglev will unlikely reduce greenhouse gases and more likely create an increase in road congestion.**
- Our tax dollars should be used for the infrastructure we all rely on and need. The construction jobs generated will be long-term, as there are miles and miles of roads, bridges, and tunnels that need maintenance, repair, and enhancement. In addition, with the continued improvement and expansion of MARC. Note: MARC provides a low-cost transportation option to a far greater number of Marylanders than the SCMaglev will ever provide - **The long-term net effect is more long-term construction jobs will be available in Maryland rebuilding and enhancing MARC and the whole of our transportation infrastructure.**

(6) The Need for Other Far More High-Value Transportation Infrastructure Improvements Outweigh Wasting Funds on Building the SCMaglev.

Supporters of the SCMaglev state that the existing 150-year-old rail system is out of date and employs obsolete technology. I rode MARC and Amtrak into Washington, D.C. for nearly 30 years. Not once was I on a train that employed a wood-fired steam engine. Amtrak and MARC employ modern equipment, that is running on an upgraded high-speed rail system. Both are purchasing and implementing new, proven, state-of-the-art equipment.

⁹ DEIS – SCMagLev Draft Environmental Impact Statement

¹⁰ See “SCMagLev DEIS Comments, Concerns, and Questions” section XXIX “Unsubstantiated Claims” pages 91 to 116, and 141 to 149. May 20, 2021. https://aa247ef8-bd4a-4dd2-890c-8b5ebdf396e2.filesusr.com/ugd/6d0640_12074e36746044e08fccd7a57f081409.pdf.

Amtrak and the FRA completed an expensive multi-year EIS and review of Amtrak's Northeast Corridor Future (NEC) plan (2017).¹¹ One of the key findings in this report was that a new alignment was too expensive and not needed when the planned upgrades and rebuilding of the existing system was considered. With the FRA's approval of the *NEC Future* plan, Amtrak secured loans totaling \$2.7 billion, and is actively engaged in upgrading rail, equipment, and stations all along the Northeast Corridor.

Note: Maryland's own BWI Rail Station has been replaced with a larger, modern, and improved comfort building with upgrade technology at a cost of \$4.7 million.

Amtrak has built the next generation of train equipment capable of speeds in the 200 miles-per-hour range. Having past FRA evaluations, Amtrak is testing the new train technology on the Northeast corridor, with the plan to bring this new technology online for customers this year. The train is being designed and built in the United States, by American unions and trades, not imported from overseas as the SCMaglev and its supporting systems. More information on Amtrak's NEC Future and the status of the second-generation Acela are readily available on the Internet.

In a recent test, an existing MARC passenger train, running on existing track, and managed by existing control systems, travelled from Baltimore Penn Station (located in the heart of Baltimore City), stopped at the BWI Rail Station, and continued onto Washington, D.C.'s Union Station completing the run in 30 minutes. BWRR claims their SCMaglev can complete the run in 15-minutes, starting from the proposed Cherry Hill station (located on the far southern end of Baltimore City). The MARC ticket cost is \$10. The various stated SCMaglev ticket cost is \$25 to \$80 - a range between twice to eight times the cost to ride the MARC train, all to save a theoretical 15-minutes of travel. As noted in Carl Park's article, the demographics of Baltimore City residents cannot afford to ride the SCMaglev on a regular basis. The MARC service is far more accessible and affordable.

Instead of wasting money to build a transportation system that will not serve Marylanders and take funds needed for transportation infrastructure, I, MCRT, CATS, and a long and growing list of community, civic, environmental organizations, cities and counties, as well as federal agencies, believe it would be far better to invest those funds into MARC and the current Maryland transportation infrastructure.

For example, look around the room you are in. Everything you see — the structure, paint, electrical systems, electronics, furniture, and clothes and shoes you are wearing — the raw materials to the finished products were transported by commercial truck. Maryland's commerce and economic well-being requires a sound transportation infrastructure to operate efficiently. Such systems draw business to Maryland and improve the economic and tax revenue base of our state. How many Maryland bridges are rated "C" or lower and need to be repaired or replaced? Such work would be a far better use of Maryland's and, for that matter, federal tax

¹¹ U.S. Department of Transportation and Federal Railroad Administration. NEC Future: A Rail Investment Plan for the Northeast Corridor. Record of Decision. July 2017. <https://www.fra.dot.gov/necfuture/pdfs/rod/rod.pdf>.

dollars, than investing in and subsidizing an unnecessary high-cost train for the elite, “well-heeled” rider.

AND . . .

In this written testimony, we have not addressed security concerns associated with having a 300-plus mile-an-hour train flying down a guideway 150-feet in the air, or through a tunnel. What catastrophic results would occur if someone is able to access the track and executes an attack? Who is going to maintain the security envelope, what is the cost of these resources, and what will the state, cities and counties will be required (forced) to provide? All of this would take additional tax dollars, again dollars better used elsewhere.

I agree with the *Lessons from Asia for the Northeast SCMaglev* report recommendation:

“The Northeast Maglev project should be scrapped before it is too late. There are many transportation priorities that are worthier of attention.”

There are two additional concerns to which I draw your attention:

- (1) If built, the SCMaglev will potentially release toxins, carcinogens, and radon gas into our communities.
- (2) If built, the SCMaglev will expose our school structures, personnel, and students to constant low-level vibration and oscillating magnetic fields as the train is running under them.

Concerns Explained:

- (1) If built, the SCMaglev will potentially release toxins, carcinogens, and radon gas into our communities.

As described during the BWRR-Maryland Transit Administration (MTA) Open House (October 16, 2017) by the Louis Berger professional engineer, the ventilation facilities’ primary purpose is to clear smoke in case there is a fire in the tunnel. Located every 3 to 4 miles apart along the underground tunneled route, the ventilation units will force air into the tunnel on the side of the section filled with smoke as the next ventilation facility exhausts air from the tunnel. In other words, one ventilation facility will pressurize the tunnel ahead of the section with smoke while the alternate ventilation facility will depressurize the tunnel to exhaust the smoke into the atmosphere.

Our concern is that the source of a fire will likely be electrical. Such a fire consumes electrical insulation and lubricants. As identified in a Massachusetts Institute of Technology (MIT) study, when burned, these fuel sources produce both toxic and carcinogen compounds¹² that,

¹² As noted in an MIT study referenced in “SCMagLev DEIS Comments, Concerns, and Questions” section LI “The Building and Operation of the SCMagLev Will Have Significant and Potentially Health Harming Impacts on Human and Wildlife and Property” pages 122 to 131. May 20, 2021. https://aa247ef8-bd4a-4dd2-890c-8b5ebdf396e2.filesusr.com/ugd/6d0640_12074e36746044e08fccd7a57f081409.pdf.

according to the planned use of the ventilation system described, will exhaust these dangerous compounds into the atmosphere, exposing the surrounding communities to these unhealthy chemical compounds. Such carcinogen exposure released into the atmosphere can potentially create damaging respiratory effects, possibly leading to life-threatening scenarios for the residents and wildlife near the vents and inhaling these hazardous compounds.

Our question: What short-, mid-, and long-term health effects will this have on the affected community? If nothing else, it will have a negative effect on property values and their related property tax revenue. Who wants to raise their family next to a facility that may release poison into the atmosphere at any time?

As you may know, Anne Arundel and Prince George's Counties have naturally occurring radon gas. Radon gas is a known carcinogen, which is why homes and other buildings are tested across both counties. Infiltrating from the ground, this colorless and odorless gas finds its way into building basements through cracks and seams between the basement walls and concrete floor.

During the discussion with the professional engineer from Louis Berger hired to design the building of the SCMaglev, we asked about water infiltration, drainage, and pumped water removal, as the tunneling under Linthicum will likely intersect the aquifer. Also, there is the question about monitoring and venting naturally occurring gases that leak into the tunnel through the same openings through which ground water enters, as the tunnel will serve as a large collecting system for ground leaching gases as it transits Anne Arundel County and the southern section of Prince George's County 80 to 150 feet below the surface. When these ventilation facilities exhaust into the atmosphere, anyone near these facilities will also be exposed to any radon gas collected in the tunnel. As with all radioactive materials, the intensity and length of time of exposure determines the severity of the side effects. Therefore, any low-level exposure, whether to radiation over a short or a long period, will likely have negative effects on human and wildlife resulting in health issues. Further, like long-term exposure to low-level radiation, long-term exposure to low levels of electromagnetic radiation may also have cumulative health effects on the human and wildlife. The electromagnetic radiation generated by the SCMaglev needs to be evaluated and publicly reported well before any building authorization is approved.

Our question: What long-term cumulative health effects will radon gas and electromagnetic radiation exposure have on the affected community as radioactive radon gas is vented into the atmosphere through the ventilation facilities?

- (2) If built, the SCMaglev will expose our school structures, personnel, and students to constant low-level vibration and oscillating magnetic fields as the train running under them.

As the train passes underground near and or below our schools, homes, and businesses, what effect will the resulting vibration have on the structures? Masonry structures do not fare well with constant exposure to vibration. Given that most of our homes and businesses are built on concrete foundations and masonry walls, continuous exposure to even low-level vibrations will likely have a cumulative effect, which will include cracking followed by water penetration, negatively impacting the structural integrity of the building. Such cracks allow groundwater and rainwater runoff to enter basements. Besides damp and wet basements, mold growth becomes another potential human health issue.

Our questions: What are the long-term health impacts of exposure to low-level oscillating electromagnetic fields and vibrations as the SCMaglev transit passes under our homes, businesses, and schools and their playgrounds?

In Summary:

I, MCRT and CATS have provided a list of reasons why the SCMaglev should be stopped now before Maryland is forced into a position where it has no choice but to make use of our needed tax dollars to directly or indirectly fund the SCMaglev building, maintenance, operation, and security. Our tax dollars are far better spent to replace, repair, and enhance MARC and our existing transportation infrastructure.

And my concluding question:

Are you willing to expose our families and children to find out what will be the long-term health effects?

Again, thank you for this opportunity to provide this written before you on reasons to oppose building and operating the SCMaglev.

Attachment 1: “Lessons from Asia for the Northeast SCMaglev”
(Copy attached – see pages 13-14).

Short Informational MCRT-CATS Position Papers and their links:

- (1) CATS-MCRT Rpt - SCMagLev Biological Impact – 20210111 https://aa247ef8-bd4a-4dd2-890c-8b5ebdf396e2.filesusr.com/ugd/6d0640_efecc0b083614963a73f1b04cebe4cec.pdf
- (2) CATS-MCRT Rpt - SCMagLev Biological Impact (Part 2) - 20210111 https://aa247ef8-bd4a-4dd2-890c-8b5ebdf396e2.filesusr.com/ugd/6d0640_54c8689b28194a99afcd5e4b404efebe.pdf
-

- (3) CATS-MCRT Rpt - Amtrak the Better Alternative – 20210111 https://aa247ef8-bd4a-4dd2-890c-8b5ebdf396e2.filesusr.com/ugd/6d0640_62a178a0ce394b6b887b1c4e4f3c44f4.pdf
- (4) CATS-MCRT Rpt - The Next Generation of Acela – 20210111 https://aa247ef8-bd4a-4dd2-890c-8b5ebdf396e2.filesusr.com/ugd/6d0640_60c28f6fdad84512802de36f7a79e54d.pdf
- (5) CATS-MCRT Rpt - What Impact Would the Have on Our Communities?– 20210111 https://aa247ef8-bd4a-4dd2-890c-8b5ebdf396e2.filesusr.com/ugd/6d0640_f767cb0eb0724bfb8341cd86df2ab1a4.pdf
- (6) CATS-MCRT Rpt - Is the SCMagLev Safe? – 20210111 https://aa247ef8-bd4a-4dd2-890c-8b5ebdf396e2.filesusr.com/ugd/6d0640_47f2ce2871e24664b8f100db013793ad.pdf
- (7) CATS-MCRT Rpt - Is the SCMagLev Safe? (Part 2) – 20210111 https://aa247ef8-bd4a-4dd2-890c-8b5ebdf396e2.filesusr.com/ugd/6d0640_6181d1a331f94219969c286bc0efec33.pdf
- (8) Kelly PhD, Owen. Ridership Revisited: The Official Ridership Forecast for the Proposed Baltimore-Washington Maglev Is a Factor of Ten Too High. 2021. <https://www.greenbeltonline.org/wp-content/uploads/2021/08/kelley202108.magrider.pdf>
- (9) O’Toole, Randal. Maglev to Destroy Habitat, Climate. April 6, 2021. <https://www.cato.org/blog/maglev-destroy-habitat-climate>.

Maryland Coalition for Responsible Transit (MCRT) evaluates transit projects for social equity, environmental justice, economic viability, and community accessibility. We believe that the Baltimore Washington (BW) SCMaglev must be stopped in order to implement future transit projects that meet our criteria of a much lower price and much less risk and impact to communities. Thus, we support the no-build option and are working to stop this project through the National Environmental Policy Act process. For more information about MCRT see our website at: www.mcrt-action.org.

Citizens Against the SCMaglev (CATS) is a confederation of scientists, engineers, experts, community organizations and citizens in support of transportation infrastructure improvements that benefit our communities, state, and nation. CATS opposes the construction of an expensive transportation system serving a small minority of the wealthy at the cost of taxpayer funds far better used to maintain and improve the transportation infrastructure needed and used daily by all citizens, businesses, and commerce. For up-to-date information on the SCMaglev opposition, see our Facebook page at: www.facebook.com/groups/CitizensAgainstSCMaglev.

Attachment #1

Report from the Center for Business and Economic Competitiveness at the Maryland Public Policy Institute

Lessons from Asia for the Northeast SCMaglev

Originally published in the *Daily Record*.

December 7, 2018

In China, a bullet train crash in the city of Wenzhou in 2011 killed 40 people. The crash was blamed on poor design and mismanagement. In Taiwan, the bullet train system rang up \$1.5 billion in losses over seven years, requiring a \$1 billion government bailout to date. In South Korea, a high-speed rail line connecting Seoul to Incheon closed in 2018 after just four years of service because 77 percent of seats were unoccupied.

Across the Pacific Ocean, supporters of “SCMaglev” in the United States are gearing up to create an American version of the Asian rail disasters. The Northeast Maglev is a proposed magnetic levitation train that would travel at 311 miles per hour, carrying passengers between Baltimore City and Washington, D.C. in 15 minutes. The Maglev team hopes to start construction on the ostensibly private project in 2020.

SCMaglev enthusiasts have been pushing the project despite warnings of significant risks, just like the supporters of the bullet train did in Asia. For instance, the South Korean government built the Seoul-Incheon line despite consistent warnings of inadequate demand. The project was politically, rather than commercially, driven: Korean officials wanted to present a futuristic version of Korea to the international community as part of the 2018 PyeongChang Winter Olympics.

SCMaglev supporters in Maryland have similar non-business motives for backing the project. Baltimore has been experiencing a steady population decline over the years, and many supporters believe that connecting the city to economically vibrant D.C. could reverse that trend. This vision has blinded the advocates to serious concerns about the project.

First, though the project purports to be a private effort, high-speed train projects are generally magnets of questionable government subsidies. “We can’t build our infrastructure 100 percent privately,” said Wayne Rogers, the CEO of Northeast Maglev. Building the SCMaglev line from Baltimore to D.C. is estimated to cost between \$12 billion to \$15 billion (Others believe the cost will be far more). So far only \$5 billion in private investment has been secured for the project, so taxpayers will be on the hook to finance the rest of the project, likely taking funds needed for other far more valuable national infrastructure projects.

Second, it’s highly doubtful the SCMaglev will attract sufficient ridership to make it economically viable. According to SCMaglev officials, the service would target the “elite business travelers” and charge higher prices than Amtrak, which already provides regular rail service between the two cities, and is in the process of upgrading their infrastructure, equipment and stations to support faster trains on existing right-of-ways. Just as with the Seoul-Incheon line, there are also numerous bus companies that provide affordable trips along the Baltimore-D.C. route.

Finally, building the Northeast Maglev will inevitably disrupt the communities along the line because of noise and electromagnetic fields, destruction of homes and businesses during the building of the elevated portions of the line, as well as destruction of remaining green space between Baltimore and D.C., and the negative environmental impacts of tunneling, not to mention the hurtling trains. As the planned SCMaglev will only make three stops, the affected residents are unlikely to experience any commercial or economic development in their neighborhood. In short, residents along the route will pay the high price and receive little to no benefit from the SCMaglev.

Supporters of SCMaglev dismiss these concerns. They argue that the success of bullet trains in Japan demonstrate that these hurdles can be overcome. That's exactly what officials in China, Taiwan and South Korea thought, only to discover that the situation in Japan is unique. Most of Japan's 128 million inhabitants live in a few densely populated cities. Many of those residents are rich enough to afford expensive train tickets.

