



CITY COUNCIL AGENDA

COUNCIL MEETING WILL BE ONLINE ONLY

Due to the COVID-19 precautions, the Council Meeting will be held online and is planned to be cablecast on Verizon 21, Comcast 71 and 996 and streamed to www.greenbeltmd.gov/municipaltv.

Resident participation:

**[https://us02web.zoom.us/j/81812063940?](https://us02web.zoom.us/j/81812063940?pwd=Q0UyQkFuS3R4OWVoWG42MTRLb3Z6QT09)
[pwd=Q0UyQkFuS3R4OWVoWG42MTRLb3Z6QT09](https://us02web.zoom.us/j/81812063940?pwd=Q0UyQkFuS3R4OWVoWG42MTRLb3Z6QT09)
Passcode: 736144**

OR

**Join By phone: (301) 715-8592
Meeting ID: 818 1206 3940
Passcode: 736144**

**Monday, December 14, 2020
8:00 PM**

I. ORGANIZATION

1. Call to Order
2. Roll Call
3. Meditation and Pledge of Allegiance to the Flag
4. Consent Agenda - Approval of Staff Recommendations (Items on the Consent Agenda [marked by *] will be approved as recommended by staff, subject to removal from the Consent Agenda by Council.)
5. Approval of Agenda and Additions

II. COMMUNICATIONS

6. Presentations

6a. Introduction of Jill Grant & Associates

Suggested Action:

Terri Hruby, Planning Director, will introduce Ms. Jill Grant, legal counsel of Jill Grant & Associates. The firm was recently selected as legal counsel regarding the Maglev project.

7. Petitions and Requests

*8. * Minutes of Council Meetings

Suggested Action:

9. Administrative Reports

*10. * Committee Reports

10a. Board of Elections Report #20-1 - (Post Election 2019 Report to Council)

Suggested Action:

It is recommended that Council accept this report.

[BOE Report 20-1.pdf](#)

10b. Board of Elections Report #20-2 - (Recommendation to Amend Section 8-4 of the City Code: Mail-In Voting Procedures)

Suggested Action:

It is recommended that Council accept this report and schedule a future work session.

[BOE Report 20-2.pdf](#)

*10c * Community Relations Advisory Board - Communication to City Council

Suggested Action:

It is recommended Council accept this Communication and consider it on the agenda of a future meeting.

[CRAB Communication 12.11.20.pdf](#)

III. LEGISLATION

11. City of Greenbelt Apartment Electronic Security Ordinance
- 1st Reading

Suggested Action:

Reference: Ordinance

At its September 14, 2020 meeting, the City Council discussed Mayor Byrd's request for the solicitor to draft legislation to require apartment complexes to install security cameras. This law would apply to any apartment complex located in a police patrol area where there are 30 or more violent crimes annually.

Included in Council's packet is an ordinance drafted by the City Solicitor. Also, staff has shared concern regarding the resources and ability to monitor and enforce this legislation, as well as the potential liability shared by the City Solicitor.

It is recommended the ordinance be introduced for first reading.

[Ordinance.pdf](#)

IV. OTHER BUSINESS

12. Improved Medicare for All

Suggested Action:

Mayor Byrd requested this item to be added to the agenda.

The motion would be to send a letter to County Council asking to pass a resolution in support of Improved Medicare for All to show local support for single-payer health care, seeking to gain support of this by the City's Federal Delegation including the Senators

13. Mental Health Support

14. Construction and Operation of a Currency Production Facility at the Beltsville Agricultural Research Center Draft Environmental Impact Statement (DEIS)

Suggested Action:

Reference:

Comment Memo BEP DEIS Final Draft

Memo Attachment A - BEP DEIS Maps

Memo Attachment B

Comments Individual Green ACES Members and Friends

DEIS Public Webinar Comments Individual Green ACES Members and Friends

On November 6, 2020, the US Department of the Treasury (Treasury), with assistance from the US Army Corps of Engineers, released the Draft Environmental Impact Statement (DEIS) for the proposed Replacement Currency Production Facility at the Beltsville Agricultural Research Center. The DEIS is available for public review and comment until December 21, 2020.

The project, which proposes to replace the existing currency production facility located in downtown Washington, DC, is aimed to modernize BEP operations and achieve BEP's primary mission of producing increasingly technologically sophisticated US paper currency. The project site is a 104.2-acre parcel located on BARC. The site is bounded by BARC's northern border adjacent to Odell Road. Poultry Road runs north to south through the parcel between Odell Road and Powder Mill Road. The DEIS analyzes two alternatives: The Proposed Action alternative, and the No Action alternative. Prior to releasing the DEIS, Treasury determined that new construction was the most efficient and cost-effective option. Treasury has also identified the project site as the only reasonable new-construction alternative based on the Proposed Action's purpose and need.

Staff has prepared a detailed summary of the key elements of the DEIS, which is included in Council's reference materials. The memo highlights key issues and deficiencies in the DEIS and focuses on the significant adverse impacts the Proposed Action alternative will have on the natural, socioeconomic, cultural, and built environment. Council's reference materials also include comments provided by individual members and of friends of Green ACES. These comments are not a recommendation of Green ACES or the Green Team.

Staff recommends that City Council submit a letter, to include a list of the City's key issues with the DEIS, to the US Army Corps of Engineers strongly stating the

City's opposition to the proposed alternative under consideration and stating the City's support for the No Action alternative to enable a reconsideration of the Purpose and Need statement and the alternatives under consideration.

[Comment Memo BEP DEIS Final Draft.pdf](#)

[Memo Attachment B.pdf](#)

[Memo Attachment A - BEP DEIS Maps.pdf](#)

[DEIS Public Webinar Comments_Individual GreenACES Members and Friends.pdf](#)

[Comments_Individual GreenACES Members and Friends.pdf](#)

15. SCMaglev Public/Agency Coordination Plan - Updated October 2020

Suggested Action:

Ms. Davis requested this item to be added to the agenda.

