



November 16, 2023

Danielle Spendiff, Regulatory and Customer Service Division Chief
Wetlands and Waterways Protection Program
Water and Science Administration
Maryland Department of the Environment
1800 Washington Boulevard, Suite 430
Baltimore, MD 21230

RE: *Comments on the Review of the Water Quality Certification Application for the Baltimore-Washington Rapid Rail Superconducting Magnetic Levitation (BWRR SCMaglev) train*

Dear Ms. Danielle Spendiff:

I write to you today on behalf of the National Parks Conservation Association (NPCA) regarding the Baltimore-Washington Rapid Rail Superconducting Magnetic Levitation Project Water Quality Certification Application currently before the Maryland Department of the Environment (MDE). NPCA is a nationwide nonprofit organization dedicated to protecting and enhancing America's national parks for present and future generations. We are proud to have more than 1.7 million members and supporters across America, with more than 34,000 of those members residing in Maryland. I write to you today in opposition to the Water Quality Certification Permit for the BWRR SC Maglev Project.

NPCA has been closely tracking the proposed SC Maglev project for several years, and we remain in firm opposition to the proposal due to its impact on the Baltimore-Washington Parkway, the Patuxent Research Refuge, and other federal lands. We also have concerns regarding impacts to Maryland's waterways and climate, as laid out in NPCA's comments to the Federal Railroad Administration (FRA) during the Project's Draft Environmental Impact Statement comment period. We would also like to raise to your awareness the broad public community opposition to the SC Maglev project as currently proposed. As you are likely aware, the project is currently opposed by the Department of the Interior due to the potential impacts on National Park Service and Fish and Wildlife Service lands. Nearly every single community along the project's route has either opposed or raised serious concerns with the project.

Moreover, as you are well aware, the FRA's DEIS review process has been paused since August 25, 2021. The MDOT has indicated in emails to state elected officials that "the FRA, MDOT, and MTA have not decided on a Preferred Alternative in the NEPA process. The DEIS ended with multiple alternatives. Further, the initial allocation of federal grant funds for NEPA/EIS administered by MDOT has been fully expended. Any further work on the EIS, and any subsequent work, would require additional funds." It is clear that this project is unlikely to be restarted by MDOT and the FRA any time soon. The MDE should not make any decision on, or advance in any way, BWRR's Water Quality Certification application while the project still has completed the required Environmental Impact Statement process. During this process, the applicant would be required to address the thousands of concerns raised by community organizations, environmental nonprofits, local leaders, and more. Only once these concerns have been adequately addressed in the EIS process should MDE advance BWRR's WQC permit.



NPCA would also like to raise concerns about the climate impacts and tree canopy reduction impacts this permit would bring. The value of forest canopies and the protection of green space is critical. In this time of climate crisis, the fact that Maryland's watersheds could sustain such a reduction in forest canopy is unacceptable. This project would weaken and partially disassemble the last large green space between Baltimore and Washington, D.C. "The Green Corridor", the area that covers Greenbelt Park, the Greenbelt Forest Preserve, the Beltsville Agricultural Center, and Patuxent Research Refuge, is the largest span of contiguous forest land on the East Coast between Richmond, Virginia, and Boston, Massachusetts. This land would be forever harmed by this needless project construction. Former senator Paul Sarbanes called this area the "lungs of Maryland." There would be an enormous reduction in reforestation acres and major impacts to our forest canopy by this project. Based on Exhibit G - MAGLEV Tier II Minimization Alternative_22.03.01_ForWQC Revised Final, Table 1 on Page 8 of 109, the applicant makes it clear that there would be a net loss of nearly 180 acres of forest cover between Beaverdam Creek and Patuxent River watersheds. This is an unacceptable outcome for these two waterways, the wildlife that depend on them, and our climate.

In this WQC, the applicant is asked to justify why the project should be constructed despite its negative impacts to Maryland's waterways. BWRR claims that the project would lead to "reduced emissions, which fosters better air quality for the health and safety of Tier II residents." However, the draft environmental impact statement shows that Maglev would actually increase regional transportation energy consumption by 39% — enough energy to power 88,900 homes. While Maglev is 25% more efficient than auto travel, it is 37% percent less efficient than existing bus service and 20% less efficient than existing passenger rail. In total, Maglev operation would increase net carbon dioxide emissions from 286 to 336 million kilograms per year compared to maintaining existing options, according to NASA scientist Dr. Owen Kelley. Thus, BWRR's project justification is built on a falsehood.

Numerous other outstanding concerns continue to exist with the proposed SC Maglev project. Impacts to parks and public lands, air quality, waterways, communities, and the climate all remain unresolved by the applicant. More importantly, this project has not been finalized by the Federal Railroad Administration, and no firm timeline exists for when the EIS process will be complete. MDE would be best served to allow the FRA's EIS process to complete, and the consider taking up this permit. Until then, MDE should have no choice but to reject this WQC in its current form.

Thank you for your time and consideration,

Kyle Hart | Mid-Atlantic Program Manager
National Parks Conservation Association
202-400-1193 | khart@npca.org
777 6th St NW, Suite 700
Washington D.C. 20001