Compared to Japan, the situation is the polar opposite in Baltimore, where many of the residents who depend on public transit are low-income workers. If these residents are to commute between Baltimore and D.C., they would need an option that is affordable and easily accessible from their homes. The SCMaglev is neither. MARC provides that reliable and cost-effective transportation system, that last year moved over 8 million passengers into and out of D.C.

The Northeast Maglev project should be scrapped before it is too late. There are many transportation priorities that are worthier of attention.

In early 2018, Baltimore's Metro subway line closed for a month. According to the American Public Transportation Association, the closure was due to the Maryland Transit Administration's lack of expertise and poor communication. Meanwhile, the D.C. Metro system is a never-ending series of service disruptions, crumbling infrastructure and safety failures.

If Maryland wants to improve its transportation system, it should focus on ensuring that its existing projects are safe and managed properly. Whether this is done by restructuring the MTA or by privatizing some of its operations to incentivize better performance, it will not take billions of dollars to ensure that Maryland residents have reliable public transportation.

According to SCMagLev's Chair, Wayne Rogers, "Infrastructure is fundamentally a government responsibility, which has failed." He is right. Many governments across the ocean have failed by partnering with private companies to build trains that turned out to be costly, dangerous, and increasingly reliant on government support. We can avoid recreating the same high-speed catastrophe in North America by abandoning the Northeast Maglev now.

The author of the original article is Carol Park, a senior policy analyst in the Center for Business and Economic Competitiveness at the Maryland Public Policy Institute. She can be reached at cpark@mdpolicy.org.

Source: Park, Carol. "Transportation Lessons from Asia for the Northeast Maglev." December 7, 2018. The Maryland Public Policy Institute. www.mdpolicy.org/research/detail/lessons-from-asia-for-the-northeast-maglev?fbclid=IwAR2C1sAfojicOFJ7J6jXCqvtGmKADrtVAopQpP7XRZnc38V25p8G5wWp2s4.

SB0079 letter 1_16_2024.pdf

Uploaded by: Deborah Barrett

Position: FAV

Date: 16 January 2024

Subject: Written Testimony in Favor of SB0079 – State Finance – Prohibited Appropriations – Magnetic Levitation Transportation System (Cross-file HB0170)

To: Chairman Guzzone, Vice Chair Rosapepe, and Members of the Budget and Taxation Committee

From: Deborah Barrett, longtime resident of Laurel, MD.

I am writing in support of SB0079, sponsored by Senator Alonzo Washington.

Senate Bill SB0079 would prohibit Baltimore-Washington Rapid Rail (BWRR) from appropriating funds from the state of Maryland to build the proposed SCMaglev transportation system, “providing that the prohibition does not apply to certain expenditures for salaries” of state employees. This exception is in response to Northeast Maglev’s concerns that earlier versions of this bill had unintended consequences in that it would inadvertently tie their hands to work with the appropriate state personnel to acquire permits or other required approvals should the project go forward. By including this provision, the bill should be acceptable to BWRR and the Northeast Maglev.

Testimony:

The state’s transportation funding is already facing limitations and funding needs to be allocated toward *urgent and practical projects* – those that will benefit Maryland citizens – *the taxpayers who pay for these projects*. The transportation needs of the state and its residents are for *effective, affordable, and accessible commuter options*. The smartest course of action is to continue upgrading our existing Amtrak and MARC systems.

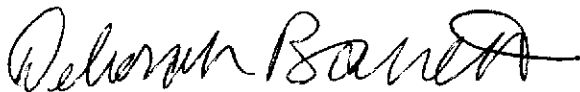
- BWRR and Northeast Maglev have stated they want to be able to access state funding “if” they need financial funding later in their project. Projects of this size *always* have cost overruns, and BWRR and Northeast Maglev are *currently* facing loss of federal funding. *State* funds should serve the greater good of Maryland residents.
- If this project were to ever “begin” it will run out of funding over and over and over again and be *continuously* over budget, becoming a black hole for greater and greater amounts of state funding. The end result? Our financial resources will be seriously compromised *for an unneeded project that will never be completed*. And our precious natural resources will be *forever* damaged – for ABSOLUTELY NO BENEFIT TO ANYONE.
- The NEPA process is currently paused on this project. Significant work needs to be done to move this project to the next level, *but the federal funding to allow this is not in place*. In addition, BWRR has *not* been able to demonstrate to the Maryland Department of the Environment (MDE) that the construction of this project will meet MDE’s requirements for *protecting our waterways*. This project will destroy *hundreds of acres of wild green spaces* including a forest preserve, wetlands and wildlife refuge all of which are needed for CO2 storage, clean air and water, and climate cooling.

- The Japanese government has offered to invest in the project. This puts Maryland at risk of having the Japanese government demanding funds for this project. It would be very important to have legislation to impede this.
- And last but not least, **this poses a huge SAFETY** concern for our residents and taxpayers. It is *commercially unproven* technology for which the U.S. has no safety standards, yet safety certification is planned for “after construction starts.” (DEIS Appendix G, Part 3, page 4, “Construction can proceed prior to the completion of the Rule of Particular Applicability (RPA), but operation cannot commence without it.”) *Not having safety regulations worked out prior to construction design* makes no sense, and it is *contrary* to the U.S. Department of Transportation policy in its 2020 report, “Pathways to the Future of Transportation,” noting **safety should be the first priority**.
Please do not let BWRR and the Japan financiers use Maryland as a guinea pig.

Much is on the line in this bill. Maryland’s financial resources, our natural resources of land and water, and the safety and integrity of our communities. *Protecting* the state from losing funding for much needed transportation and infrastructure projects throughout the state is the best option.

I recommend that SB0079 be given a **favorable** vote and moved out of committee. For the state economy, the environment, our communities, our taxpayers, and our future!

Sincerely Yours,



Deborah Barrett
10302 Bristolwood Ct.
Laurel, MD 20708
301-953-2253

SB0079.pdf

Uploaded by: Heather Ettus

Position: FAV

Date: January 16, 2024

Subject: Written Testimony in Favor of SB0079 – State Finance – Prohibited Appropriations – Magnetic Levitation Transportation System (Cross-file HB0170)

To: Chairman Guzzone, Vice Chair Rosapepe, and Members of the Budget and Taxation Committee,

My name is Heather Ettus. I am writing in support of SB0079, sponsored by Senator Alonzo Washington.

Description of Bill:

Senate Bill SB0079 would prohibit Baltimore-Washington Rapid Rail (BWRR) from appropriating funds from the state of Maryland to build the proposed SCMaglev transportation system, “providing that the prohibition does not apply to certain expenditures for salaries” of state employees. This exception is in response to Northeast Maglev’s concerns that earlier versions of this bill had unintended consequences in that it would inadvertently tie their hands to work with the appropriate state personnel to acquire permits or other required approvals should the project go forward. By including this provision, the bill should be acceptable to BWRR and the Northeast Maglev.

TESTIMONY

The state’s transportation funding is facing limitations and funding needs to be allocated toward urgent and practical projects – those that will benefit Maryland citizens – the taxpayers who pay for these projects. The transportation needs of the state and its residents are for effective, affordable, and accessible commuter options – not an overpriced, limited access, train for the wealthy.

BWRR and Northeast Maglev have stated they want to be able to access state funding “if” they need financial funding later in their project. Two points: 1) projects of this size always have cost overruns, and 2) they are currently facing loss of federal funding. These two points will lead BWRR and Northeast Maglev to be knocking on the proverbial “door” of the state Comptroller on a regular basis if this legislation is not passed.

BWRR is currently seeking funding from the infrastructure investment and Jobs Act funds and possibly other grant sources at the federal level. If provided they would use taxpayers’ dollars for a project that will serve the wealthy. Their federal funding has been fully expended at this point. State funds should serve the greater good of Maryland residents.

My concern is that if this project were to ever “begin” it will run out of funding over and over again, will be over budget continuously, will continuously ask the state for untenable amounts of funding, and the result will be that our financial resources and precious land will be seriously compromised for an unneeded project that will never be completed. And our land – a precious natural resource – will be forever damaged – for ABSOLUTELY NO BENEFIT TO ANYONE.

Currently the NEPA process has been paused on this project. Significant work needs to be done to move this project to the next level. But the federal funding to allow this is not in place.

BWRR will need investors. Indeed, the Japanese government has offered to invest in the project. This puts Maryland at risk of having the Japanese government demanding funds for this project. It would be very important to have legislation to impede this.

In addition, BWRR has not, thus far, been able to demonstrate to the Maryland Department of the Environment (MDE) that the construction of this project will meet MDE's requirements for protecting our waterways – also a precious natural resource.

Much is on the line in this bill. Maryland's financial resources, our natural resources of land and water, and the integrity of our communities.

The State needs to prepare for the changing scenarios the Climate Crisis (projected for 8-9 years from now) will create for how we work, travel and live; we need to carefully attend to the footprint of projects that the state funds.

Based on recent research, the construction of the SCMaglev will generate more greenhouse gases than it will save for likely several decades. We do not have decades to wait for such a "possibility". In addition, the project will destroy hundreds of acres of wild green spaces including a forest preserve, wetlands and wildlife refuge all of which are needed for CO2 storage, clean air and water, and climate cooling.

Protecting the state from losing funding for needed transportation and infrastructure projects throughout the state is the best option.

I ask that SB0079 be given a favorable vote and moved out of committee.

Sincerely,

Heather Ettus
19 Lakeside Drive, Greenbelt, MD 20770
(301) 474-6443

Testimony in support of SB0079.pdf

Uploaded by: Joyce Campbell

Position: FAV

Date: January 16, 2024

Subject: Written Testimony in Favor of SB0079 – State Finance – Prohibited Appropriations – Magnetic Levitation Transportation System (Cross-file HB0170)

To: Chairman Guzzone, Vice Chair Rosapepe, and Members of the Budget and Taxation Committee

My name is Joyce Campbell. I am writing **in support of** SB0079, sponsored by Senator Alonzo Washington.

Description of Bill:

Senate Bill SB0079 would prohibit Baltimore-Washington Rapid Rail (BWRR) from appropriating funds from the state of Maryland to build the proposed SCMaglev transportation system, “providing that the prohibition does not apply to certain expenditures for salaries” of state employees. This exception is in response to Northeast Maglev’s concerns that earlier versions of this bill had unintended consequences in that it would inadvertently tie their hands to work with the appropriate state personnel to acquire permits or other required approvals should the project go forward. By including this provision, the bill should be acceptable to BWRR and the Northeast Maglev.

TESTIMONY:

I support this bill for many reasons, the most important being that building the SCMaglev would destroy a major part of the forest preserve bordering old Greenbelt (that’s why it’s called Greenbelt) and because it is totally unnecessary, would be bad for the environment and would sooner or later cost the State of Maryland money it does not have. In detail:

1. The state’s transportation funding is facing limitations and funding needs to be allocated toward urgent and practical projects – those that will benefit Maryland citizens – the taxpayers who pay for these projects. The transportation needs of the state and its residents are for effective, affordable, and accessible commuter options – not an overpriced, limited access, train for the wealthy.
2. BWRR and Northeast Maglev have stated they want to be able to access state funding “if” they need financial funding later in their project. Two points: 1) projects of this size always have cost overruns, and 2) they are currently facing loss of federal funding. These two points will lead BWRR and Northeast Maglev to be knocking on the proverbial “door” of the state Comptroller on a regular basis if this legislation is not passed.
3. My concern is that if this project were to ever “begin” it will run out of funding over and over again, will be over budget continuously, will continuously ask the state for untenable amounts of funding, and the result will be that our financial resources and

precious land will be seriously compromised for an unneeded project that will never be completed. And our land – a precious natural resource – will be forever damaged – just for the convenience of the wealthy to save 10 minutes in travel time.

4. Currently the NEPA process has been paused on this project. Significant work needs to be done to move this project to the next level. But the federal funding to allow this is not in place.

5. BWRR has not, thus far, been able to demonstrate to the Maryland Department of the Environment (MDE) that the construction of this project will meet MDE's requirements for protecting our waterways – also a precious natural resource.

6. The State needs to prepare for the changing scenarios the Climate Crisis (projected for 8-9 years from now) will create for how we work, travel and live; we need to carefully attend to the footprint of projects that the state funds.

Based on recent research, the construction of the SCMaglev will generate more greenhouse gases than it will save for likely several decades. We do not have decades to wait for such a "possibility". In addition, the project will destroy hundreds of acres of wild green spaces including a forest preserve, wetlands and wildlife refuge all of which are needed for CO2 storage, clean air and water, and climate cooling.

State funds should be protected for needed transportation and infrastructure projects throughout the state which benefit everyone, not just those who can afford a high-priced ride from D.C. to Baltimore

Much is on the line in this bill. Maryland's financial resources, our natural resources of land and water, and the integrity of our communities.

CLOSING:

I ask that SB0079 be given a favorable vote and moved out of committee.

Sincerely,

Joyce R. Campbell
7 Plateau Pl, Unit D, Greenbelt MD 20770
540-449-5149

2024-17-2024SCMaglev Testimony.pdf

Uploaded by: Kathleen Bartolomeo

Position: FAV

Support Maryland General Assembly Senate Bill 79

State Finance – Prohibited

Kathy Bartolomeo

Senate Budget and Taxation Committee

West Miller Senate Building

11 Bladen Street - Room 3

Annapolis, Maryland 21401

Hearing on Wednesday, January 17, 2024

As the state of Maryland is facing a projected funding deficit of \$3.36 billion, and possibly higher in the next few years, we need to be very selective as to where we direct our money. With climate a huge concern for Maryland, and funds needed to help mitigate the results of our climate changes, we will need to push forward with projects that lessen its impact. Transportation for mass transit, pedestrian, biking safety and encouragement, EV charging, EV incentives, electrification of vehicles, and buildings, upkeep and improvements to MARC, and the long-awaited Red Line for Baltimore are where I see funding needed.

With a large deficit, it is critical that our legislators direct funding carefully to proven, safe and sustainable transportation. Currently, we have no assurance that SCMaglev is sustainable. BWRR has not shared this information. And there are safety concerns that have not been addressed.

So much has not been shared by BWRR such as claims jobs and revenues and their analyses. These claims need to be carefully addressed as they are unsupported.

How would BWRR address the potential release of toxins, carcinogens, and radon gas collected in the SCMaglev tunneled sections into our communities through their surface ventilation facilities?

How would SCMaglev address concerns about our schools' structures, personnel, and students associated with the impact of a high-speed, oscillating magnetic field train running under them?

There are so many concerns that clearly have not been addressed by BWRR. It amazes me why this project is still being promoted and most likely by people who would make a lot of money from contracts and building.

Legislators may want to consider the possibility of the SCMaglev project coming to a halt before its completion (it would take at least 10 years to build). With a lengthy schedule for building, rising costs, delays, permitting, and climate impacts as the years go on, what should happen if this project should come to a

halt? Maryland will be left with devastated areas, and costly funding for mitigation. These funds are needed now to clear transportation choices.

Directing any state funding to SCMaglev and BWRR would be hurtful to the other great needs we have now. No other state has accepted such a project, and no other country has either except for a project in Japan. That should provide great unease.

The SCMaglev project would only increase our climate problems as they will destroy communities and green spaces and its emissions will damage human health.

SCMaglev is unaffordable for most Marylanders. A \$40-80 ticket for a one-way trip to one of three locations including the cost of driving to SCMaglev, the time and parking is expensive. So many Marylanders will be excluded. We need equitable, assessable transportation infrastructure.

SB0079 SC Maglev.pdf

Uploaded by: Mary Gerster

Position: FAV

Date: January 16, 2024

Subject: Written Testimony in Favor of SB0079 – State Finance – Prohibited Appropriations – Magnetic Levitation Transportation System (Cross-file HB0170)

To: Chairman Guzzone, Vice Chair Rosapepe, and Members of the Budget and Taxation Committee

My name is Mary Gerster. I have lived, and paid taxes, in Greenbelt, Maryland, for more than 25 years. I am writing in support of SB0079, sponsored by Senator Alonzo Washington.

Description of Bill: Senate Bill SB0079 would prohibit Baltimore-Washington Rapid Rail (BWRR) from appropriating funds from the State of Maryland to build the proposed SCMaglev transportation system, “providing that the prohibition does not apply to certain expenditures for salaries” of State employees. This exception is in response to Northeast Maglev’s concerns that earlier versions of this bill had unintended consequences in that it would inadvertently tie their hands to work with the appropriate State personnel to acquire permits or other required approvals should the project go forward. By including this provision, the bill should be acceptable to BWRR and the Northeast Maglev.