[MAGLEV_Public-Involvement-Agency-Coordination_Update_2020_10_19_final.pdf](#)

16. SCMAGLEV Action Request: Writing Campaign to Request Extended DEIS

Commenting Period

Suggested Action:

Ms. Davis requested this item to be added to the agenda to send letters requesting an extension to the Maglev Draft Environmental Impact Statement commenting period to appropriate agencies and elected officials.

[Individual Letter-Request for Extended SCMaglev DEIS Review \(1\).pdf](#)

[Organization Letter Request for Extended SCMaglev DEIS Review.pdf](#)

17.

PG 406–21: Prince George's County – Land Use – Magnetic Levitation

Transportation System Siting (Prince George's County Stop the Maglev Act of 2021)

Suggested Action:

Reference:

PG-406-21

PG 406 Delegation Letter

This bill would prohibit a person from constructing a magnetic levitation transportation system within a certain distance of certain property in Prince George's County and prohibit units of State and local government from taking certain actions related to the construction of a magnetic levitation transportation system within a certain distance of certain property in the county.

Included in Council's packet is a draft letter of support for PG 406-21. The same letter can also be sent to the City's Delegation.

[PG 406-21.pdf](#)

[PG 406 Delegation Letter.pdf](#)

18. Appointment of Council Members to Metropolitan Washington Council of Governments Board and Policy Committees

Suggested Action:

Reference:

Greenbelt Appointments

COG Boards and Committees Descriptions

The Metropolitan Washington Council of Governments (COG) is soliciting appointments to COG's policy boards and committees for 2021. Attached is a list of the current appointments, COG has requested the appointments by January 5, 2021.

[Greenbelt Appointments.pdf](#)

[COG Boards and Committees Descriptions.pdf](#)

19. Council Activities

20. Council Reports

*21 * Community Center – News Review Lease

Suggested Action:

Reference: Draft License Agreement

The Greenbelt Community Center has a number of tenants with which the City holds Leases with as a condition of their use of space at the facility. The Lease Agreement the City holds with The Greenbelt News Review located in room 100 on the main floor of the facility is due for renewal on January 1, 2021. Included in Council's packet is a copy of the Lease Agreement for review.

It is recommended Council approve this agreement for signature. Approval of this item on the consent agenda will indicate Council's approval of the Greenbelt News Review Lease Agreement.

[Draft License Agreement.pdf](#)

*22. * Contract Renewal for Red Light Camera System

Suggested Action:

Reference: Agreement

The Greenbelt Police Department proposes to renew the annual agreement with American Traffic Solutions, Inc., doing business as Verra Mobility for the purpose of providing Red Light Traffic Cameras in the City. The Department has been in an ongoing partnership with the Howard County Police Department, and this is a cooperative agreement.

Approval of this item on the consent agenda will indicate Council's to renew the annual agreement.

[Agreement.pdf](#)

*23. * Employee Special Holiday

Suggested Action:

Since December 1969, the City Council has granted an extra holiday to classified employees during the holiday season. In some years, when Christmas has fallen on a Tuesday or Thursday, Council has assigned the holiday to create a four-day weekend. This year, Christmas Day is Friday, December 25. Otherwise, the holiday has been granted as a "floating day" that employees may use whenever they wish during the remainder of the fiscal year. Approving the Special Holiday as a floating day does not increase overtime costs. If Council decides to provide a holiday and designate one specific date for that holiday, the estimated cost for related overtime would be \$25,000. Should Council desire to grant this benefit and on one day, as in past years, General funds are available and a budget adjustment will be made. It is recommended that Council grant the FY 2021 Special Holiday as a floating holiday to employees. A floating holiday allows employees with other faith traditions to use this holiday at other times of the year, if desired.

Approval of this item on the consent agenda will indicate Council's approval to grant an extra floating holiday to classified City employees.

*24. * Appointments to Advisory Boards

Suggested Action:

Reference: Applications and Signed Code of Conduct

Council interviewed Mary Ann Canter on July 13, 2020, for appointment to the Forest Preserve Advisory Board, Peggy Higgins on September 9, 2020, for appointment to the Public Safety Advisory Committee, and Mary (Kathy) Sciannella on November 4, 2020, for appointment to the Employee Relations Board.

Approval of this item on the consent agenda will indicate Council's intent to appoint Ms. Canter to FPAB, Ms. Higgins to PSAC, and Ms. Sciannella to ERB.

*25. * Resignations from Advisory Group

Suggested Action:

Reference:

Email, V. Elliott, October 18, 2020

Email, S. Burks, December 10, 2020

Valerie Elliott has submitted her resignation from the Forest Preserve Advisory Board and Sherry Burks submitted her resignation from the Community Relations Advisory Board.

Approval of this item on the consent agenda will indicate Council's intent to accept their resignation with regret.

V. MEETINGS

Meetings

Suggested Action:

Closed Session: A Closed Session has been requested by Council to discuss a personnel matter – City Manager compensation. It is recommended this meeting be scheduled for Wednesday, December 23, 2020, at 8:00 pm. via Zoom.

The following motion is required to schedule the Closed Session: I move that Council schedule a Closed Session on Wednesday, December 23, 2020, at 8:00 pm. via Zoom. Council will hold this closed meeting in accordance with the General Provisions Article 3-305(b)(1) of the Annotated Code of the Public General Laws of Maryland to discuss a personnel matter – City Manager compensation.

Closed Session: A Closed Session has been requested by Council to discuss a personnel matter – City Manager evaluation process. It is recommended this meeting be scheduled for Monday, January 4, 2021, at 7:30 pm. via Zoom.

The following motion is required to schedule the Closed Session: I move that Council schedule a Closed Session on Monday, January 4, 2021, at 7:30 pm. via Zoom. Council will hold this closed meeting in accordance with the General Provisions Article 3-305(b)(1) of the Annotated Code of the Public General Laws of Maryland to discuss a personnel matter – City Manager evaluation process.