Testimony: It is blindingly obvious to me that the State of Maryland should not allow funding for the SCMaglev for the following reasons:

1. Maryland’s transportation funding is facing limitations, and funding must be allocated to urgent and practical projects that will benefit Maryland citizens: the taxpayers who pay for these projects. The State and its residents need transportation that is effective, affordable, and accessible. We do not need an overpriced, limited-access train for the wealthy.
2. BWRR and Northeast Maglev have stated they want to be able to access State funding *if* they need financial funding later in their project. First, projects of this size always have cost overruns. Second, they are currently facing loss of federal funding. These two points mean that BWRR and Northeast Maglev will turn to the State Comptroller on a regular basis if this legislation is not passed.
3. BWRR is currently seeking funding from the infrastructure investment and Jobs Act funds and possibly other grant sources at the federal level. If provided, this would expend taxpayer dollars for a project that will serve the wealthy. Their federal funding has been fully expended at this point. State funds should serve Maryland residents at large.
4. Among my concerns is that if this project begins, it will repeatedly run out of funding, as well as being over budget continuously, and the backers will keep returning to ask the State for more funding. The result will be that our financial resources and precious land will be seriously compromised for a boondoggle project that will never be completed, or if completely, only after many delays and a huge, unrecoverable (by any measure) cost. Finally, our land—a precious and finite natural resource—will be forever damaged with no benefits for the vast majority of Marylanders, and significant damage to quality of life for thousands of us more directly affected by this massive and unsustainable project.

5. Currently the NEPA process has been paused on this project. Significant work needs to be done to move this project to the next level. But the federal funding to allow this is not in place.
6. BWRR will need investors. The Japanese government has offered to invest in the project. Having a foreign government pushing for funding from the State could place Maryland in a difficult or awkward position. It's very important to have legislation to address this possible scenario.
7. BWRR has not so far been able to demonstrate to the Maryland Department of the Environment (MDE) that the construction of this project will meet MDE's requirements for protecting our waterways—another precious, limited natural resource.
8. Much is on the line in this bill. Maryland's financial resources, our natural resources, and the integrity of and quality of life in our communities.
9. Maryland should be preparing for probable fallout from the climate crisis (projected for 8–9 years from now), which could change how many of us live, work, and travel. In light of projected but unknown demands on the State, the State should very carefully review the footprint of any projects it does or might fund.

Additional points:

- Recent research suggests development of the SCMaglev will generate more greenhouse gases than it will save for likely several decades. We do not have decades to wait for such a “possibility.” It is without question that the project will destroy hundreds of acres of wild green spaces including a forest preserve, wetlands, and wildlife refuge, all of which are needed for CO2 storage, clean air and water, and climate cooling and all of which are in short supply in suburban Maryland.
- Protecting the State from loss of funding for other necessary transportation and infrastructure projects throughout the State is a far better course of action.

In closing, I ask that SB0079 be given a favorable vote and moved out of committee.

Sincerely,

Mary A Gerster
10 Plateau Place Unit N
Greenbelt MD 20770
Tel: 301-441-3298

2024_0116_Testimony.pdf

Uploaded by: Nancy Solomon

Position: FAV

Date: January 16, 2024

Subject: Written Testimony in Favor of SB0079 – State Finance – Prohibited Appropriations – Magnetic Levitation Transportation System (Cross-file HB0170)

To: Chairman Guzzone, Vice Chair Rosapepe, and Members of the Budget and Taxation Committee,

My name is Nancy Solomon. I am writing in support of SB0079, sponsored by Senator Alonzo Washington.

Description of Bill:

Senate Bill SB0079 would prohibit Baltimore-Washington Rapid Rail (BWRR) from appropriating funds from the state of Maryland to build the proposed SCMaglev transportation system, “providing that the prohibition does not apply to certain expenditures for salaries” of state employees. This exception is in response to Northeast Maglev’s concerns that earlier versions of this bill had unintended consequences in that it would inadvertently tie their hands to work with the appropriate state personnel to acquire permits or other required approvals should the project go forward. By including this provision, the bill should be acceptable to BWRR and the Northeast Maglev.

TESTIMONY The State should not allow funding for the SCMaglev for the following reasons, among others:

The state’s transportation funding is facing limitations and funding needs to be allocated toward urgent and practical projects that will benefit Maryland citizens, the taxpayers who pay for these projects. Maryland residents need effective, affordable, and accessible commuter options--not an overpriced, limited-access train for the wealthy. State funds should serve the greater good of the largest number of Maryland residents.

BWRR and Northeast Maglev have stated they want to be able to access state funding “if” they need financial funding later in their project. But projects of this size always have cost overruns, and BWRR and Northeast Maglev are currently facing loss of federal funding. These two points will lead BWRR and Northeast Maglev to be knocking on the proverbial “door” of the state Comptroller on a regular basis if this legislation is not passed.

BWRR will need investors. Indeed, the Japanese government has offered to invest in the project. This puts Maryland at risk of having the Japanese government demanding funds for this project. It would be very important to have legislation to impede this.

BWRR has not, thus far, been able to demonstrate to the Maryland Department of the Environment (MDE) that the construction of this project will meet MDE’s requirements for protecting our waterways, a precious natural resource.

The State needs to prepare now for the changing scenarios that the impending climate crisis will create for how we work, travel and live in the next decade. This includes carefully attending to the environmental footprint of all state projects. Consider, for example, that recent research suggests that the construction of the SCMaglev will generate more greenhouse gases than it will save for likely several decades. We do not have decades to wait for such a “possibility.” In addition, the project will destroy hundreds of acres of wild green spaces--including a forest preserve, wetlands, and wildlife refuge--all of which are needed for CO2 storage, clean air and water, and climate cooling.

CLOSING:

Much is on the line in this bill. Maryland’s financial resources, our natural resources of land and water, and the integrity of our communities. I ask that SB0079 be given a favorable vote and moved out of committee.

Sincerely,

Nancy B. Solomon
7 Crescent Road, Unit J
Greenbelt, MD. 20770
301-648-9950

FAVORABLE - SB0079 - 2024 State Finance - Prohibit

Uploaded by: Patricia Jackman

Position: FAV

January 16, 2024

Oral and Written Testimony in Favor of SB0079 – State Finance – Prohibited Appropriations – Magnetic Levitation Transportation System (Cross-file HB0170)

Chairman Guzzone, Vice Chair Rosapepe, and Members of the Budget and Taxation Committee,

My name is Patricia Jackman from New Carrollton MD. I am writing in support of SB0079, sponsored by Senator Alonzo Washington. This bill would prohibit Baltimore-Washington Rapid Rail (BWRR) from appropriating funds from the state of Maryland to build the proposed SCMaglev transportation system, “providing that the prohibition does not apply to certain expenditures for salaries” of state employees. This exception is responsive to the concerns expressed by the Northeast Maglev that a previous iteration of this bill had unintended consequences in that it would inadvertently tie their hands to work with the appropriate state personnel to acquire permits or other required approvals should the project go forward. By including the above caveat, the bill should be acceptable to BWRR and the Northeast Maglev,

We understand that BWRR is actively seeking additional funding from the Infrastructure Investment and Jobs Act funds and perhaps other grant sources to continue to tap into federal taxpayer funds. Mr. Wayne Rogers Chairman and CEO of Baltimore-Washington Rapid Rail (BWRR), a private company has repeatedly stated the SCMaglev will not require tax-payer funds. This statement has been repeated by Ian Rainey, senior vice-president of BWRR on several occasions and in testimony including “We’ve been very clear that we’re not going to be seeking state appropriations for this project.”

Senate Bill 0079 can record his statement on the legislative record, with the one caveat on which Mr. Rogers based his past objection, that is Funds can be used for such costs associated with administrative, review and permitting processes. This bill applies to only one specific proposed project that has proven unable to support broad and questionable promises of an influx of good-paying jobs, advanced technology education programs, and the uplifting of environmental justice communities to bring them and the state untold prosperity.

Maryland’s viable transportation projects that serve our communities currently face persistent state funding difficulties. Urgent and practical cost-cutting choices will need to be made. The SCMaglev project, shamelessly promoted as a fast travel option from DC to New York, is not the kind of commuter train needed for the Northeast Corridor. Fares are extremely costly; and the project’s costs will increase exponentially when the actual work is undertaken.

As a result, the ability of BWRR to either continue or complete the project will be curtailed. BWRR and its partners will seek additional funds from bank loans as well as from Maryland, in addition to the federal government. Government funds are taxpayer dollars. We the people will pay—and already have from the allocation of federal government funds expended to undertake the study and meet NEPA requirements. How can this project even be considered to have access to taxpayer funds. The Federal Railroad Administration’s (FRA) SCMaglev Draft Environment Impact Statement review process has been paused since August 25, 2021. Prior to this, the process was paused from September 2019 to May 2020. Further, the Army Corps of Engineers announced a pause in their review of the SCMaglev proposal to accommodate the FRA timetable. The volumes of public comments and concerns submitted during the DEIS process remain unanswered.

Additionally, the recent efforts by the BWRR to apply for a Water Quality Certification from the MD Department of the Environment were woefully insufficient. The MDE posted on their website a letter dated 12/22/2023 that based upon their review of the BWRR submissions, MDE “does not have reasonable assurance that this project will comply with water quality standards, and therefore intends to deny without prejudice BWRR’s request for Certification.”

This SCMaglev project continues to be problematic for the following reasons.

- SCMaglev is not a reasonably priced train with commuter stops that would serve the average Maryland citizens. Yet its construction destroys our communities and is an environmental disaster threatening valuable green spaces, watersheds and eventually the Chesapeake Bay.
- There are unanswered questions about the actual safety of the train. The Japanese government seeks to assure us of the safety of their SCMaglev. However, the number of passengers carried to date on their development and test track are less than the typical number carried by the Washington Metro (pre-COVID-19) in a single day.
- Justifications for the ongoing building of their SCMaglev are being questioned in Japan. The planned 2027 date for starting the first operation of the Tokyo to Nagoya line is unlikely to be met. This would make the United States the first place where the safety of SCMaglev technology would be tested in a high-frequency commercial operation.
- The Japanese SCMaglev has many unresolved safety issues that need to be addressed. Safety Rules of Particular Applicability (RPA) need to be developed by the Federal Railroad Administration before the project is authorized.
- SCMaglev estimates for both ridership and revenue appear to be overstated. Therefore, are likely to need government subsidies.
- BWRR has made various projections about jobs with numbers and project costs varying greatly, yet have not shared the analyses nor strategies for supporting these claims.
- The State needs to prepare for the changes the Climate Crisis (projected for 8-9 years from now) will create for how we work, travel and live; we need to carefully appraise the footprint of projects that the state funds. Based on recent research, the construction of the SCMaglev will generate more greenhouse gases than it will save for likely several decades. We do not have decades to wait for such a “possibility”. In addition, the project will destroy hundreds of acres of wild green spaces including a forest preserve, wetlands and wildlife refuge all of which are needed for CO2 storage, clean air and water, and climate cooling.
- The need for other more high-value transportation infrastructure improvements outweigh wasting funds on building the SCMaglev. Governor Moore and MDOT have extensive plans to advance the MARC and Amtrak services and capacity. Amtrak has built the next generation of train equipment capable of speeds in the 200 miles-per-hour range. Having past FRA evaluations, Amtrak is testing the new train technology on the Northeast corridor, with the plan to bring this new technology online for customers this year. The train is being designed and built in the United States, by American unions and trades, not imported from overseas as the SCMaglev and its supporting systems. More information on Amtrak’s NEC Future and the status of the second-generation Acela are readily available on the Internet.

The Japanese government intends to invest in the SCMaglev project, thereby becoming a BWRR partner. They will own an as-yet undetermined percentage of this project. Their technology and expertise will anchor the construction and operation of the SCMaglev. They will seek a profit above all and remain in control of the super conducting levitation technology. It is a dangerous situation to allow Japan to own a piece of Maryland’s Northeast Corridor.

We have witnessed other train scenarios, many of which have failed or are being maintained with large government subsidies. The Japanese and all interested parties will no doubt expect to be repaid for their investments in building and operating the train. Then, MD citizens will be strapped to pay for this overblown train project both monetarily and with the environmental consequences as it plows through our communities.

Thank you for this opportunity to provide favorable written testimony. I look forward to SB0079 moving out of committee and advancing.

Sincerely,

*Patricia Jackman
5813 Lamont Drive
New Carrollton, MD 20784*

Testimony SB0079 1.17.2024 SBarnett.pdf

Uploaded by: Susan Barnett

Position: FAV

Date: 1/16/2024

Subject: Written Testimony in Favor of SB0079 – State Finance – Prohibited Appropriations – Magnetic Levitation Transportation System (Cross-file HB0170)

To: Chairman Guzzone, Vice Chair Rosapepe, and Members of the Budget and Taxation Committee,

My name is Susan Barnett and I am writing in support of SB0079, sponsored by Senator Alonzo Washington.

Senate Bill SB0079 would prohibit Baltimore-Washington Rapid Rail (BWRR) from appropriating funds from the state of Maryland to build the proposed SCMaglev transportation system, “providing that the prohibition does not apply to certain expenditures for salaries” of state employees. This exception is in response to Northeast Maglev’s concerns that earlier versions of this bill had unintended consequences in that it would inadvertently tie their hands to work with the appropriate state personnel to acquire permits or other required approvals should the project go forward. By including this provision, the bill should be acceptable to BWRR and the Northeast Maglev.

The state’s transportation funding is facing limitations and funding needs to be allocated toward urgent and practical projects – those that will benefit Maryland citizens – the taxpayers who pay for these projects. The transportation needs of the state and its residents are for effective, affordable, and accessible commuter options – not an overpriced, limited access, train for the wealthy.

BWRR and Northeast Maglev have stated they want to be able to access state funding “if” they need financial funding later in their project. Two points: 1) projects of this size always have cost overruns, and 2) they are currently facing loss of federal funding. These two points will lead BWRR and Northeast Maglev to be knocking on the proverbial “door” of the state Comptroller on a regular basis if this legislation is not passed.

BWRR is currently seeking funding from the infrastructure investment and Jobs Act funds and possibly other grant sources at the federal level. If provided they would use taxpayers’ dollars for a project that will serve the wealthy. Their federal funding has been fully expended at this point. State funds should serve the greater good of Maryland residents and not be used for a frivolous project which will not improve public transit and will be too expensive for the average taxpayer.

My concern is that if this project were to ever “begin” it will run out of funding over and over again, will be over budget continuously, will continuously ask the state for untenable amounts of funding, and the result will be that our financial resources and precious land will be seriously compromised for an unneeded project that will never be completed. And our land – a precious natural resource – will be forever damaged – for ABSOLUTELY NO BENEFIT TO ANYONE.

BWRR will need investors. Indeed, the Japanese government has offered to invest in the project. This puts Maryland at risk of having the Japanese government demanding funds for this project. It would be very important to have legislation to impede this.

In addition, BWRR has not, thus far, been able to demonstrate to the Maryland Department of the Environment (MDE) that the construction of this project will meet MDE's requirements for protecting our waterways – also a precious natural resource.

Much is on the line in this bill. Maryland's financial resources, our natural resources of land and water, and the integrity of our communities. The State needs to prepare for the changing scenarios the Climate Crisis will create for how we work, travel and live; we need to carefully attend to the footprint of projects that the state funds. Based on recent research, the construction of the SCMaglev will generate more greenhouse gases than it will save for likely several decades. We do not have decades to wait for such a "possibility". In addition, the project will destroy hundreds of acres of wild green spaces including a forest preserve, wetlands and wildlife refuge all of which are needed for CO2 storage, clean air and water, and climate cooling. Protecting the state from losing funding for needed transportation and infrastructure projects throughout the state is the best option.

I ask that SB0079 be given a favorable vote and moved out of committee.

Sincerely,

Susan Barnett
12 H Plateau Place
Greenbelt, MD 20770
Tel: 301 474 7465

MCRT for MDE - Comments on SCMaglev Supplemental W

Uploaded by: Susan McCutchen

Position: FAV

Maryland Coalition for Responsible Transit



Supplemental Comments, Concerns, and Questions on the SCMaglev WQC



**Submitted to:
The Maryland Department of Environment**

December 22, 2023



MARYLAND
COALITION FOR
RESPONSIBLE
TRANSIT

December 22, 2023

Maryland Department of the Environment
Attn: Danielle A. Spendiff
Chief, Regulatory & Customer Service Division
Water & Science Administration
1800 Washington Boulevard
Baltimore, Maryland 21230
danielle.spendiff1@maryland.gov

Subject: MCRT Comments on BWRR's Supplemental Documents for the Baltimore-Washington SCMaglev Water Quality Certification Application

In a memo dated September 8, 2023, the Maryland Department of the Environment (MDE) informed Baltimore-Washington Rapid Rail (BWRR) that additional data and reports were needed to complete the Superconducting Magnetic Levitation (SCMaglev) train project Water Quality Section 401 Certification (WQC) application and Tier II Waters Antidegradation report. BWRR belatedly submitted the requested supplemental documentation on November 16, just as the public comment period closed. The submission contains two reports—268 and 547 pages—of highly technical details missing from the original application. The public has been denied sufficient time to access, review, and comment on BWRR's voluminous submission.

The Maryland Coalition for Responsible Transit (MCRT) had already reviewed the original BWRR application and submitted comments on November 9. We found that the applicant's WQC materials significantly understated the negative impacts building and operating the SCMaglev would have on our waterways and watersheds, including the Tier II Beaverdam Creek and Patuxent River (and ultimately the Chesapeake Bay), while overstating the offsetting benefits for building and operating the SCMaglev train system. The MCRT recommended that the MDE deny the permit.

We are now submitting our review and comments on the supplemental documents and specific requests made in the MDE September 8 memo to BWRR. We find that the materials and information provided subsequently by the applicant continue to be woefully inadequate.

The MDE has a critical decision to make on whether BWRR's WQC application and related reports provide sufficient research, substantiated processes, protections, and analysis of environmental and social impacts about the SCMaglev train project, to ensure it would not harm our state's waterways. The MCRT feels it would be a travesty to approve this application with supplemental reports that remain vague and lack binding commitment. BWRR employs language that continues to indefinitely postpone detailed and comprehensive plans, and continually uses qualifiers to avoid assuming responsibility for the proper oversight, management, design, and execution of actions to which they would be held accountable should the project ultimately be approved.

The MCRT finds the supplemental documents that BWRR provided are deficient and misleading in six principal areas:

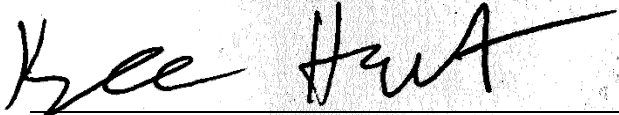
1. Not developing a Concept Stormwater Approach in compliance with the appropriate Federal regulations and using an outdated manual for Environmental Site Design standards.
2. Not correctly and fully understanding, investigating, studying, and reporting on the extent of potential impacts on wetlands that will occur beyond the Limit of Disturbance (LOD).
3. Not representing the negative impact of the guideway access roads as being the impervious surfaces that they are specific to Right-of-Way maintenance protocols.
4. Not providing a full summation and impact of the tunneling work related trips that will be in the millions of vocational truck trips.
5. Not being provided the "Attachment H" for review and comment on the list of current characterizations and planned studies for endangered species and habitats, and the proposed protection measures.
6. Not identifying additional mitigation opportunities, or providing updates on existing mitigation opportunities.

That BWRR's November 16 submission of maps, calculations, and reports was missing from the original application is deeply concerning, and this negligent approach to providing required documentation must not be overlooked. The MCRT strongly maintains that *the MDE should not approve this application* because this project would permanently and negatively impact Maryland waters; BWRR has consistently refused to provide substantiating details of their justification claims; and the stormwater and pollution mitigation approaches, despite the use of volumes of maps, contain noncommittal and indeterminate statements.

Please feel free to contact us should you have any questions about our submission or whether you would like further information about the MCRT and our work. Our website is www.mcrt-action.org. Our email is MCRTaction@gmail.com.

Thank you for your efforts and for considering the critical issues and concerns raised by the MCRT Board and its members in our supplemental submission.

Respectfully,
MCRT Board members



Kyle Hart, Acting President



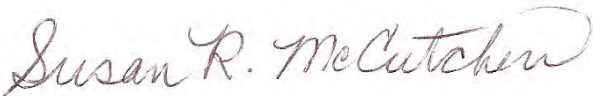
Patricia Jackman, Treasurer



Kathleen Bartolomeo, Secretary



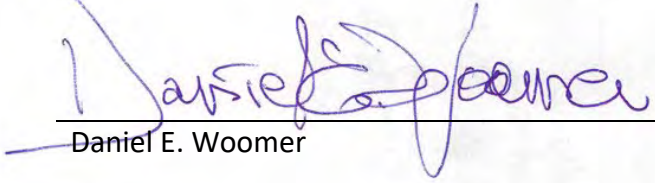
Suzzie Schuyler, Parliamentarian



Susan McCutchen



Rhonda Kranz



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CC:

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I. Additional BWRR WQC Documents and Public Review

The MCRT has been reviewing the additional documents submitted by Baltimore-Washington Rapid Rail (BWRR) on November 16, 2023, in response to the request of the Maryland Department of the Environment (MDE). This information was withheld from the MDE by the permit applicant until the last minute, and, subsequently, was not available to be released to the public in a timely manner. The information contained in the BWRR Concept Stormwater Management (SWM) Approach report is an extraordinary amount of new technical information that was not provided to the MDE at the time of BWRR's permit application for Water Quality Certification (WCQ). The public only had access to BWRR's February 2, 2023, permit application documents to make informed comments.

BWRR should have presented this information with its permit application, as required; however, it was only made available by the intervention of the MDE. That this information was not provided in full to the public until after the October 19, 2023, public hearings is improper and unfair, providing extremely limited time for public review and comment on this complex information with MDE's inflexible deadline for a decision fast approaching (February 7, 2024).

Even with these additional documents from BWRR, important Information on potential impacts to water quality is still not provided. Significant problems remain concerning the application meeting the conditions of the regulations to obtain WQC. Certain required information is provided incompletely, inadequately, or inappropriately for the regulatory requirements to protect Maryland's precious Tier II waters.

II. MDE General Comment

Potential impacts to water quality are of particular concern in areas already overburdened by pollution and for sensitive populations (Refer to the Department's EJ Screening Tool for further information). Additional analysis should be conducted when responding to the below comments to determine whether the project may have disproportionate construction or operational impacts to protected areas of water quality, and any additional best management practices (BMPs) or mitigation measures that may be implemented for unavoidable impacts.

I. BWRR's response to MDE General Comments

BWRR recognizes the importance of considering the potential for disproportionate construction or operational impacts to water quality in areas already overburdened by pollution and for sensitive populations. BWRR has reviewed MDE's EJ Screening Tool, and a response to this comment along with mapping of areas that have an EJ score in the 75th percentile or higher can be found in Attachment A.

Document: 11-16-23 BWRR Compiled Comment Response Package.pdf (228 pages)
Attachment A: General Comment – Page 7 of 228

II. MCRT Response to MDE General Comments

In general, much of BWRR's response is full of possible approaches and void of commitment to carry them out, despite the applicant having more than sufficient time to provide the details. Basically, BWRR glosses over the impacts to EJ communities and the environment and provides answers lacking the needed (and required) detailed content, comprehensive plans, and commitment. It is striking that instead of describing the actions BWRR will commit to take to achieve the best results for the communities, citizens, and environment, the applicant continues to be vague and continually kicks the can down the road with bromides (to placate the reviewer) that they will employ best management practices without identifying them in express detail and purpose of choice), work with government agencies at later dates, and perform required duties "to the extent possible or feasible."

The answers they provide throughout do not bind BWRR to what it *shall* do. It is written as BWRR intends, using words such as "would," "could," or "may." Instead, "shall" indicates future actions, obligations, or intentions. "Would" is used in hypothetical situations that do not indicate a firm commitment. By virtue of not providing solid answers about promised actions, BWRR has demonstrated that they are not committed to protecting Maryland's EJ communities or waters.

In the section that is an answer to MDE's general comments, BWRR's response is a non-response and does not commit to doing or changing anything. They use words like "minimize" and "consider" and do not say what, if any, erosion and sediment controls will be implemented.¹ This reply is vacant of any meaning; BWRR can ultimately implement, or not implement anything they choose given this response. This is a pattern throughout the document. The lack of this required detail demonstrates a clear focus only on building this project, and not on building it with the best interests of the Maryland's water or residents in mind. BWRR also states:

"A Conceptual Mitigation Plan (CMP) was prepared and updated in April 2021, and will be updated and revised during the National Environmental Policy Act (NEPA) Final Environmental Impact Study (FEIS) phase and as the design advances. A Final Mitigation Plan (FMP) will be prepared prior to permit decisions for an MDE Nontidal Wetland permit and the U.S. Army Corps of Engineers (USACE) Section 404 permit."²

It is interesting that should a substantial structure be built, the architectural plans are described almost down to each bolt and nail that would be required and provided. Yet, *again*, BWRR pushes water quality management decisions and mitigation beyond the permit decision date, obfuscating a final design that will most certainly have a direct impact on the Tier II waters and environment.

¹ MDE SCMaglev WQC Permit Application. 11-16-23 BWRR Compiled Comment Response Package. General Comments. Page 10 of 228.

² *Id.*

The MCRT has raised several issues in its comments on the BWRR Draft Environmental Impact Statement (DEIS) and the MDE WQC permit that the applicant has not bothered to address. An example of this is completely ignoring the impact of hundreds of thousands of diesel dump truck trips to haul spoil materials to a yet to be identified spoil disposal site and the resulting cumulative particulate air pollution, polycyclic aromatic hydrocarbons³ (PAHs), and other pollution from highway surface runoff into the Anacostia, Patuxent, and other Chesapeake Bay (Bay) tributaries. The effect on EJ communities and the water quality of tributary waterways, rivers, and the Bay itself is not negligible. Similarly, it was not addressed in the WQC Permit Application Exhibit I: Construction Planning Memorandum, which provided information on the dump trucks and which would be considered vocational Heavy-Heavy-Duty (HHD), that would be hauling the tunnel “muck” or spoils, or the Heavy Duty (HD) equipment and supply delivery vocational trucks. This holds true for a cumulative assessment of the impact on both EJ communities and water quality of the Patuxent River downstream from the project site.

After thoroughly reviewing BWRR’s mitigation plan in its previously submitted MCRT WQC submission, the MCRT determined that BWRR *cannot* meet the requirements for mitigating the damage done to the Beaverdam Tier II watershed. In the Patuxent Tier II plan there also appeared to be several specific problems with the properties chosen and *none* of these property owners have given BWRR a commitment or contract and, thus, some are unlikely to. But much more concerning is that BWRR intends to put their industrial facility in the middle of federally protected lands in a protected landscape. And even though mitigation cannot replace the biological and hydrological losses on the original sites, they cannot even meet this very low bar of providing detailed and comprehensive plans. Beaverdam Watershed is unbuildable for this sort of project and the permit should be primarily denied on this fact.

III. MDE Comment #1, MDE Comment #5, and MDE Tier II Waters Comment #1

I. MDE Comment #1

The MDE WQC Request memo dated February 7, 2023, (WQC Memo) states that local discharge points were identified based on likely locations of surface flow leaving the project area and entering receiving waters. While some discharges have been identified, it is required that the requestor identify the location and nature of any potential discharge that may result from the proposed project and the location of the receiving waters.

³ Polycyclic aromatic hydrocarbons (PAHs) are a class of chemicals that occur naturally in coal, crude oil, and gasoline, and result from burning these and other organic materials. PAHs are persistent organic pollutants (POPs) that can migrate over long distances and have carcinogenic, teratogenic, mutagenic, and other toxic effects. [PAHs in air pollution are mainly bound to particulate matter and are associated with increased cancer incidence in exposed populations](#). Centers for Disease Control and Prevention. [Polycyclic Aromatic Hydrocarbons \(PAHs\) Factsheet | National Biomonitoring Program | CDC](#). Retrieved December 20, 2023.

- Please provide a complete and accurate characterization of discharges, their locations, and project impacts resulting from: all direct fill in regulated resources; clearing and grading in regulated resources; discharges from stormwater outfalls; stormwater which may bypass treatment facilities (including runoff from the entire length of the viaduct and any permanent or temporary storage or maintenance facility or access roads); structures such as piers or culverts; specific stockpile locations and disposal sites for excavated or other material; inadvertent discharges to surface or groundwater from construction, operation, and maintenance facilities; and any of these activities or project elements which may enter a regulated water while not originating in a regulated resource.

II. BWRR's response to MDE Comment #1

The Project was re-evaluated to include a complete and accurate characterization of all discharge points and locations based on the current level of design. See Attachment B for an updated set of WQC Plan Sheets which includes the additional discharge points (shown and labeled as POI/LOI). Additional Comment #1 items are address in other comment responses including areas of stormwater treatment and bypass (see Comment Response #5) and potential inadvertent discharges from construction, maintenance, and operations (see Comment Responses #3 and 4).

Document: 11-16-23 BWRR Compiled Comment Response Package.pdf (228 pages)

Attachment B: Comment 1 – Page 47 of 228

III. MDE Comment #5

The request for WQC notes that several permits related to water quality will be requested later in the design process - e.g., Stormwater Management Plan and Erosion and Sediment Control Plan approvals, the 20-CP National Pollutant Discharge Elimination System (NPDES) General Permit for Stormwater Discharges Associated with Industrial Activity, as may be required. The information provided in the Certification request is limited to demonstration that sufficient footprint exists to construct stormwater BMPs and gives a description of stormwater discharge points and gives a summary of BMP treatment recommendations (underground storage, surface treatment, etc. In addition, the Certification request (Exhibit H) states that drainage scuppers may be utilized for the viaduct section to disperse runoff in the air, presumably avoiding the need for additional BMPs. For significant projects of this type and scale, a request for Certification should include a concept-level Stormwater Management Plan that has been submitted and reviewed by the appropriate authority, thereby demonstrating how Maryland's water quality standards are minimally and conceptually planned to be met. While MDE acknowledges not all state or other required authorizations must already be obtained in order to review a Certification request, a statement that the requestor will obtain them later is also not sufficient demonstration of a project's demonstration that water quality standards will not be violated.

- Please provide a Stormwater Management Plan concept design, or otherwise identify specific additional information and BMPs which adequately demonstrate Environmental Site Design to the Maximum Extent Practicable and compliance with state requirements related to stormwater and erosion and sediment control.

IV. BWRR Response to MDE Comment #5

See Attachment F for a Stormwater Management Concept Approach Report which identifies specific ESD/BMPs which can be implemented to show compliance with state requirements related to stormwater and erosion and sediment control.

Document: 11-16-23 BWRR Compiled Comment Response Package.pdf (228 pages)
Attachment F: Comment 5 – Page 150 of 228

V. MDE Tier II Waters Comment #1

Section 1.2.2.4 of the March 1, 2022, Social and Economic Justification (SEJ states that “all new impervious surfaces are fully mitigated.” Until stormwater management plan documentation is provided to support that all new impervious surfaces within the Tier II watershed will be treated using environmental site design (ESD) practices, conservatively, the Tier II review will consider the 204 acres of impervious surfaces in Beaverdam Creek 2 and the 18 acres of impervious surfaces in Patuxent River I as untreated (by ESD). These additional acres have increased total impacts in Beaverdam Creek 2 to 461 acres, and 84 acres in Patuxent River 1.

VI. BWRR Response to MDE Tier II Waters Comment #1

BWRR is working towards providing a Concept Stormwater Approach report in response to Comments #1 and #5 above and in Attachments B and F. The overall approach addresses proposed stormwater BMP's using ESD to the maximum extent practicable in Tier II watersheds. The BMPs in Beaverdam Creek 2 and Patuxent River 1 are depicted on PP-52 to F-20 and PP-56 to PP-59 in Attachment B, respectively. BWRR anticipates that 50% of new impervious surface will be treated with ESD in the Beaverdam Creek 2 watershed. All new impervious surface in the Patuxent River I Tier II watershed will be treated using ESD. BWRR is actively re-assessing to obtain ESD to the maximum extent practicable in this watershed, and the Tier II reports will be revised to reflect the proposed Concept Stormwater Approach.

VII. MCRT Response to MDE Comment #1, MDE Comment #5, MDE Tier II Waters Comment #1

The MDE asked BWRR to submit a stormwater management (SWM) plan concept design based on the proposed rail facilities treating stormwater to the “maximum extent practicable” (MEP). For Comment #5, BWRR has submitted such a concept design report in its response to the MDE. BWRR answered this and Comment #1 together, as indicated above. However, both the request and response are inaccurate in several respects.

First, the proposed project is an industrial facility with large areas of impervious surfaces discharging from multiple locations to Maryland and U.S. waters. Thus, the project must comply

with 33 U.S.C. §§ 1311 and 1342(p)(3)(A), not the MEP standard as used in subsection (p)(3)(B) for municipal separate storm sewer systems (MS4s). Moreover, as the MDE notes in its comment, BWRR suggests that it will apply for a 20-CP NPDES General Permit Associated with Industrial Activity. Such a permit is not applicable to a project of this size and amount of stormwater discharge, especially to Tier II waters as noted in the MCRT's first comment submission.

If the MDE grants a WQC, which the MCRT opposes, BWRR must seek an individual discharge permit that meets Technology Based Effluent Limitation Standards (TBELS), 40 C.F.R. Part 438, Sector P (see also, EPA Industrial Stormwater Fact Sheet and reference to removal of PFAS), and Water Quality Based Effluent Limitation Standards, 40 C.F.R. §§ 122.26(b)(14)(viii)(railroad transportation); 125.3; 131.12, if TBELS are not sufficient. 33 U.S.C. § 1311(b). See also, the pending legal challenge to and reconsideration of the MDE's Industrial Stormwater General Permit 20.