[meetings.pdf](#)

Stakeholders

[Stakeholder Schedule.pdf](#)

City Council Agenda Item Report

Meeting Date: December 14, 2020

Submitted by: Bonita Anderson

Submitting Department: Administration

Item Type: Presentations

Agenda Section: COMMUNICATIONS

Subject:

Introduction of Jill Grant & Associates

Suggested Action:

Terri Hruby, Planning Director, will introduce Ms. Jill Grant, legal counsel of Jill Grant & Associates. The firm was recently selected as legal counsel regarding the Maglev project.

Attachments:

City Council Agenda Item Report

Meeting Date: December 14, 2020

Submitted by: Bonita Anderson

Submitting Department: Administration

Item Type: Board and Committee Reports

Agenda Section: COMMUNICATIONS

Subject:

* Board of Elections Report #20-1 - (Post Election 2019 Report to Council)

Suggested Action:

It is recommended that Council accept this report.

Attachments:

[BOE Report 20-1.pdf](#)

MEMORANDUM

DATE: March 24, 2020

FROM: Board of Elections

TO: Bonita Anderson, Clerk, City of Greenbelt

RE: Post-Election Report to City Council

Ms. Anderson, please transmit this memorandum, with attachments, to the City Council in lieu of the March 30 work session which was cancelled due to the COVID-19 pandemic.

The Board has met and discussed the Greenbelt Municipal election held November 5, 2019. Our findings are attached:

The Board determined that the last election generally proceeded well, even with some counting delays after the polls closed. The chief delay in reporting results was in the count of the 467 early and absentee votes. The sorting and categorizing of votes by precinct occurred late in the day and caused a delayed start. The main issue was that the scanner lacked an automatic feeder resulting in each ballot having to be hand-fed into the machine.

Another difficulty with early and absentee counting occurred when voters failed to mark the designated circles in a manner that allowed automated machine reading. Our procedures require Board of Elections clerks to open voting envelopes which are sorted by precinct and pass them on to the scanner if clearly marked. If the ballot was not clearly marked or rejected by the scanning machine, Board members were called upon to mark the circles only if the voter intent was clear. The ballot was then re-scanned and tabulated by the machine.

One of the candidates (Orleans) made an inquiry about these procedures, specifically asking about early and absentee ballots. We advised him, at our meeting of February 6, that each of the corrections made to the paper ballots, to ensure a vote is counted, was witnessed and approved by at least two Board members. We are confident that in each case where a correction was made – fewer than twenty, from a total of 2,180 ballots – the actual intent of the voter was clearly recognized.

After extensive meetings and spirited discussion, the Board of Elections concluded that a machine would be necessary for early voting. Early voting by machine would be a more secure option for voters, more securely preserve voter intent, ensure that no individual would vote twice, and avoid counting delays on the night of the election.

The Greenbelt City Council has also asked about the possibility of posting photos of candidates in the election process. To our knowledge, this has not been done elsewhere in Maryland. But if Council members believe it would help voters, the Board has no objection. Each candidate would be required to provide their own pre-determined standard sized picture.

The Board and Clerk's office are reviewing whether e-polling books, rather than printed registration lists, would be more efficient and cost-effective, in future elections.

We are aware that the City of Rockville instituted a new procedure, where all voting is done by mail. As a result of the new process voter participation increased. The mail-only voting process was initially met with skepticism about the validity of ballots and the overall cost to implement the new format. The Board determined that Mail-only voting would require substantial amendments to Greenbelt's Code and Charter. In light of the COVID-19 pandemic, careful deliberation and consideration of mail-only voting is currently occurring in many States.

The Board of Elections stands ready to discuss election practices and procedures with the Council, when the work session is re-scheduled.