Second, in its SWM concept design, BWRR relies on the MDE's outdated Environmental Site Design standards. The MDE's stormwater design manual was written in 2000 and revised in 2009. It relies on rainfall data and techniques that are in some cases more than two decades old. Recent data establish that rainfall events in Maryland are more frequent and of greater intensity and duration than when the manual was published and updated. (See the Mid-Atlantic Regional Sciences and Assessments (MARISA) project at www.midatlanticrisa.org.) For example, Projected Intensity-Duration-Frequency (IDF) Curve data for Beltsville shows the projected increase in rainfall IDF from Atlas 14 data, which BWRR has relied on.

According to an article by Milley and Niel (October 2021):

“Over the past 20 years, rainfall, flooding, and sea level have increased across Maryland, according to data collected from the National Oceanic and Atmospheric Administration (NOAA). From 2000 to 2020, precipitation in Maryland increased by 2.63 inches per decade, according to NOAA. The administration also found the Northeast Atlantic region saw 100 to 150 percent more flood days in 2020 than in 2000.”⁴

The authors also referred to increased precipitation:

“Across the northeast United States, precipitation has become more frequent and heavier, a trend that is projected to continue throughout the 21st century, according to the 2017 Climate Science Special Report. Precipitation is especially heavy in counties surrounding the Chesapeake Bay. When evaluating precipitation by year, coastal

⁴ Milley, Devon and Niel, Clara. “Maryland is seeing an increase in precipitation, sea level and flooding.” *Capital News Service*. October 13, 2021. [Maryland is seeing an increase in precipitation, sea level and flooding – CNS Maryland](https://www.wtop.com/news/maryland-is-seeing-an-increase-in-precipitation-sea-level-and-flooding-cns-maryland/). Retrieved December 17, 2023.

counties were consistently among those with the most precipitation over a 20-year period, according to the Capital News Service (CNS) analysis of data from NOAA.”⁵

Because BWRR’s concept design is based on outdated data, its proposed stormwater controls will be insufficient to address projected rainfall IDF. Thus, if constructed, many (if not all) of the proposed stormwater BMPs will be insufficient to protect downstream water quality in violation of the Chesapeake Bay Total Maximum Daily Load, the Clean Water Act, 33 U.S.C. § 1313, and Maryland law. Given that fact, the MDE should not grant BWRR WQC for the project.

IV. MDE Comment #2

[BWRR’s] NEPA DEIS Exhibit D, page 7-86 notes the potential for both direct and indirect impacts (E.g., including dewatering, altering hydrological connections and habitat, introduction of invasive species) to occur past the limit of disturbance (LOD) without significant minimization or mitigation. The extent of these potential impacts is not described in the WQC request so that the Department may determine whether or not water quality standards will be met, and what measures may be needed to ensure compliance with water quality standards.

- Please identify the nature and extent of impacts that may occur beyond the LOD

I. BWRR Response to MDE Comment #2

BWRR reviewed the Project to determine the potential for impacts such as dewatering, alteration of hydrologic connections and habitat and introduction of invasive species to occur outside the Project LOD. See Attachment C for further details on the nature and extent of these potential impacts.

Document: 11-16-23 BWRR Compiled Comment Response Package.pdf (228 pages)
Attachment C: Comment 2 – Page 104 of 228

II. MCRT Response to Comment #2

In their response, BWRR states:

“Of these 59 wetlands, 35 were determined to have no potential impact beyond the LOD, 20 were determined to have potential impacts beyond the LOD where BMP would be applied, and four were determined to have permanent loss of the remaining wetland beyond the LOD. The following is a summary of the methods used to evaluate potential direct or indirect impacts that may occur past the LOD.”⁶

This is a very specific tally of wetlands in various impact categories. However, in the next few paragraphs, BWRR goes on to demonstrate that they really do not know what the impacts will be and, by their own admission, need to study this further to properly classify the damage.

⁵ *Id.*

⁶ MDE SCMaglev WQC Permit Application. 11-16-23 BWRR Compiled Comment Response Package. General Comments. Page 105 of 228.

BWRR has therefore negated their own ability to provide an accurate reckoning of wetland damage. They should have either indicated that they cannot categorize damage to these wetlands or admit they need to carry out the studies to be able to assess the damage. BWRR has done neither and clearly cannot identify the extent to which these wetlands will be damaged.

BWRR has not provided firm plans of what they *shall* commit to doing. They have identified approaches that can be done, which can be applied to a wide variety of circumstances and conditions, but they have *not committed to what they will do* in the known circumstances and conditions of their construction and operational practices. This is another example of giving nondeterminative answers to the basic requirements of the permit. More examples of BWRR statements are provided below:

“As the SCMAGLEV design advances, BWRR would further consider planning or design measures intended to minimize impacts to and preserve areas adjacent to the construction or operation. Further, BWRR intends to continue coordination with agencies, landowners, and stakeholders in identifying BMPs to avoid and/or minimize direct/indirect and both on site and off-site impacts.”⁷

“Below is a compilation of actions that would be incorporated into the design to prevent hydrologic changes off-site; these will be further evaluated and implemented as design advances. BWRR does not anticipate dewatering beyond the LOD. More detail on the dewatering operations that will occur at large excavation sites, such as the tunnel portals, is provided in Response 4.”⁸

Note the use of the words “would” and “intends.” Again, these actions should have already been planned out. How can a permit on the ability to maintain water quality be granted to BWRR when the applicant cannot, or will not, provide answers on how they promise to do that?

BWRR also comments on invasive species measures: “The following minimization and mitigation measures will be considered and implemented, as appropriate and to the extent feasible, to minimize the potential for invasive species impacts outside of the LOD: 1.”⁹ Of concern is the double qualifier sentence clause: “*as appropriate and to the extent feasible . . .*”

V. MDE Comment #3

Certification of projects also requires the Department to consider discharges related to operation of facilities after construction. The WQC memo states that BWRR will implement practices for safe storage and use of chemicals and develop a Stormwater Pollution Prevention Plan when required. Potential operational discharges need to be clearly identified as part of the

⁷ *Ibid.* Page 106 of 228.

⁸ *Id.*

⁹ *Ibid.* Page 107 of 228.

WQC request as future activities can have deleterious effects on water quality. Right-of-Way maintenance protocols (for structural elements, as well as vegetation management) and proposed deicing plans must be identified.

- Please provide details regarding potential operational impacts to water quality as described above.

I. BWRR Response to MDE Comment #3

The operations of the SCMAGLEV system that may have effects on water quality have been reviewed and summarized in a memorandum that is included in Attachment D. This memorandum discusses the maintenance operations along the elevated viaduct and at the train maintenance facility.

Document: 11-16-23 BWRR Compiled Comment Response Package.pdf (228 pages)

Attachment D: Comment 3 – Page 114 of 228

II. MCRT Response to MDE Comment #3

Regarding right-of-way maintenance protocols, BWRR states: “A proposed maintenance road is provided under the elevated viaduct to inspect the structure and provide vehicular access to the SCMAGLEV systems sites.”¹⁰

The referenced maintenance roads to be located under the elevated viaducts do not appear to be included on the maps in Attachment D, and it is not shown how the maintenance roads would be accessed. Many sites do not have access, particularly on the refuge and off the Baltimore-Washington Parkway. Each of these maintenance and access roads needs to be drawn and documented, and stormwater plans need to be written up specific to each road and stream crossing.

BWRR primarily speaks of installing culverts and indicates that they consider many of these access roads to be temporary. However, the roads cannot be temporary because the guideway must always be able to be accessed in case of accidents, for maintenance and inspection. These are permanent structures that need to be added to the impervious surface lists and these new numbers need to be added to the “mitigation” of the project.

VI. MDE Comment #4

Potential impacts to groundwater are considered in the review of tunneling activities and underground construction as these may result in discharges to drinking water aquifers and wellhead protection areas or to surface waters in the event of inadvertent returns of material. The DEIS (Affected Environment, Environmental Consequences and Mitigation, page 4.10-30) states that groundwater modeling will be conducted during final design and permitting to

¹⁰ *Ibid.* Page 115 of 228.

quantify potential effects. The WQC request includes a Construction Planning Memorandum as well as a Tunneling Memorandum with descriptions and narrative details related to construction methods including tunneling and excavation activities, including statements that adverse impacts will be minimized through implementation of contractual requirements and specifications, but does not appear to incorporate project-specific modeling. Detailed plan and profile drawings identifying discharge locations (including from pumping operations) are necessary to determine potential impacts, and all regulated resources must be shown in areas where tunnels or subsurface construction is proposed.

- Please provide any additional plans or modeling developed since the time of the WQC request, as well as construction specifications and/or contractual requirements that will be utilized to protect groundwater resources particularly in sensitive areas.
- As referenced in the Tunneling Memorandum, please provide specific protocols for addressing inadvertent returns (including notification procedures and contingency restoration measures) based on sensitive areas and ground conditions identified around the alignment.

I. BWRR Response to MDE Comment #4

Contractual requirements and specific protocols that would be implemented to ensure that tunneling activities and underground construction have minimal effects on water resources have been summarized in a memorandum that is included in Attachment E. This memorandum includes sketches outlining the construction operations that are likely to occur at major excavation sites such as the project's three tunnel portals.

Document: 11-16-23 BWRR Compiled Comment Response Package.pdf (228 pages)
Attachment E: Comment 4 – Beginning on page 128 of 228

II. MCRT Response to MDE Comment #4

In their response, BWRR states: “Information used and developed to delineate WHPAs can be a valuable source of information for developing an understanding of the specific resource that requires protection.”¹¹ BWRR did not state that the information “will” be used, just that it “could” be used.

BWRR also states: “After identification of the groundwater resources and users, and working closely with MDE, the BWRR will determine whether additional hydrogeological investigations are required along the project alignment. Hydrogeologic investigations may include one or more of the following activities:”¹² It seems convenient for BWRR that they are going to decide whether additional investigations are required, and that they “may” include certain activities.

¹¹ *Ibid.* Page 131 of 228.

¹² *Id.*

Further, BWRR provides another noncommittal response:

“If necessary, and again working closely with MDE, BWRR may develop one or more two dimensional or three-dimensional numerical groundwater flow and/or fate and transport models (e.g., ModFlow, MT3D) for use in evaluating the potential effects of tunneling and underground construction on groundwater resources. The models may also be used to design mitigation measures to protect groundwater resources.”¹³

Regarding tunneling issues and the impact on water quality, the matter of how BWRR will deal with the spoils (muck) material has not received adequate attention. The MCRT consolidated the number of truck trips that were represented in numerous tables in the WQC application documents and included this information in our initial comments to the MDE. The number of trips for dump trucks (considered HHD, vocational trucks), equipment delivery trucks (considered either HHD or HD vocational trucks), and other work-related trips is staggering. The impact alone on local infrastructure, fuel pollutant emissions, and for quality of life in EJ neighborhoods is going to be very high.

Below is a table providing totals of work-related trips specific to each type of facility/infrastructure to be constructed. The information was extrapolated from BWRR’s WQC Exhibit I: Construction Memorandum, tables 6 (pp. 15-16), 8 (pp. 18), 13 (pp. 30), 15 (pp. 31), 19 (pp. 39-40), 22 (pp. 45), 26 (pp. 47), and 28 (pp. 48).

Total Work-Related Facility/Infrastructure Construction Trips

Construction Type	Est. Total Vocational Truck Trips	Est. Total Worker Related Trips	Est. Total All Trips
FA/EE Shaft, TBM Launch/Retrieval	202,125	195,000	397,125
Tunnel Boring	1,027,031	643,125	1,670,156
Viaduct (Guideways)	148,500	297,000	445,500
TMF Ramp (TMF Access)	39,400	56,300	95,700
Station (DC, BWI, Baltimore)	1,087,500	645,000	1,732,500
Portal (Tunnel/Surface Transition)	179,875	224,250	404,125
TMF (Train yards)	195,000	292,500	487,500
Substation (Electrical)	18,000	300,000	318,000
Total Trips	2,897,431	2,653,175	5,550,606

It should be noted that the Estimated Total Vocational Truck Trips for the spoils are for the hauling of spoils from the tunnel to an assumed and yet-to-be-identified “disposal facility within 20 miles.”¹⁴

¹³ *Ibid.* Page 132 of 228.

¹⁴ Draft Environmental Impact Statement. Appendix D.9. Air Quality Technical Report. Page D.9-53.

There also does not appear to be any overall estimate of these impacts to the water quality of the Patuxent River downstream from the project site. This concern has been raised, but it seems that because the project design and its impacts are chopped up into increasingly smaller areas of impact, there is no need to carry out any cumulative assessment, except for Tier II waters. A project of this magnitude should be required to show cumulative impacts to water quality.

VII. MDE Comment #7

The project has the potential to impact a number of sensitive species, including aquatic species such as fish and freshwater mussels as well as wetland-dependent species. The Certification request is missing current characterizations or planned studies of State and federally listed potential endangered species and habitat, threatened species, or rare, threatened, or endangered species in Maryland and/or species in need of conservation at both project and mitigation sites, and the measures planned for their protection.

- Please provide information related to studies and proposed protection measures as described above.

I. BWRR Response to MDE Comment #7

BWRR assembled agency correspondence to provide current species characterizations and compiled the many protection and mitigation measures outlined in the DEIS. See Attachment H for a list of planned studies and proposed protection measures.

Document: 11-16-23 BWRR Compiled Comment Response Package.pdf (228 pages)
Attachment H: Comment 7 – Page 7 of 228

II. MCRT Response to MDE Comment #7

The MCRT did not have access to Attachment H and therefore was unable to review any documentation specific to this question.

VIII. MDE Tier II Waters Comment #2

Update the list of additional mitigation opportunities that have been identified since March 1, 2022, the date of the last SEJ update.

I. BWRR Response to MDE Tier II Waters Comment #2

BWRR has not identified any additional opportunities since the SEJ was submitted. BWRR will further evaluate additional mitigation opportunities as the Project advances to the NEPA FEIS phase and as the design advances.

II. MCRT Response to MDE Tier II Waters Comment #2

The question is focused on additional mitigation opportunities; however, BWRR explicitly stated that there are no additional mitigation opportunities. BWRR also did not provide any updates about the previously identified mitigation opportunities.

MAGLEV Testimony_TJames 01172024.pdf

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Position: FAV

Town of Bladensburg

Council Members

Ward I

Trina Brown

Kalisha Dixon



Mayor

Takisha James

Council Members

Ward I

Marilyn Blount

Carrol McBryde

January 16, 2024

The Honorable Senator Guy Guzzone
Chairman
Budget & Taxation Committee
Miller Senate Office Building
3 West
Annapolis, MD 21401

Re: Town of Bladensburg Support of SB 0079: State Finance - Prohibited Appropriations - Magnetic Levitation Transportation System

Dear Chairman Guzzone,

My name is Takisha James, and I serve as Mayor of Bladensburg, located in Prince George's County, Maryland. I want to thank you for the opportunity to submit testimony in favor of Senate Bill 0079, cross-filed in the House as HB 0170 State Finance - Prohibited Appropriations – Magnetic Levitation Transportation System. I am writing today on behalf of the Town Council and our nearly 10,000 residents to ask for your support of SB 0079, which Senator Washington sponsors.

The Town of Bladensburg lies directly along the proposed Superconducting Magnetic Levitation (SCMaglev) system route from Washington, DC to Baltimore. While my community has several concerns around safety, human and environmental impacts, and long-term impacts on our historic buildings, which date back to the 1700s, as well as recently constructed buildings and homes, we understand this train may come to fruition. With this in mind, I ask you to strongly consider protecting Maryland taxpayers from the unknown financial risks that can arise with such a project like this. The project developer, Baltimore-Washington Rapid Rail, has communicated publicly and repeatedly that this project will be privately funded and not rely on government funding.

The truth is this project has already benefitted from taxpayer dollars, with the U.S. Department of Transportation (USDOT) award of \$27.8 million by the Federal Railroad Administration (FRA). To build public trust in the developer, it would be most helpful for them to also testify in support of SB 0079. This would be a strong demonstration of their integrity and show taxpayers that we can trust them and give credence to their claim that we will never be expected to foot the bill for this project at any time. On behalf of our community, I am asking you to help ensure the project developer keeps their word by moving this bill forward during the current legislative session.

The strength of the American economy is in allowing the consumer market to dictate which businesses succeed or fail. Looking through the lens of history, there have been times when we have witnessed the unthinkable. In 2008, for example, the federal government had to bail out the auto industry and Wall Street banks with billions of taxpayer dollars. The reality is that unimaginable situations can happen, and the unexpected does occur.

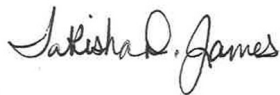
The automobile and banking industries have had deep roots in the American economy for over 100 years, and many of those years have been hugely profitable. To see these well-established industries proven vulnerable when crisis strikes should serve as a lesson to us. In learning from these examples, I have to question how a newly-introduced technology that has not yet experienced success in the U.S. market can stand on its own and guarantee profits in the future.