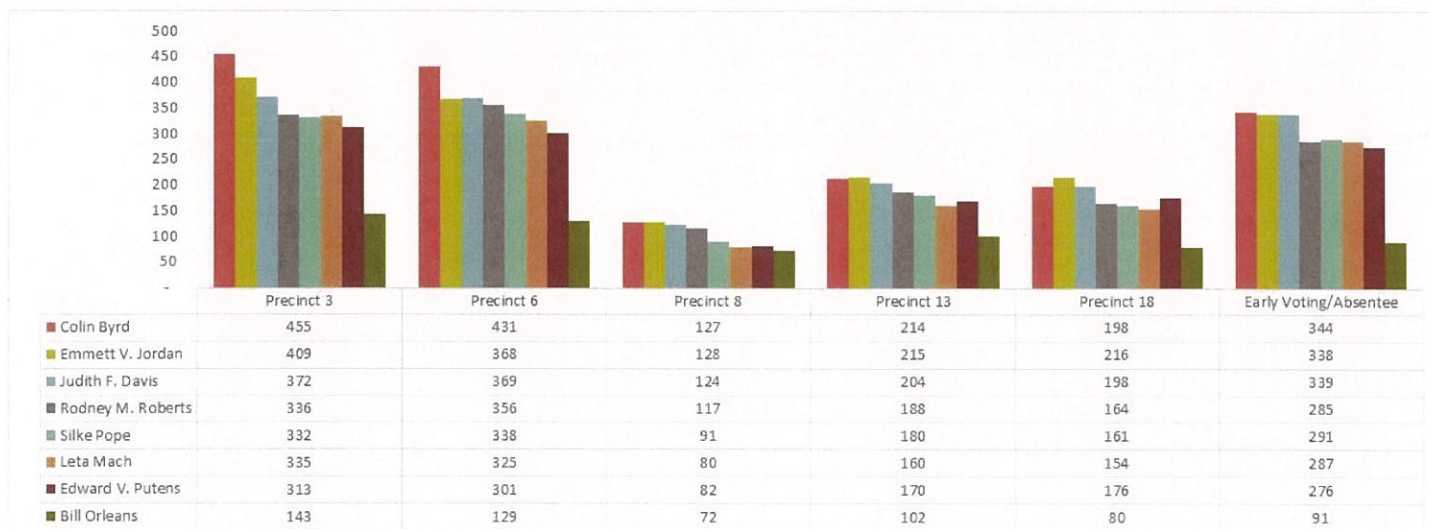
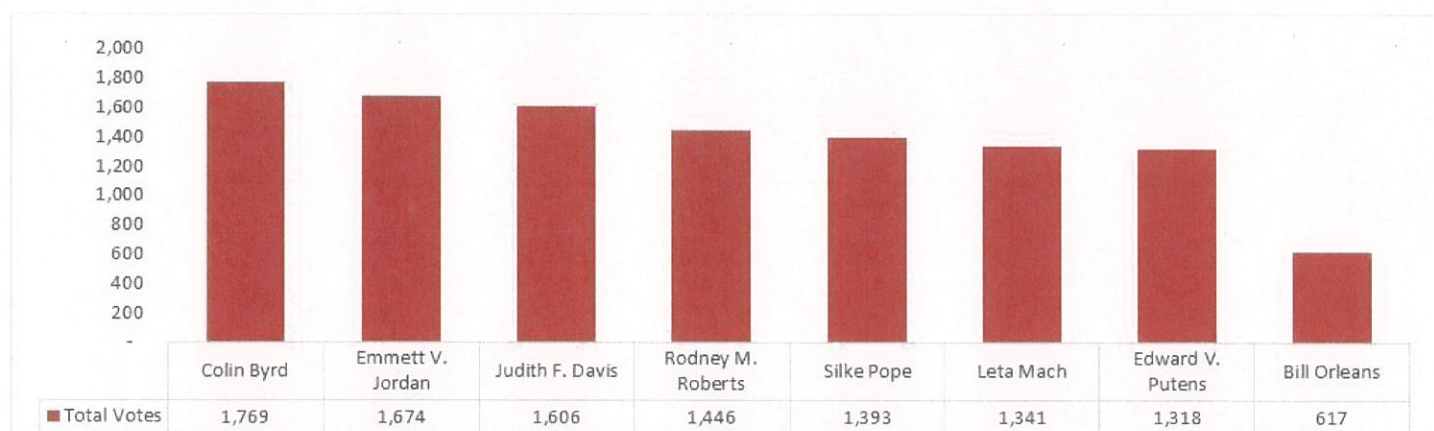
Attachments
2019 Election Summary

2019 ELECTION – BOE REVIEW

SUMMARY

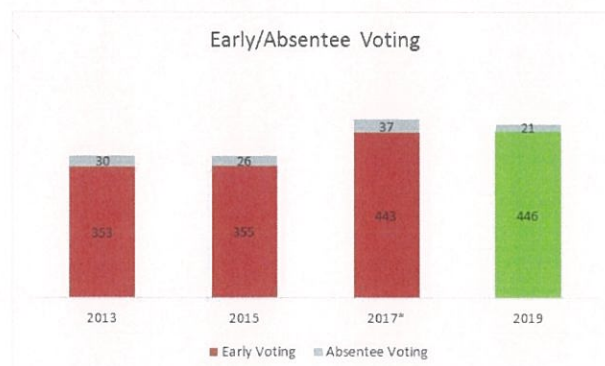
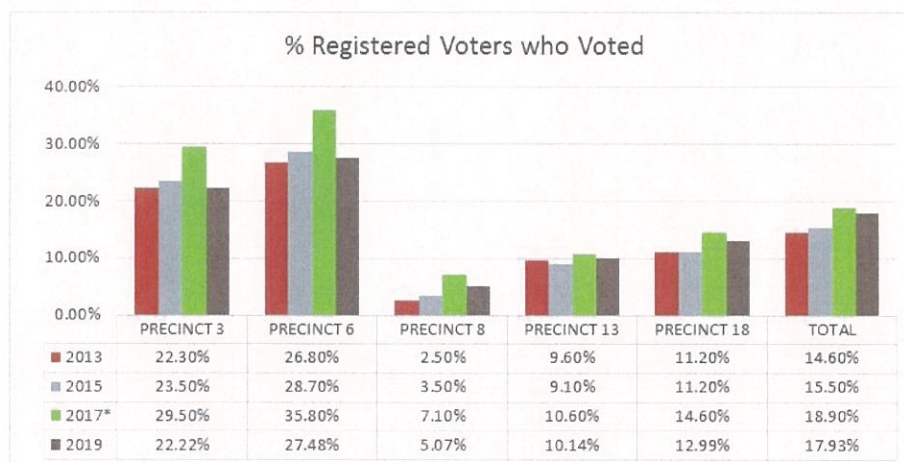
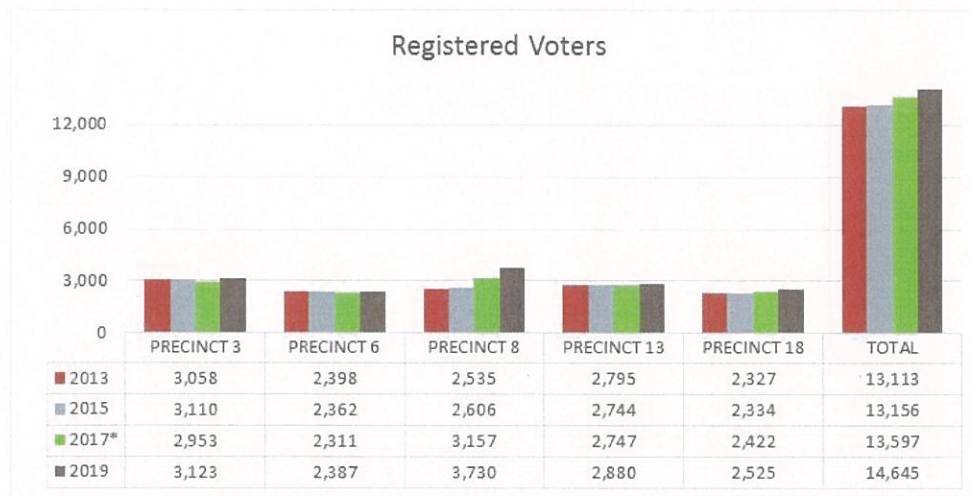
1. 2019 Election Results

Total Ballots Counted 2,180



Precinct	Precinct 3	Precinct 6	Precinct 8	Precinct 13	Precinct 18	Early voting
Location	Community Ctr	Police Station	Spring Hill Lake	Greenbriar	Schrom Hills	All
<18 Yr Voted	3	2	0	7	3	1
<18 Registered	21	19	32	39	31	142
%<18 Yrs. Voting	14%	11%	0%	18%	10%	11%

2. Voter Statistics



**Note: 2017 election - 1 vacant council seat.*

3. Early Voting Election Day Counting Procedures

Early Voting procedures

- Procedures this year remain consistent with prior years.
- Ballots separated by precinct and counted to reconcile against voter registration numbers
- Early voting clerks open envelopes and review ballot with at least one member of the board present
- Early voting clerks review ballots and verify if voting circles are darkened in so they can be read by scanner. If the circles are not correctly filled in, then the clerks provide to board members for review and recommendation. Two members of the board confirm and darken circles if needed to ensure successful scan.
- As done in prior years a scanner was used to count the votes. This year's scanner required hand feeding and was slower.

As a result, the BOE is recommending a voting machine for quicker count.

4. Changes this Year

Change Implemented	
BOE size increase	BOE went from 5 to 7 members. 3 new members joined the board.
Fee for late report filing \$50/day	Resulted in a candidate dropping out due to unpaid fees; fees were not waived for any candidate.
BOE review of financial reports	BOE reviewed reports
Longer Early Voting window	An additional 7 days added (week and weekend)

Voting Recommendations	
Machine for Early voting	Result in quicker processing – real-time feedback
E-poll books	Ease check-in process
Vote Count Witnessing	Document specific procedures for vote count witnessing
Survey for judges/clerks	Get feedback from judges/clerks

Candidate Suggestions	Concerns/Recommendations
Display photos of candidates	photos displayed at each precinct (suggested by J Davis)
Posting of Signs	Signs within No-Post Zone (update candidate package

5. Budget Planning

Currently Voting machine budget is \$9K –strongly recommend research for additional voting equipment in advance of the FY21 budget.

6. Election Environment

Things to Watch/Consider implication
Same day Registration
Continue to encourage voting turnout including 16/17
Rank Choice Voting
Voting by mail - Rockville

City Council Agenda Item Report

Meeting Date: December 14, 2020

Submitted by: Bonita Anderson

Submitting Department: Administration

Item Type: Board and Committee Reports

Agenda Section: COMMUNICATIONS

Subject:

* Board of Elections Report #20-2 - (Recommendation to Amend Section 8-4 of the City Code: Mail-In Voting Procedures)

Suggested Action:

It is recommended that Council accept this report and schedule a future work session.

Attachments:

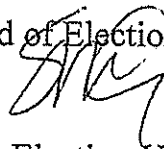
[BOE Report 20-2.pdf](#)

MEMORANDUM

November 30, 2020

TO: Bonita Anderson, City Clerk

FR: Patricia Evans, Chair, Board of Elections
Steven Gilbert, Co-Chair



RE: Mail-in Voting, in and after Election Year 2021

Ms. Anderson, the Board of Elections here submits proposed amendments to the City's Election Code, to expand the procedures for mail-in voting – until now called “absentee” voting – in future election years. Copies are being provided to Council Members, and the Board stands ready to review this matter, when convenient for the Council.

These draft amendments were approved after the Board determined that many voters in the future may prefer to vote by mail. The purpose of the amendments is to make mail-in voting easier for them.

A major impetus for the present popularity of mail-in voting is of course the coronavirus pandemic. But voters' experience this year, where State and Prince George's County boards of elections have fashioned an effective mail-in balloting and vote-counting procedure, may alter future behavior, and we may find that many more voters prefer to vote by mail.

The Board has also found, after reviewing mail-in balloting procedures in Rockville and New Carrollton, that easing mail-in voting procedures tends to raise significantly the level of voter participation. That remains one of the Board's chief goals, increasing vote-casting percentages. Our elections, in odd-numbered years, have less participation than State and Federal elections.

We hope that the draft amendments, to Code Section 8-4, are not difficult to follow. The proposed changes to present procedures add Council and City Clerk processes, to make mail-in voting more convenient for voters. The Council early in each election year will – the draft says “may” – pass a resolution setting dates and procedures for that year. The Clerk then sends each registered voter “one or more” notices about mail-in voting, and, after voters have notice and an opportunity to

November 30, 2020

Page Two

contact the Clerk's office and Board with questions, the Clerk sends every voter an application for an absentee ballot.

Then, as soon as practicable after the November ballot is set and mail-in ballots are printed, the Clerk will send each voter who has filed an application in proper form a mail-in ballot, with instructions for completing and submitting it.

The new procedures will likely add significantly to the costs of future elections. That is the main equation to consider: The City will spend more to put on elections, but voter convenience will be enhanced, and many more will participate. The main costs of course will be in the additional printing and mailing charges, as well as the cost of e-poll books that will be required for this expanded mail-in voting process.

If the Council approves these or similar mail-in voting procedures, then voters will have many choices, on and prior to election day: Mail-in voting, early voting for four weekends and three weeks prior to the election, and in-person voting on election day.