This bill does not delve into whether one is for or against the SCMaglev. For Maryland, it simply ensures our tax dollars will not be spent for any phase of this project. I believe elected officials must protect our residents from future financial hardship with a project like the SCMaglev. SB 0079 will go a long way toward protecting residents of the Town of Bladensburg, Prince George's County, and the entire state of Maryland by ensuring taxpayers are not left with a financial deficit should the developer decide to walk away from it or be unable to continue funding it in the future.

I want to thank each committee member for the opportunity to express my support for this legislation. I also want to applaud Senator Washington for his leadership in seeking to codify and for bringing this issue back again to the committee for action and for the protection of Maryland residents. Again, I ask the committee to please support SB 0079.

Thank you.

Sincerely,

A handwritten signature in cursive script that reads "Takisha D. James".

Takisha D. James
Mayor, Town of Bladensburg

SB 0079 Greenbelt Submitted Testimony.pdf

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Position: FAV

CITY OF GREENBELT, MARYLAND

25 CRESCENT ROAD, GREENBELT, MD 20770



CITY COUNCIL

Emmett V. Jordan, Mayor
Kristen L.K. Weaver, Mayor Pro Tem
Danielle McKinney
Jenni Pompei
Silke I. Pope
Rodney M. Roberts

January 16, 2024

Maryland Senate and House Members:

On behalf of the City of Greenbelt, I offer this written testimony in support of SB0079.

The proposed SCMAGLEV project has raised significant concerns, particularly around the misallocation of Maryland's state resources which could otherwise improve existing transportation services. Transparency issues regarding the project's financial sustainability, erroneous environmental impact statements, and potential environmental degradation have been highlighted. Additionally, the project's energy inefficiency and unlikely congestion relief are at odds with Maryland's current \$3.3 billion DOT budget shortfall and essential public services. Overall, the project's purported benefits are overshadowed by its financial and ecological implications.

More specifically;

1) State Resources Would Better Support Existing Rail Service. Any state resources that are proposed to support the MAGLEV project would be far better spent on sustaining and improving existing rail and local transit services. These services include High-speed Amtrak service, the MTA, MARC trains, and WMATA (metro) providing far greater benefits to Marylanders in terms of access and affordability. Much of the access and benefits not proposed to be supported by the MAGLEV project. Substantial public investments to sustain and improve these services will be required in the coming years. Funding for these services; funding for bicycle & pedestrian connections, and ways to move commuters to our transit hubs are the best place to put taxpayer resources.

2) Incomplete Information and Transparency on Public Information. The information presented to the public about the MAGLEV so far does not show operating and maintenance costs offsetting revenues. There are a number of significant unanswered questions remaining regarding the financial viability of the project. Further, while the project was touted as a private venture where no public funds were to be requested, it appears that public funding will be sought after. We feel that if the project is financially viable, then it should be supported operating revenues and private investment, not needing public monies.

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3) The Draft Environmental Impact Statement (DEIS) Flawed. The Federal Railroad Administration released a Draft Environmental Impact Statement for the project in 2021. The City performed a thorough review of the project that uncovered a significant number of errors and omissions. An example of one such error is the project's ridership estimates and related projections (including travel time savings, induced travel, and reliability benefits) are grossly over-inflated, leading to further inflation of estimated congestion relief and projected revenues.

4) Anticipated Damage to the Environment and Natural Ecosystem. The MAGLEV project would also destroy sensitive environmental resources and habitats. Including impacting rare, threatened and endangered species and eliminating vast swaths of tree canopy that are treasured by Marylanders. The project could impact nearly 89 acres of wetlands and up to 30 acres of Maryland Nontidal Wetlands of Special State Concern (NTWSSC). These wetlands have exceptional ecological or educational value of statewide significance. The impacts to the NTWSSC located in the Greenbelt Forest Preserve along Goddard Branch are of particular concern to Greenbelt.

5. Maryland Department of Transportation \$3.3B Deficit. This year the Maryland Department of Transportation is dealing with a \$3.3B budget shortfall. To solve this shortfall, the Department will cut roughly \$1 billion from its operating budget. Another \$2 billion will be cut from its capital budget. Local governments will see a \$400 million reduction - monies that are critical to local government providing safe roads and sidewalks for our residents and visitors. And while we recognize that the MAGLEV funding may be a few years off, the Transportation Secretary is quoted as saying "This is not a new problem for our state." The state cannot afford to provide public funding for what has been touted as a private venture, to the detriment of state operations, road/infrastructure and critical local support.

6. The Project Will Not Relieve Congestion. Norman Marshall, President and founder of Smart Mobility, Inc., who assisted Greenbelt with its review, stated, "The supposed congestion relief for non-SCMAGLEV travelers will not materialize. Instead, construction of the SCMAGLEV will create a two-tier system with a fast ride for the affluent and negative consequences for everyone else." The DEIS overestimates travel time savings and reliability benefits by a factor of five or more. Three-quarters of the purported economic benefits of SCMAGLEV are travel time and reliability benefits and these are overestimated by a factor of 15 or more. The other significant economic benefits calculations in the DEIS rest both on inflated ridership and on unreliable vehicle miles traveled (VMT) multipliers.

7. The Project Is Not "Green" and Energy Friendly. The project is not "green" nor energy efficient as suggested. It will increase energy consumption by the equivalent of approximately 88,900 homes per year during operations. It is unclear if the regional transmission organization will be able to meet this increased need or what the impacts on reliability and consumer prices may be. This energy demand concern is exacerbated by the fast growth in EV charging needs throughout the state putting additional demands on the electric grid. However, the use of EVs

by our residents has a much greater impact on improving environmental quality and the quality of life of our resident and City.

8. MDE Denial of BWRR Water Quality Certification. MDE recently completed their review of BWRR's water quality certification with a denial. MDE explains that it lacks sufficient information to determine whether the MAGLEV project will meet Maryland's water quality standards and therefore intends to deny the certification. It mentions, among other things, uncertainty as to the final design of the project, missing information about anticipated discharges and their impacts, and deficiencies in stormwater design and the Social and Economic Justification, which are issues

In summary, State resources that could potentially be allocated to the MAGLEV project in the future would be better spent on improving existing rail and local transit services, providing support to Maryland roads and infrastructure and supporting local governments and the services that residents depend on. Maryland taxpayer resources should not be appropriated for a MAGLEV System that undermines the natural resources so many Marylanders are fighting trying to preserve.

On behalf of the City of Greenbelt, we urge you to support SB0079

Sincerely,

A handwritten signature in black ink that reads "Emmett V. Jordan". The signature is written in a cursive, flowing style.

Mayor Emmett Jordan

Written Testimony in Favor of SB0079.pdf

Uploaded by: Tom Taylor

Position: FAV

**Subject: Written Testimony in Favor of SB0079 – State Finance – Prohibited Appropriations –
Magnetic Levitation Transportation System (Cross-file HB0170)**

To: Chairman Guzzone, Vice Chair Rosapepe, and Members of the Budget and Taxation Committee,

My name is Tom Taylor. I am writing in support of SB0079, sponsored by Senator Alonzo Washington.

Description of Bill:

Senate Bill SB0079 would prohibit Baltimore-Washington Rapid Rail (BWRR) from appropriating funds from the state of Maryland to build the proposed SCMaglev transportation system, “providing that the prohibition does not apply to certain expenditures for salaries” of state employees. This exception is in response to Northeast Maglev’s concerns that earlier versions of this bill had unintended consequences in that it would inadvertently tie their hands to work with the appropriate state personnel to acquire permits or other required approvals should the project go forward. By including this provision, the bill should be acceptable to BWRR and the Northeast Maglev.

For my testimony, I would like to make the following points:

- The state’s transportation funding is facing limitations and funding needs to be allocated toward urgent and practical projects – those that will benefit Maryland citizens – the taxpayers who pay for these projects. The transportation needs of the state and its residents are for effective, affordable, and accessible commuter options – not an overpriced, limited access train for the wealthy.
- BWRR and Northeast Maglev have stated they want to be able to access state funding “if” they need financial funding later in their project. Two points: 1) projects of this size always have cost overruns, and 2) they are currently facing loss of federal funding. These two points will lead BWRR and Northeast Maglev to be knocking on the proverbial “door” of the state Comptroller on a regular basis if this legislation is not passed.
- BWRR is currently seeking funding from the infrastructure investment and Jobs Act funds and possibly other grant sources at the federal level. If provided they would use taxpayers’ dollars for a project that will serve the wealthy. Their federal funding has been fully expended at this point. State funds should serve the greater good of Maryland residents.
- My concern is that if this project were to ever “begin” it will run out of funding over and over again, will be over budget continuously, will continuously ask the state for untenable amounts of funding, and the result will be that our financial resources and precious land will be seriously compromised for an unneeded project that will never be completed. And our

land – a precious natural resource – will be forever damaged – for ABSOLUTELY NO BENEFIT TO ANYONE.

- Currently the NEPA process has been paused on this project. Significant work needs to be done to move this project to the next level. But the federal funding to allow this is not in place.
- BWRR will need investors. Indeed, the Japanese government has offered to invest in the project. This puts Maryland at risk of having the Japanese government demanding funds for this project. It would be very important to have legislation to impede this.
- In addition, BWRR has not, thus far, been able to demonstrate to the Maryland Department of the Environment (MDE) that the construction of this project will meet MDE's requirements for protecting our waterways – also a precious natural resource.
- Much is on the line in this bill. Maryland's financial resources, our natural resources of land and water, and the integrity of our communities.
- The State needs to prepare for the changing scenarios the Climate Crisis (projected for 8-9 years from now) will create for how we work, travel and live; we need to carefully attend to the footprint of projects that the state funds.
- Based on recent research, the construction of the SCMaglev will generate more greenhouse gases than it will save for likely several decades. We do not have decades to wait for such a "possibility." In addition, the project will destroy hundreds of acres of wild green spaces including a forest preserve, wetlands and wildlife refuge – all of which are needed for CO2 storage, clean air and water, and climate cooling. This project will do considerable damage to natural areas that are part of what has come to be known as "the lungs of the Chesapeake."
- Protecting the state from losing funding for needed transportation and infrastructure projects throughout the state is the best option.

I ask that SB0079 be given a favorable vote and moved out of committee.

Sincerely,

Tom Taylor

Tom Taylor
11-G Laurel Hill Road
Greenbelt, MD 20770
(301) 513-9524

SB0079_MAGLEV_MLC_FWA.pdf

Uploaded by: Cecilia Plante

Position: FWA



TESTIMONY FOR SB0079

State Finance - Prohibited Appropriations - Magnetic Levitation Transportation System

Bill Sponsor: Senator Washington, A.

Committee: Budget and Tax

Organization Submitting: Maryland Legislative Coalition

Person Submitting: Cecilia Plante, co-chair

Position: FAVORABLE WITH AMENDMENTS

I am submitting this testimony in favor of SB0079 on behalf of the Maryland Legislative Coalition. The Maryland Legislative Coalition is an association of activists - individuals and grassroots groups in every district in the state. We are unpaid citizen lobbyists and our Coalition supports well over 30,000 members.

The MAGLEV project is a very divisive project in our state. It was conceived in much the same way that we have conceived most of our transportation projects in the past decade – with the thought of how the wealthy will benefit and with no thought about the low- to mid- income people who would suffer.

The MAGLEV would tear through already overburdened communities in Prince George’s County and have no real benefit for them. No stops anywhere in the county. This just can’t continue to happen.

This bill prohibits the use of state funds for the MAGLEV. We could not agree more that, in its current form, there should be no money available for it. However, we do not believe in precluding the state from ever having a MAGLEV, so we propose an amendment that if a future MAGLEV project was conceived following proper environmental guidance and environmental justice guidance, the project should be able to move forward with state funding.

We support this bill and recommend a **FAVORABLE WITH AMENDMENTS** report in committee.

MMBC Opposition to Maryland SB0079 (1.17.23).pdf

Uploaded by: Adrian Harpool

Position: UNF



January 17, 2024

SB0079

The Honorable Guy Guzzone
Chair, Senate Budget and Taxation
Committee
3 West, Miller Senate Office Building
Annapolis, MD 21401

The Honorable Brian J. Feldman
Chair, Senate Education, Energy, and
the Environment Committee
2 West, Miller Senate Office Building
Annapolis, MD 21401

RE: TESTIMONY IN OPPOSITION TO SB0079 —STATE FINANCE – PROHIBITED APPROPRIATIONS – MAGNETIC LEVITATION TRANSPORTATION SYSTEM

Dear Chair Guzzone, Chair Feldman, and Members of the Senate Budget and Taxation and Education, Energy, and the Environment Committees:

I am writing you today in my role as co-founder of the Maryland Minority Business Counts (MMBC) Initiative to state our group's strong opposition to SB0079.

The MMBC identifies, promotes, supports, and encourages current and future black business owners in Maryland. We assist them in pursuing and securing procurement opportunities through state with public and private sector contracts. SB0079 is in conflict with our core principals and defeats the very premise by which a level playing field might be established for black and minority entrepreneurs in Maryland. Therefore, and we must insist that this bill receives an unfavorable report.

The SCMAGLEV project could represent billions of dollars in business and employment opportunities for Marylanders. The Diversity, Equity and Inclusion plans proposed by Baltimore-Washington Rapid Rail, which serves as the developer for SCMAGLEV, has pledged \$4 billion of the total project's procurement would be committed to contracting minority and women-owned businesses. Given our state's goals to expand opportunities for minority-owned businesses as a vehicle to support "work, wages, and wealth" would all but be "derailed", should SB0079 be allowed to pass.

Maryland minority-owned businesses need MORE NOT FEWER opportunities, especially given the considerable projected budget shortfalls we are bracing for in the coming year that could have lasting impacts on the state-wide economy.

I urge the Maryland legislature to keep the opportunities for black and minority business offer by the SCMAGLEV “On-Track” and **provide an unfavorable report to SB0079.**

Sincerely,

A handwritten signature in black ink, appearing to read "Adrian Harpool". The signature is fluid and cursive, with the first name "Adrian" being more prominent than the last name "Harpool".

Adrian Harpool
Co-Founder
Maryland Minority Business Counts

SB 79 MDCC State Finance – Prohibited Appropriatio

Uploaded by: Hannah Allen

Position: UNF



LEGISLATIVE POSITION:

UNFAVORABLE

Senate Bill 79

Prohibited Appropriations – Magnetic Levitation Transportation System

Senate Budget and Taxation Committee

Wednesday, January 17, 2024

Dear Chairman Guzzone and Members of the Committee:

Founded in 1968, the Maryland Chamber of Commerce (the Chamber) is the leading voice for business in Maryland. We are a statewide coalition of more than 6,800 members and federated partners working to develop and promote strong public policy that ensures sustained economic growth and recovery for Maryland businesses, employees, and families.

Senate Bill 79 would create significant barriers for public and private investment in the construction of a magnetic levitation (Maglev) transportation system connecting Washington, D.C., and Baltimore. The legislation would essentially render any maglev project impossible to construct.

The Chamber believes that improved state transportation networks boost economic opportunity, and we work to advance short- and long-term solutions to statewide transit needs. Mass transportation projects, such as Maglev, create jobs, generate economic activity and transform Maryland into a leader in 21st-century transportation solutions.

Further, increased transit options would dramatically reduce commute times, thereby increasing productivity and unleashing new opportunities for businesses statewide. Enhanced options for Maryland commuters would also lessen the state's carbon footprint by reducing the number of cars on the road.

Finally, SB 79 represents the “slippery slope” of the use of public funds for the state's mass transportation projects. The Chamber is concerned with the potential precedent setting nature of banning the use of public funds for one project versus another.

For these reasons, the Chamber respectfully requests an **unfavorable report** on SB 79.

SB 79_EAS Carpenters Union_UNF.pdf

Uploaded by: Rachel Clark

Position: UNF



Eastern Atlantic States
REGIONAL COUNCIL OF CARPENTERS

801 West Patapsco Avenue, Baltimore, MD 21230 | Phone: 410-355-5555 | EASCARPENTERS.ORG

January 17, 2024

The Honorable Guy Guzzone
Chair, Senate Budget and Taxation Committee
3 West, Miller Senate Office Building
Annapolis, MD 21401

The Honorable Brian J. Feldman
Vice Chair, Senate Education, Energy, and the Environment Committee
2 West, Miller Senate Office Building
Annapolis, MD 21401

Dear Chair Guzzone, Chair Feldman, and Members of the Senate Budget and Taxation and Education, Energy, and the Environment Committees,

The Eastern Atlantic States Regional Council of Carpenters (EAS Carpenters Union), strives to be on equity with employers, establish shorter workdays and increase pay for the work provided. Most importantly, they want to spread their work among as many members as possible. EAS Carpenters has made great advances throughout North America and has established itself as one of the nation's largest, strongest and most respected unions. Today, we have over 532,000 members, representing 872 locals. EAS Carpenters, opposes SB0079 and respectfully requests the bill be given an unfavorable report.