Enclosure: Draft Election Code Amendments

Copies to: Council Members

DRAFT GREENBELT ELECTION CODE
AMENDMENTS: MAIL-IN VOTING
RESOLUTIONS, APPLICATIONS,
AND BALLOTS

Section 8-4. [Absentee] *Mail-in Voting Procedures.*

(a) *For purposes of this section, a “mail-in ballot” is a ballot not cast in a polling place, a “mail-in voting resolution” is a resolution passed by the council in an election year setting out procedures for mail-in voting in that year, a “mail-in ballot clerk” is a clerk appointed by the board of elections for assisting in the counting of mail-in ballots, “election day” means the day of a municipal election, and the city clerk will usually be referred to as the “clerk.”*

(b) Residents of the city who are qualified voters registered with the Prince George’s County Board of Elections have the right to vote by [absentee] *mail-in* ballot in municipal elections, as provided in this section. *All voters may vote by mail-in, regardless of the reason.*

(1) *In each election year, on or before the last Monday in March, the council may by resolution direct the clerk to mail one or more notices and an application for a mail-in ballot to every registered voter.*

(2) *The resolution, to be styled and referred to as the “mail-in voting resolution” for that election year, shall direct the clerk to mail to all registered voters one or more notices of mail-in voting procedures, applications for mail-in ballots, and instructions to voters of their right to apply for a ballot and vote by mail-in and how they may do so. The resolution shall also state the time and date by which mail-in ballots must be received, or post-marked, to be counted.*

(3) *Upon approval of the mail-in voting resolution, the clerk shall: (i) obtain a current list of residents registered to vote; (ii) mail to all*

registered voters one or more notices, as stated in the resolution, advising them of their right to vote by mail-in and instructing them how to do so; (iii) mail to each voter an application for a mail-in ballot, together with instructions how to apply for it, complete it, and submit it, and by what time and date to apply and then submit; and (iv) mail to each voter who requests one a mail-in ballot, with instructions how to cast it and the time and date for submission.

[(b) For purposes of this Code, an “absentee ballot” is a ballot not used in a polling place, and “election day” means the day of a municipal election.]

(c) [Voting by absentee] *Unless otherwise provided in a mail-in voting resolution, voting by mail-in* ballot in municipal elections shall be as follows:

(1) Except for an emergency [absentee] *mail-in* ballot, as provided below, a voter may apply for [an absentee] *a mail-in* ballot for a municipal election without stating a reason.

(2) Applications for [absentee] *mail-in* ballots shall be [made in writing] *submitted* to the [city] clerk not [earlier than twenty (20) days nor] later than 12:00 noon of the last day before election day.

(i) [Applications shall include the voter’s] *On applications, voters shall provide their* name and signature as they appear on the registration list, city domicile address, and telephone number. [Each absentee ballot issued requires a] *A separate application is required for each mail-in ballot.*

(ii) A voter who has not been issued [an absentee] *a mail-in* ballot but is unable to vote at a polling place because of illness or accident or required absence, where the voter suffers the illness or injury or learns of the required absence at a time when applying for [an absentee] *a mail-in* ballot would be untimely or impractical, may be issued an emergency

[absentee] *mail-in* ballot. An application for an emergency [absentee] *mail-in* ballot shall give the reason why it is needed and all other information required for [regular absentee] *non-emergency mail-in* ballots. Emergency [absentee] *mail-in* ballots shall be cast in the same manner as [regular absentee] *non-emergency mail-in* ballots.

(iii) A qualified voter domiciled in the city but residing outside the continental United States for the 30-day period ending on election day may apply for [an absentee] *a mail-in* ballot by facsimile *or scanner*, if the application [contains] *has* all information required [of] *on* other [absentee applicants] *mail-in ballot applications* and a certification that the voter meets the qualification, domicile, residency, and time requirements in this [paragraph] *subsection (c)*. [No ballot] *Ballots* may *not* be cast by facsimile *or scanner*.

(3) [To be counted, an absentee] *Unless otherwise provided in a mail-in voting resolution, a mail-in* ballot must reach the office of the [city] clerk not later than two [(2)] hours before the polls close on election day.

(4) To cast [it, the] *a mail-in ballot, a* voter must complete the [absentee] ballot, *following the printed instructions*; place it in a blank, sealed envelope[, and then]; place the sealed envelope in the [absentee] *mail-in* envelope on which is written the voter's name as registered; and [signature] *sign the mail-in envelope*. The voter [shall] *must then place the mail-in envelope in a designated drop box or* mail or deliver [the absentee envelope] *it* to the [city] clerk's office. The [city] clerk shall check it against the list of applications for [absentee ballots. An absentee envelope that] *mail-in ballots, and if it* does not correspond to a name on the [absentee] *mail-in* ballot application list, *then it* shall not be opened. [Absentee] *Mail-in* envelopes that contain more than one blank, sealed envelope shall be kept by the [city] clerk, [and] *but they* [those absentee ballots] shall not be *opened or* counted. If a ballot is submitted in a properly signed and sealed [absentee] *mail-in* envelope [without being] *but is not* contained in a blank, sealed envelope, then the board shall determine by majority vote whether [a violation of] the voter's privacy

[has occurred or] *may have been compromised* and whether the ballot may be counted. If [a determination is made] *the board decides* to count the ballot, then *the clerk or a board member* [of the board] shall place the ballot in a blank, sealed envelope. *The clerk shall mail the voter a notice stating that the mail-in ballot was not enclosed in a sealed envelope, advising whether the board decided to count the ballot, and also advising that the voter's privacy may have been compromised.*

(5) After the time [has passed] for receipt of [absentee ballots on election day, as provided above] *mail-in ballots has passed*, the [city] clerk shall deliver the sealed, blank envelopes to the *mail-in ballot* clerks [appointed by the board of elections for the counting of absentee ballots]. The city clerk shall advise the [absentee] *mail-in* ballot clerks of the numbers of [absentee] *mail-in* ballots issued and [absentee] *mail-in* envelopes returned, and shall keep the same record of the [absentee] *mail-in* ballots as is kept by the clerks of election at their polling places.

(6) Upon receipt of the sealed, blank envelopes, the [absentee] *mail-in* ballot clerks shall deposit them in [the] *a* ballot box. The [absentee] *mail-in* ballot clerks shall *then* open the sealed envelopes [and determine] *to ensure* that no envelope contains more than one [(1)] ballot. Ballots in sealed envelopes that contain more than one [(1)] ballot shall not be counted.

(7) The [city] clerk shall [furnish voters absentee] *make mail-in* ballots *available* for runoff elections as soon as runoff [ballot forms are available] *ballots have been printed*. Otherwise, [absentee] *mail-in* balloting for runoff elections shall [be as provided] *follow the procedures* in this section.

(8) A voter for whom [an absentee] *a mail-in* ballot has been issued may vote only by casting the [absentee] *mail-in* ballot. If [an absentee] *a mail-in* ballot is lost or destroyed and not returned in the [absentee] *mail-in* envelope to the [city] clerk, a second ballot may be issued.

(9) If [an absentee] *a mail-in* ballot is challenged by the city clerk or [an absentee] *a mail-in* ballot clerk for noncompliance with this section, it may not be counted until the board [of elections] determines that it is valid. [Absentee ballot validity shall be determined by rules adopted by the board.]

(10) If, before ballots are counted [on election day], the [city] clerk or board [of elections] determines that a voter who cast [an absentee] *a mail-in* ballot died before election day, then the ballot shall not be counted. [But if, in a case of an absentee] *If, however, upon a mail-in* voter's death, neither the [city] clerk nor the board [of elections] determines until after ballots have been counted that the voter died before election day, then the ballot shall be counted, and neither the ballot nor the election may be held invalid because the voter died before election day.

KEY:

[Brackets] indicate deletions from existing law.

Italics indicate additions to existing law.

BOE0243AbsenteeVoting3

DRAFT

City Council Agenda Item Report

Meeting Date: December 14, 2020

Submitted by: David Moran

Submitting Department: Administration

Item Type: Board and Committee Reports

Agenda Section: COMMUNICATIONS

Subject:

* Community Relations Advisory Board - Communication to City Council

Suggested Action:

It is recommended Council accept this Communication and consider it on the agenda of a future meeting.

Attachments:

[CRAB Communication 12.11.20.pdf](#)

**COMMUNITY RELATIONS ADVISORY BOARD
COMMUNICATION TO CITY COUNCIL
12/11/20**

CRAB appreciates and supports the City Council's efforts toward fair and just policing. As we have stated on record before, CRAB wishes to be part of the solution. To that end, we welcomed, and greatly appreciated, Mayor Byrd's active participation in our October CRAB meeting to discuss his proposal and respond to many of our questions and requests for clarification.

As CRAB has taken the opportunity to consider possible next steps for the development of an accompanying city ordinance, CRAB is pleased to hear that Council will hold at least one public work session and hearing.

As such, CRAB offers the following, and seeks Council's response as soon as practicable to enable CRAB to add as much value as possible to the process.

Option 1:

CRAB has a history of facilitating public forums in the area of community-police relations, but in other areas as well. CRAB is prepared, in advance of the first hearing or work session, to hold 2-3 such virtual forums inviting members of the public to weigh in with questions and concerns about police-community relations. In an era of division and heightened opportunity for frustration, anger, and misunderstanding on multiple sides of issues, the purpose of these forums would be as an opportunity to foster listening sessions for our citizenry. There is more that unites us than divides us. The results of these forums would be provided to Council as fodder for further discussion. These sessions would be in addition to, and prior to, Council's sessions. They would cover a slightly broader topic than the proposal itself.

Option 2:

As Council prepares to hold its work session(s) and hearing(s), Council may wish to have CRAB play a role in support, facilitation, broad socialization/announcement of Council's sessions. CRAB is open to that role, whether instead of, or in addition to, option 1.

Option 3:

CRAB recognizes that Council may not have time nor inclination at this time for CRAB's specific involvement in public forums, sessions, or hearings, and will respect Council's wishes for CRAB's involvement.

Respectfully Submitted

Rick Ransom, Chair
Jamie Krauk, Co-Chair
Community Relations Advisory Board

City Council Agenda Item Report

Meeting Date: December 14, 2020

Submitted by: Bonita Anderson

Submitting Department: Administration

Item Type: LEGISLATION

Agenda Section: LEGISLATION

Subject:

City of Greenbelt Apartment Electronic Security Ordinance
- 1st Reading

Suggested Action:

Reference: Ordinance

At its September 14, 2020 meeting, the City Council discussed Mayor Byrd's request for the solicitor to draft legislation to require apartment complexes to install security cameras. This law would apply to any apartment complex located in a police patrol area where there are 30 or more violent crimes annually.

Included in Council's packet is an ordinance drafted by the City Solicitor. Also, staff has shared concern regarding the resources and ability to monitor and enforce this legislation, as well as the potential liability shared by the City Solicitor.

It is recommended the ordinance be introduced for first reading.