This bill prohibits the State from using any appropriation for a magnetic levitation (Maglev) transportation system located or to be located in the State. The bill does not apply to expenditures for the salaries of personnel assigned to review permits or other forms of approval for a Maglev transportation system.

SB00079 effectively prohibits the construction of a Maglev system anywhere in Maryland. The bill does so regardless of the benefits from its construction, including potentially thousands of construction jobs, and the tax revenues Maryland would realize from income and sales taxes. It does so regardless of the benefits of reduced vehicle traffic and associated accidents and exhaust emissions, and reduced or, practically speaking, eliminated rail accidents. It does so regardless of the benefits to both the Baltimore and Washington, D.C. Metropolitan areas of speedy commuting. It does so without any consideration of alternative financing mechanisms. Indeed, SB0079 does so without any regard for or consideration of the merits of Maglev or the potential for solutions to issues that opponents may have regarding Maglev.

The Federal Railroad Administration (FRA) and the Maryland Department of Transportation (MDOT) are in the process of preparing an Environmental Impact Statement (EIS) to evaluate

the potential impacts of constructing and operating a Maglev system between Washington, D.C. and Baltimore, Maryland with an intermediate stop at BWI Airport. There are 13 alternatives moving forward in the Draft Environmental Impact Statement (DEIS). There is a No Build alternative and 12 Build Alternatives. SB0079 would ban Maglev regardless of the conclusions of the EIS, including potentially positive impacts in reducing global warming.

Decisions about appropriate transportation modalities should be made based on the expert advice of transportation planners and Federal, State, and county transportation professionals. Public policy considerations are always appropriate, but should be based on a complete understanding of all of the relevant factors, pro and con, not a priori conclusions. Essentially SB0079 takes the position “my mind is made up; don’t confuse me with the facts.” Accordingly, Eastern Atlantic States Regional Council of Carpenters opposes SB0079 and respectfully requests the bill be given an unfavorable report.

Sincerely,

A handwritten signature in black ink, appearing to read 'W.C. Sproule', written in a cursive style.

William C. Sproule
Executive Secretary-Treasurer
Eastern Atlantic States Regional Council of Carpenters

SB 79_LCAP_UNF.pdf

Uploaded by: Rachel Clark

Position: UNF



Lakeland Community Association Partnership Inc.
Facebook: Lakeland Community Association Partnership
Pamela Oliver 410-814-9982 / 410-710-8118

lcap21230@gmail.com

January 17, 2024

The Honorable Guy Guzzone
Chair, Senate Budget and Taxation Committee
3 West, Miller Senate Office Building
Annapolis, MD 21401

The Honorable Brian J. Feldman
Chair, Senate Education, Energy, and the Environment Committee
2 West, Miller Senate Office Building
Annapolis, MD 21401

RE: TESTIMONY IN OPPOSITION TO SB0079 –STATE FINANCE – PROHIBITED APPROPRIATIONS – MAGNETIC LEVITATION TRANSPORTATION SYSTEM

Dear Chair Guzzone, Chair Feldman, and Members of the Senate Budget and Taxation and Education, Energy, and the Environment Committees,

At Lakeland Community Association Partnership Inc. (LCAP), we have three primary purposes: to promote, preserve, and protect our community. We do this by connecting and engaging with our residents, and also by supporting projects, programs, and activities that inspire growth within the neighborhood. The Baltimore-Washington Rapid Rail (BWRR) Superconducting Magnetic Levitation train (SCMAGLEV) is a prime example of an opportunity to improve the quality of life for Lakeland residents. We encourage the project's development, which SB0079 aims to directly negatively impact. **Therefore, we cannot support this bill.**

Aside from the concrete economic and employment opportunities that the project will deliver, the Draft Environmental Impact Statement (DEIS) affirms that the SCMAGLEV will directly benefit the communities surrounding project stations in many more ways. The DEIS states, "Transit-oriented development (TOD)

opportunities around station locations, particularly in Baltimore, would potentially include expanded housing and employment opportunities for residents; increased retail, especially supermarkets; improved vehicular and bicycle safety; - enhanced security, lighting, and wayfinding; and added community amenities (for example, recreation, landscaping, waterfront access)."

Yes, the economic and employment opportunities that the SCMAGLEV will provide are of equal importance to the above, but it's these day-to-day improvements to the overall well-being of South Baltimore communities that make this project all the more promising. SB0079 threatens to not only revoke these concrete opportunities for our communities that are outlined in the DEIS, but this bill also preemptively dampens future innovative ideas.

Moreover, the BWRR team has continually supported our community and have actively collaborated with us on multiple recent community events. I can conclusively state that they are committed to supporting our residents and their needs. As previously stated, our priority is to improve the lives of our Lakeland residents. This project will deliver those improvements. We are eager to welcome the SCMAGLEV to South Baltimore, as it will usher in an era of improved transit and investment in communities that have long been awaiting these opportunities.

Seeing as SB0079 goes against our primary purposes as an organization and community association, we ask that you submit an unfavorable report of this bill.

Sincerely,

Pamela Oliver

Lakeland Community Association Partnership Inc.

"Building a Better Community Together with LOVE"

"Lakeland Community Association Partnership Inc. is a association that has been organized to promote the education of residents and partnership of schools, businesses and churches in the area of crime prevention and quality of life an to assist in the safeguarding of the community, its residents and their properties through voluntary activities including public information problem solving and addressing community problems and concerns."

SB 79_MAA_UNF.pdf

Uploaded by: Rachel Clark

Position: UNF

CHAIRMAN:
Jeff Graf
VICE CHAIRMAN
David Slaughter

MARYLAND ASPHALT ASSOCIATION



TREASURER:
Paul Bramble
SECRETARY:
Curtis Hall
PRESIDENT:
Tim Smith

January 17, 2024

Senator Guy Guzzone, Chair
Senate Budget and Taxation Committee
3 West, Miller Senate Office Building
Annapolis, MD 21401

RE: SB 79 – UNFAVORABLE – State Finance – Prohibited Appropriations – Magnetic Levitation Transportation System

Dear Chair Guzzone and Members of the Committee:

The Maryland Asphalt Association (MAA) is comprised of 19 producer members representing more than 48 production facilities, 25 contractor members, 25 consulting engineer firms and 41 other associate members. MAA works proactively with regulatory agencies to represent the interests of the asphalt industry both in the writing and interpretation of state and federal regulations that may affect our members. We also advocate for adequate state and federal funding for Maryland's multimodal transportation system.

Senate Bill 79 prohibits the State from using any appropriation for a magnetic levitation, or "maglev," transportation system located or to be located in the State, except for expenditures related to the salaries of personnel assigned to review permits or other forms of approval for such a transportation system.

MAA opposes Senate Bill 79 because it is a boldfaced attack on the SCMAGLEV project currently in development in the region. SCMAGLEV is the type of transportation project that represents well-paying jobs for our workers, a cleaner environment, and transformational mobility opportunities for millions along the Northeast Corridor. This legislation is a solution in search of a problem. It is an attempt to block not only a potential source of thousands of transportation construction jobs, but a potential source of opportunity and public good for so many.

Baltimore-Washington Rapid Rail has been working hand-in-hand with over thirty federal, State, and local agencies in the years-long process being led by the Federal Railroad Administration. To layer over this established process with a blanket prohibition against any State funding would be tantamount to stopping the SCMAGLEV project and would put in question the legal framework upon which all large-scale infrastructure projects rely.

We appreciate you taking the time to consider our request for an **UNFAVORABLE** report on Senate Bill 79.

Sincerely,

Marshall Klinefelter
President
Maryland Asphalt Association

SB 79_Mt Winans Community Association_UNF.pdf

Uploaded by: Rachel Clark

Position: UNF



January 17, 2024

The Honorable Guy Guzzone
Chair, Senate Budget and Taxation Committee
3 West, Miller Senate Office Building
Annapolis, MD 21401

The Honorable Brian J. Feldman
Chair, Senate Education, Energy, and the Environment Committee
2 West, Miller Senate Office Building
Annapolis, MD 21401

**RE: TESTIMONY IN OPPOSITION TO SB0079 —STATE FINANCE –
PROHIBITED APPROPRIATIONS – MAGNETIC LEVITATION
TRANSPORTATION SYSTEM**

Dear Chair Guzzone, Chair Feldman, and Members of the Senate Budget and Taxation and Education, Energy, and the Environment Committees,

As representatives of the Mt. Winans community of South Baltimore, we write to thoroughly express our condemnation of SB0079 and our support for the

Baltimore-Washington Rapid Rail (BWRR) superconducting magnetic levitation (SCMAGLEV) project. We encourage the proposal of a South Baltimore SCMAGLEV station, as it represents investment, commitment, and growth within South Baltimore and beyond. SB0079 seeks to actively destroy these opportunities, hence our strong opposition to this bill.

The Mt. Winans community, and all other South Baltimore communities for that matter, stand to benefit greatly from this project. Not only would the SCMAGLEV be an important part of Baltimore's renaissance, but the project will highlight the strengths and abilities South Baltimore, specifically, has to offer.

BWRR has been extremely communicative and cooperative in this process, and we look forward to continuing to develop community outreach activities and planning documents in order to best benefit Mt. Winans and South Baltimore communities as a whole.

Furthermore, BWRR has pledged to not request state funds, so we view SB0079 as simply unnecessary, and has the potential to block similarly innovative and future-oriented projects. This bill is simply not written with communities in mind and actively stands in the way of progress. We strongly urge the committee to submit an unfavorable report on Senate Bill 79.

Sincerely,

Angela Smothers

President, Mt. Winans Community Association

SB 79_MTBMA_UNF.pdf

Uploaded by: Rachel Clark

Position: UNF



January 17, 2024

Senator Guy Guzzone, Chair
Senate Budget and Taxation Committee
3 West, Miller Senate Office Building
Annapolis, MD 21401

RE: SB 79 – UNFAVORABLE – State Finance – Prohibited Appropriations – Magnetic Levitation Transportation System

Dear Chair Guzzone and Members of the Committee:

The Maryland Transportation Builders and Materials Association (“MTBMA”) has been and continues to serve as the voice for Maryland’s construction transportation industry since 1932. Our association is comprised of 200 members. MTBMA encourages, develops, and protects the prestige of the transportation construction and materials industry in Maryland by establishing and maintaining respected relationships with federal, state, and local public officials. We proactively work with regulatory agencies and governing bodies to represent the interests of the transportation industry and advocate for adequate state and federal funding for Maryland’s multimodal transportation system.

Senate Bill 79 prohibits the State from using any appropriation for a magnetic levitation, or “maglev,” transportation system located or to be located in the State, except for expenditures related to the salaries of personnel assigned to review permits or other forms of approval for such a transportation system.

MTBMA opposes Senate Bill 79 because it is a boldfaced attack on the SCMAGLEV project currently in development in the region. SCMAGLEV is the type of transportation project that represents well-paying jobs for our workers, a cleaner environment, and transformational mobility opportunities for millions along the Northeast Corridor. This legislation is a solution in search of a problem. It is an attempt to block not only a potential source of thousands of transportation construction jobs, but a potential source of opportunity and public good for so many.

Baltimore-Washington Rapid Rail has been working hand-in-hand with over thirty federal, State, and local agencies in the years-long process being led by the Federal Railroad Administration. To layer over this established process with a blanket prohibition against any State funding would be tantamount to stopping the SCMAGLEV project and would put in question the legal framework upon which all large-scale infrastructure projects rely.

We appreciate you taking the time to consider our request for an **UNFAVORABLE** report on Senate Bill 79.

Thank you,

Michael Sakata
President and CEO
Maryland Transportation Builders and Materials Association

SB 79_NAN_UNF.pdf

Uploaded by: Rachel Clark

Position: UNF



Greater
Baltimore Chapter
601 N. Eutaw Street – Suite 102
Baltimore, Maryland 21201

January 17, 2024

The Honorable Guy Guzzone
Chair, Senate Budget and Taxation Committee
3 West, Miller Senate Office Building
Annapolis, MD 21401

The Honorable Brian J. Feldman
Chair, Senate Education, Energy, and the Environment Committee
2 West, Miller Senate Office Building
Annapolis, MD 21401

**RE: TESTIMONY IN OPPOSITION TO SB0079 —STATE FINANCE – PROHIBITED
APPROPRIATIONS – MAGNETIC LEVITATION TRANSPORTATION SYSTEM**

Dear Chair Guzzone, Chair Feldman, and Members of the Senate Budget and Taxation and Education, Energy, and the Environment Committees:

On behalf of the National Action Network’s Greater Baltimore Chapter, I am writing to express our organization’s strong opposition to SB0079.

The National Action Network is one of the leading civil rights organizations in the nation. We fight for one standard of justice and equal opportunities for all people regardless of race, religion, ethnicity, citizenship, criminal record, economic status, gender, gender expression, or sexuality.

Not only would the SCMAGLEV project bring unprecedented economic opportunity to our region, but the team behind the project has committed to diverse, equitable and inclusive project development. The team has worked extensively with South Baltimore communities to establish trust-based communication and is committed to facilitating equitable transit-oriented development.

Baltimore-Washington Rapid Rail, the developer behind the SCMAGLEV, is also committed to bringing \$4 billion in equitable opportunities to minority- and women-owned businesses in the

state. This project represents the exact type of opportunity the National Action Network fights for daily. Preemptively removing the ability for Maryland citizens to invest in innovative technology that has the capacity to drastically improve the lives of many sends a clear message to citizens that their voices, time, energy, and future don't matter.

I strongly urge the committee to consider the long-lasting implications that this bill will have on future technological investment within the state. Not only does this bill represent the dismissal of Maryland voices, but it is also incredibly short-sighted, as it curtails the future of all potential maglev projects.

Furthermore, it is worth repeating that the company behind the SCMAGLEV has pledged to not request appropriations and they haven't received any.

We ask for an unfavorable report on SB0079 to keep Maryland's future bright for all of our hardworking citizens.

Sincerely,

Larry Young
Greater Baltimore Chapter National Action Network

SB 79_Waldorf Business Assoc_UNF.pdf

Uploaded by: Rachel Clark

Position: UNF



[Date] January 17, 2024

SB00079

The Honorable Guy Guzzone
Chair, Senate Budget and
Taxation Committee
3 West, Miller Senate Office
Building
Annapolis, MD 21401

The Honorable Brian J. Feldman
Chair, Senate Education, Energy, and the
Environment Committee
2 West, Miller Senate Office Building
Annapolis, MD 21401

RE: **SB0079** State Finance and Procurement - Prohibited Appropriations - Magnetic Levitation Transportation System

POSITION: **OPPOSE**

Dear Chair Guzzone, Chair Feldman, and Members of the Senate Budget and Taxation and Education, Energy, and the Environment Committees,

The Waldorf Business Association promotes the establishment, growth, prosperity and retention of businesses within Charles County, Maryland and works with entities that share our values. In furtherance of our mission, I am proud to submit this letter to endorse the MAGLEV train project and encourage you and your committee to oppose Bill 00079. MAGLEV has committed to ensuring access to billions of dollars in contract opportunities for women- and minority-owned businesses through its Diversity, Equity, and Inclusion Plan.

The MAGLEV presents the safest train technology in the world. After decades of use, Japan's trains have resulted in zero onboard passenger fatalities. Bringing this innovative mode of transportation to the region will not only present thousands of promising jobs, provide for a diverse workforce, but is an overall an investment in prioritizing the health and safety of employees and, ultimately, passengers.

Our members are attracted to the economic security, safety, and prosperity that the MAGLEV project presents, and we urge your full support in advancing this project to enhance the well-being of the state's workforce and of the general public.

MAGLEV is not asking, and has pledged not to ask, for state funds in developing the project. This means SB0079 is a bad solution to a non-existent problem.

At this time, I ask that the committee submits an unfavorable report on this bill.

Sincerely,

Dexter Bordes,
President, Waldorf Business Association

SB79_Baltimore-DC Building Trades_UNF.pdf

Uploaded by: Rachel Clark

Position: UNF



January 17, 2024

SB0079

The Honorable Guy Guzzone
Chair, Senate Budget and Taxation
Committee
3 West, Miller Senate Office Building
Annapolis, MD 21401

The Honorable Brian J. Feldman
Chair, Senate Education, Energy, and the
Environment Committee
2 West, Miller Senate Office Building
Annapolis, MD 21401

RE: **TESTIMONY IN OPPOSITION TO SB0079 – STATE FINANCE – PROHIBITED
APPROPRIATIONS – MAGNETIC LEVITATION TRANSPORTATION SYSTEM**

Dear Chair Guzzone, Chair Feldman, and Members of the Senate Budget and Taxation and
Education, Energy, and the Environment Committees:

As President of the Baltimore-D.C. Metro Building and Construction Trades Council (BDCBT),
I write to you today to outline our organization's **strong opposition to SB0079**.

BDCBT advocates for 28 construction unions in the greater DMV region, representing the voices
of thousands of skilled professionals. Our mission is to encourage opportunities that will raise
industry standards, provide increased access to employment, and strengthen communities.

We simply **cannot support SB0079**, as it would prohibit any state appropriations for any maglev
system, which is a preemptive action to a problem that does not exist, and would ultimately only
create future complications for our state's potential investment opportunities.

As dedicated advocates for organized labor and reliable infrastructure projects, we know
firsthand the potential that investment in advanced technology, such as the SCMAGLEV, can
hold. Projects of this magnitude and dedication do not come around often.

Support for this bill would be tantamount to throwing away potential for industry growth,
economic development, and educational opportunities – ultimately throwing away promising
futures for many.

We ask that you not stand in the way of public good and therefore submit an **unfavorable report
for SB0079**.

Sincerely,

Greg Akerman
President
Baltimore-D.C. Building Trades Council
815 16th Street NW #600
Washington, D.C. 20006

TESTIMONY sb00079 - Baltimore County Leaders and C

Uploaded by: Rachel Clark

Position: UNF

January 16, 2024

I am writing on behalf of the Maryland Business Clergy Partnership (MBCP) to share our opposition to SB0079 and our strong support for the Baltimore-Washington Rapid Rail (BWRR) high-speed rail project that will connect Baltimore to Washington D.C. in 15 minutes.

The Honorable Guy Guzzone
Chair, Senate Budget and Taxation Committee
3 West, Miller Senate Office Building
Annapolis, MD 21401

The Honorable Brian J. Feldman
Chair, Senate Education, Energy, and the Environment Committee
2 West, Miller Senate Office Building
Annapolis, MD 21401

RE: TESTIMONY IN OPPOSITION TO SB0079 -STATE FINANCE - PROHIBITED
APPROPRIATIONS - MAGNETIC LEVITATION TRANSPORTATION SYSTEM

Position: OPPOSE

Dear Chair Guzzone, Chair Feldman, and Members of the Senate Budget and Taxation and Education, Energy, and the Environment Committees

Dealing with the challenges of today requires problem-solvers who bring different perspectives and are willing to take risks. Baltimore County Leaders and Citizens emerged out of a pursuit to inspire and support the community, and a desire for actions to speak louder than words. Established in 2000, we're an organization driven by progressive ideas, bold actions, and a strong foundation of support. This is more than our moto, our mission, it's who we are, and our truth. We brand these values on all communications about us and connect with other organizations, elected officials, and businesses who share the same or similar commitment to the advancement of our community.

We believe that the Maglev organization and project share our values and commitment to improving the quality of life for Marylanders and the communities of Baltimore County in particular. We anxiously await the launch of this project, anticipating your in advance. When we think about the many benefits of the high-speed train, including the high percentage of minority businesses providing services and creating employment opportunities for Marylanders, or the ability to see a Broadway play in New York in less time than it takes for us to get to Washington, D.C., we get excited at the vision of growth and possibilities.

We encourage you to support MAGLEV and OPPOSE SB00079

Dr. Dean Scott, Founder
Baltimore County Leaders and Citizens



Testimony-SB00079 - Maryland-BCP--17-2024.pdf

Uploaded by: Rachel Clark

Position: UNF

January 17, 2024

SB0079

The Honorable Guy Guzzone
Chair, Senate Budget and Taxation Committee
3 West, Miller Senate Office Building Annapolis, MD 21401

The Honorable Brian J. Feldman
Chair, Senate Education, Energy, and the Environment Committee
2 West, Miller Senate Office Building Annapolis, MD 21401

RE: TESTIMONY IN OPPOSITION TO SB0079 —STATE FINANCE – PROHIBITED APPROPRIATIONS – MAGNETIC LEVITATION
TRANSPORTATION SYSTEM

Position: OPPOSE

Dear Chair Guzzone, Chair Feldman, and Members of the Senate Budget and Taxation and Education, Energy, and the Environment Committees, I am writing on behalf of the Maryland Business Clergy Partnership (MBCP) to share our opposition to SB0079 and our strong support for the Baltimore-Washington Rapid Rail (BWRR) high-speed rail project that will connect Baltimore to Washington D.C. in 15 minutes. MBCP is a bipartisan organization with a mission to bridge the gaps between businesses, faith-based communities, elected officials and governments.

Our goal is to make a difference in every community throughout Maryland by changing the political climate through policy and advocacy to open up doors for all. MBCP has led numerous successful campaigns that have produced real change throughout the state. We feel strongly about partnering with businesses, organizations, and activists that are committed to help producing change from within. A project like BWRR's signifies opportunities, education, and hope for our state in a time where opportunities are lacking. Thousands of jobs will be created in the region not only during the construction phase of the project but will also serve as a pathway to various employment fields and provide workforce training.

Baltimore-Washington Rapid Rail is dedicated to working with organizations like ours to develop the necessary education programs to build this workforce. The newly educated and skilled workers will have a lasting effect for generations to come. This bill could prohibit the state of Maryland and its citizens from seeing the benefits of a project like this. The project would bring a \$6.5 billion increase in GDP from construction and \$268 million annually from operations and would mean opportunities for contracts for local businesses and cleaner air for all.

Seeing as our mission is to serve as a proponent for opportunity and change for Maryland residents, this bill stands in the way of the very principles our organization is built on. Thus, we ask that you submit an unfavorable report on SB0079.

Sincerely,

Lisa Ellis, Director of Marketing & Communications
Maryland Business & Clergy Partnership
204 Washington Avenue,
Laplata, Maryland 20646
(301) 535-8783

SB0079 - Patriots Tecxhnology Training Center.pdf

Uploaded by: Thurman Jones

Position: UNF



Patriots Technology Training Center
5800 Martin Luther King Jr. Highway
Seat Pleasant, MD 20743

www.patriots-ttc.org

301-925-9350

thurman@patriots-ttc.org

January 17, 2024

SB0079

The Honorable Guy Guzzone
Chair, Senate Budget and Taxation
Committee
3 West, Miller Senate Office Building
Annapolis, MD 21401

The Honorable Brian J. Feldman
Chair, Senate Education, Energy and
the Environmental Committee
2 West, Miller Senate Office Building
Annapolis, MD 21401

**RE: TESTIMONY IN OPPOSITION TO SB0079 —STATE FINANCE – PROHIBITED
APPROPRIATIONS – MAGNETIC LEVITATION TRANSPORTATION SYSTEM**

Dear Chair Guzzone, Chair Feldman, and Members of the Senate Budget and Taxation
and Education, Health, and Environmental Affairs Committees:

As president of Patriots Technology Training Center, I am writing to express our
organization's strong **opposition to SB0079**.

For over 25 years, our organization's mission has been to empower students through
technology by encouraging students to enter promising education and career paths in the
science, technology, engineering, and mathematics (STEM) fields.
The Patriots Technology Training Center has served thousands of students in the region
through our countless programs, camps, workshops, conferences, and partnerships. We
know which projects hold promise for today's (and tomorrow's) youth, and which projects
don't. Northeast Maglev represents this promise, and with stations and headquarters in
accessible, central locations to Maryland schools and universities, this project holds great
potential for our younger generations to be a part of the most advanced transportation
system in the world. Our students will have the ability to learn within an extremely unique
technological pipeline.

Further, we recognize that a project like the SCMAGLEV will benefit businesses and
citizens far beyond the Baltimore-Washington region. It represents development and

community growth for millions along the Northeast Corridor. It symbolizes a future with less pollution and more transit-oriented development.

SB0079 is a clear attempt to stop the SCMAGLEV. But this legislation will not just negatively impact Northeast Maglev. It will ultimately stifle the opportunity for our future generations to benefit from promising career paths and apprenticeships, economic development, and a cleaner environment.

The Patriots Technology Training Center cannot support SB0079 as it proposes direct negative impacts on the state's current students and future leaders. We ask that you please submit an unfavorable report on this nearsighted bill.

Sincerely,



Thurman Jones
President

SB 79 Victoria Leonard LiUNA (OPPOSE) .pdf

Uploaded by: Victoria Leonard

Position: UNF



January 17, 2024

The Honorable Guy Guzzone, Chair
The Honorable Jim Rosapepe, Vice Chair
Senate Budget and Taxation Committee
3 West - Miller Senate Office Building
Annapolis, MD 21401

**Written Testimony of Victoria Leonard on
SB 79 – State Finance Prohibited Appropriations Magnetic Levitation Transportation System
Position: Oppose**

Thank you Chair Guzzone and Vice Chair Rosapepe and members of the Senate Budget and Taxation Committee for the opportunity to submit written testimony in opposition to SB 79.

My name is Victoria Leonard, Political and Legislative Director for the Baltimore-Washington area of the Philadelphia/Baltimore/Washington Laborers' District Council (PBWLDC), an affiliate of the Laborers' International Union of North America, or LiUNA for short. The PBWLDC represents more than 13,000 members. Our members are proudly employed on many infrastructure construction projects across the region.

LiUNA strongly opposes SB 79. SCMAGLEV does not include any state financing, and it doesn't need it. Construction costs will be split among the Japanese government, the Central Japan Railway, and the U.S. government. Independent ridership and revenue studies validate the financial feasibility of the project, and that operating and maintenance costs will be offset by revenues. Moreover, the environmental study was funded by the federal government through the Maglev Deployment Program, with matching funds from the private sector.

LiUNA believes that the SCMAGLEV would transform the Northeast region by reducing travel times between New York City and Washington, DC to under one hour. The first phase would connect Washington, DC and Baltimore in just 15 minutes. It would allow our nation's capital to lead the way in adopting the fastest and most advanced transportation system in the world.

At the same time, the project would provide much-needed employment opportunities, including quality union construction jobs that will create a pathway to the middle class for Baltimore-Washington area residents. According to the Draft Environmental Impact Statement (DEIS), construction of the first phase alone would result in the creation of more than 160,000 regional jobs. Moreover, the project would take up to 16 million cars off the road, substantially reducing congestion and improving our region's air quality.

LiUNA urges the committee to issue an unfavorable report on SB 79.

2024 SB0079 BWRR Testimony - final_IR edit.pdf

Uploaded by: Ye Oriola

Position: UNF

January 17, 2024

SB0079

The Honorable Guy Guzzone,
Chair Budget and Taxation Committee
3 West, Miller Senate Office Building
Annapolis, MD 21401

The Honorable Brian J. Feldman,
Chair Education, Health, and the
Environment Committee
2 West, Miller Senate Office Building
Annapolis, MD 21401

RE: **TESTIMONY IN OPPOSITION TO SB0079—STATE FINANCE – PROHIBITED APPROPRIATIONS – MAGNETIC LEVITATION TRANSPORTATION SYSTEM**

Dear Chair Guzzone, Chair Feldman, and Members of the Senate Budget and Taxation and Education, Energy, and the Environment Committees:

My name is Ian Rainey, and I am the Senior Vice President of Baltimore-Washington Rapid Rail (BWRR). I appear before you today to convey our **strong opposition to SB0079**.

BWRR is a railroad franchised by the Maryland Public Service Commission (PSC) to operate a 311 mph Superconducting Magnetic Levitation (SCMAGLEV) train between Washington, D.C. and Baltimore. Once constructed, the train will take passengers between Baltimore and Washington in just 15 minutes, accounting for a stop at BWI Airport. Not only will the project result in “substantial economic and social benefits to Baltimore and the State of Maryland,” as stated by the Maryland PSC, but most notably, the project is not requesting any State appropriations.

SB0079 aims to prohibit any appropriations from being used by the State or certain units or instrumentalities of the State for a Magnetic Levitation system in Maryland. One of the main arguments behind this bill is that the Maryland taxpayer should never be “on the hook” for a project such as ours, further implying that State funds are better used elsewhere to improve and upgrade existing rail. We agree that the State should focus on improving state-run transportation projects, which is why we have never asked the legislature for financial support. This is especially crucial this year as Maryland faces a \$761 million budget shortfall and MDOT grapples with a \$3 billion+ shortfall over the next six years.

Additionally, our current rail infrastructure has already nearly met its physical limits. The Draft Environmental Impact Statement (DEIS) conducted by MDOT and the Federal Railroad Administration (FRA) confirms that the BWRR SCMAGLEV would, in fact, alleviate pressure on current rail infrastructure and Maryland taxpayers. It states, “To the degree that trains in the corridor are expected to be at capacity between 2030 and 2045, these diversions [to SCMAGLEV] free up capacity for additional travelers without making public investment to add capacity.”

In other words, by alleviating stress on over-capacity systems, such as MARC and Amtrak, taxpayers will see savings through added transit capacity and reduced traffic -- without state appropriations. These savings can be reinvested in improving first- and last-mile transportation



systems throughout the state, providing lawmakers the opportunity to invest in the well-rounded transit future so many Marylanders wish to see.

Automobiles are the largest cause of pollution in Maryland and being stuck in traffic costs citizens both money and time. We need new world class transit systems to build our economy, create jobs, fight climate change, and provide workforce opportunity to our diverse population.

SB0079 would signal to Maryland citizens and to the world that the state is closed to innovative, future-oriented, safe solutions to our worsening transportation issues.

For these reasons, Baltimore-Washington Rapid Rail **strongly opposes SB0079** and urges the committees to submit an **unfavorable report**. Thank you for the opportunity to appear.

Sincerely,

Ian Rainey
Senior Vice President

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Uploaded by: Ye Oriola

Position: UNF



January 17, 2024

SB0079

The Honorable Guy Guzzone
Chair, Senate Budget and Taxation Committee
3 West, Miller Senate Office Building
Annapolis, MD 21401

The Honorable Brian J. Feldman
Vice Chair, Senate Education, Energy, and the Environment Committee
2 West, Miller Senate Office Building
Annapolis, MD 21401

RE: TESTIMONY IN OPPOSITION TO SB0079 —STATE FINANCE – PROHIBITED APPROPRIATIONS –
MAGNETIC LEVITATION TRANSPORTATION SYSTEM

Dear Chair Guzzone, Chair Feldman, and Members of the Senate Budget and Taxation and Education, Energy, and the Environment Committees,

On behalf of the Maryland Hispanic Chamber of Commerce's hundreds of member businesses and thousands of employees throughout the state, this letter is in opposition to SB0079 - State Finance – Prohibited Appropriations – Magnetic Levitation Transportation System.

As this chamber is well-aware, the state is facing major budget shortfalls that will force leadership to make difficult choices about how to invest in Maryland's future. Baltimore-Washington Rapid Rail have never asked the state for funds, meaning this bill addresses a non-existent issue. Why waste the legislature's time focused a on non-issue when there are clearly more pressing matters to attend to?

Furthermore, this legislation has not changed from prior appearances before this committee. Passage of this obstructionist legislation would make a strong statement about Maryland – that State leadership is closed to innovation.

We believe the State and the region should be open to any and all ideas that seek to ameliorate our pressing problem of congestion, which threatens our economy's growth on a daily basis. Large scale investments in our state should be encouraged as they provide substantial jobs and enhancement to the economic health of our business community. We ask you to please vote UNFAVORABLE on this short-sighted bill which reflects the lack of long-range planning for our community's future and that of the State. Thank you for your consideration of our remarks.

Sincerely,

A handwritten signature in blue ink that reads "Marco V. Ávila, P.E." with a blue underline.

Marco V. Ávila, P.E.

Chairman of the Board & President
Maryland Hispanic Chamber of Commerce
chair@mdhcc.org - 443-519-6909

Ray Jackson- SB0079 Letter 1-16-24.pdf

Uploaded by: Yetunde Oriola

Position: UNF

January 16, 2024

SB0079

The Honorable Guy Guzzone
Chair, Senate Budget and Taxation
Committee
3 West, Miller Senate Office Building
Annapolis, MD 21401

The Honorable Brian J. Feldman
Chair, Senate Education, Energy, and
the Environment Committee
2 West, Miller Senate Office Building
Annapolis, MD 21401

**RE: TESTIMONY IN OPPOSITION TO SB0079 —STATE FINANCE – PROHIBITED
APPROPRIATIONS – MAGNETIC LEVITATION TRANSPORTATION SYSTEM**

Dear Chair Guzzone, Chair Feldman, and Members of the Senate Budget and Taxation
and Education, Energy, and the Environment Committees:

As Managing Member of Stonewall Capital, I write today to voice my opposition to
SB0079 and my support for the proposed SCMAGLEV project.

Stonewall Capital is the Master Developer of the ONE Westport project in South
Baltimore. I've have been working with the developer of the SCMAGLEV as we sought
the best path forward for both projects. In the process, I've learned how beneficial the
SCMAGLEV will be to Maryland.

The project would bring gainful employment and business opportunities to Maryland.
Combined with the new opportunities residents will see from the ONE Westport
development, I believe the best is yet to come for South Baltimore.

Senate Bill 79 aims to stymie that future. .

I truly believe we must fight for any and all opportunities to uplift communities like South
Baltimore. The SCMAGLEV project is such an opportunity. Therefore, I advise the
committee to give an unfavorable report on SB0079.

Sincerely,



Ray Jackson
Managing Member, Stonewall Capital