Attachments:

[Ordinance.pdf](#)

Introduced:
1st Reading:
Passed:
Posted:
Effective:

ORDINANCE NUMBER XXXX

CITY OF GREENBELT APARTMENT ELECTRONIC
SECURITY ORDINANCE

WHEREAS, to provide additional security to apartment dwellers in the City of Greenbelt;
and

WHEREAS, as a result of the hardship which residents of Greenbelt may suffer as a
result of economic events and other issues that may occur by theft and similar crimes and
grievances; and

WHEREAS, the City of Greenbelt adopts this Ordinance to assist those residents of
Greenbelt who live in residential apartments and that Electronic Security would assist those
residents in their safety and wellbeing. NOW, THEREFORE,

BE IT ORDAINED the City Council of Greenbelt adopts this Electronic Security
Ordinance to provide that all apartment owners and/or managers shall install and maintain electronic
security for all apartment complexes over ten (10) units to include electronic surveillance of the
exterior and common area interior of the apartment site. Said electronic equipment shall have at least
an eight (8) day storage and retrieval for the electronic equipment data. The exterior area shall
include the buildings and parking areas. The internal areas shall only include the common areas
within a building and shall not include the internal areas within any apartment. The stored electronic
data shall only be provided to the Greenbelt Police upon request and no other person, agency or
entity shall be entitled to obtain such stored information. The apartment owners and/or managers
shall provide to the City Manager a yearly certification that such electronic security equipment is
operating and functioning on a date as determined by the City Manager. Failure to provide said
certification shall lead to a municipal infraction fee for each day the certification is not provided.
Said electronic security equipment per this ordinance shall be installed and operating by June 30,
2021.

BE IT FURTHER ORDAINED by the Council of the City of Greenbelt that this
ordinance shall become effective immediately upon its passage.

PASSED by the Council of the City of Greenbelt, Maryland, at its regular meeting of
_____, 2020.

Colin A. Byrd, Mayor

ATTEST:

Bonita Anderson, City Clerk

City Council Agenda Item Report

Meeting Date: December 14, 2020

Submitted by: Bonita Anderson

Submitting Department: Administration

Item Type: OTHER BUSINESS

Agenda Section: OTHER BUSINESS

Subject:

Improved Medicare for All

Suggested Action:

Mayor Byrd requested this item to be added to the agenda.

The motion would be to send a letter to County Council asking to pass a resolution in support of Improved Medicare for All to show local support for single-payer health care, seeking to gain support of this by the City's Federal Delegation including the Senators

Attachments:

City Council Agenda Item Report

Meeting Date: December 14, 2020

Submitted by: Bonita Anderson

Submitting Department: Administration

Item Type: OTHER BUSINESS

Agenda Section: OTHER BUSINESS

Subject:

Mental Health Support

Suggested Action:

Attachments:

City Council Agenda Item Report

Meeting Date: December 14, 2020

Submitted by: Holly Simmons

Submitting Department: Planning

Item Type: OTHER BUSINESS

Agenda Section: OTHER BUSINESS

Subject:

Construction and Operation of a Currency Production Facility at the Beltsville Agricultural Research Center Draft Environmental Impact Statement (DEIS)

Suggested Action:

Reference:

Comment Memo BEP DEIS Final Draft

Memo Attachment A - BEP DEIS Maps

Memo Attachment B

Comments Individual Green ACES Members and Friends

DEIS Public Webinar Comments Individual Green ACES Members and Friends

On November 6, 2020, the US Department of the Treasury (Treasury), with assistance from the US Army Corps of Engineers, released the Draft Environmental Impact Statement (DEIS) for the proposed Replacement Currency Production Facility at the Beltsville Agricultural Research Center. The DEIS is available for public review and comment until December 21, 2020.

The project, which proposes to replace the existing currency production facility located in downtown Washington, DC, is aimed to modernize BEP operations and achieve BEP's primary mission of producing increasingly technologically sophisticated US paper currency.

The project site is a 104.2-acre parcel located on BARC. The site is bounded by BARC's northern border adjacent to Odell Road. Poultry Road runs north to south through the parcel between Odell Road and Powder Mill Road. The DEIS analyzes two alternatives: The Proposed Action alternative, and the No Action alternative. Prior to releasing the DEIS, Treasury determined that new construction was the most efficient and cost-effective option. Treasury has also identified the project site as the only reasonable new-construction alternative based on the Proposed Action's purpose and need.

Staff has prepared a detailed summary of the key elements of the DEIS, which is included in Council's reference materials. The memo highlights key issues and deficiencies in the DEIS and focuses on the significant adverse impacts the Proposed Action alternative will have on the natural, socioeconomic, cultural, and built environment. Council's reference materials also include comments provided by individual members and of friends of Green ACES. These comments are not a recommendation of Green ACES or the Green Team.

Staff recommends that City Council submit a letter, to include a list of the City's key issues with the DEIS, to the US Army Corps of Engineers strongly stating the City's opposition to the proposed alternative under consideration and stating the City's support for the No Action alternative to enable a reconsideration of the Purpose and Need statement and the alternatives under consideration.

Attachments:

[Comment Memo BEP DEIS Final Draft.pdf](#)

[Memo Attachment B.pdf](#)

[Memo Attachment A - BEP DEIS Maps.pdf](#)

[DEIS Public Webinar Comments_Individual GreenACES Members and Friends.pdf](#)

[Comments_Individual GreenACES Members and Friends.pdf](#)

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Memorandum

TO: Ms. Nicole Ard, City Manager
FROM: Holly Simmons, Community Planner II
THROUGH: Terri Hruby, Director of Planning and Community Development
DATE: December 10, 2020
RE: Construction and Operation of a Currency Production Facility at the Beltsville Agricultural Research Center Study Draft Environmental Impact Statement Overview

I. BACKGROUND

On November 6, 2020, the US Department of the Treasury (Treasury), in coordination with the US Army Corps of Engineers, released the Draft Environmental Impact Statement (DEIS) for the proposed Replacement Currency Production Facility at the Beltsville Agricultural Research Center (BARC). The DEIS is available for public review and comment until December 21, 2020.

The Treasury, acting on behalf of the Bureau of Engraving and Printing (BEP), proposes to construct and operate a new Currency Production Facility (CPF, also referred to as “Proposed Action”) within the National Capital Region (NCR). The proposed CPF would replace the BEP production facility located in downtown Washington, DC, which was built in 1914 and has been in operation for over 100 years. The proposal aims to create a new facility that is “modern, scalable, [and] sufficiently sized.”

The stated Purpose of the Proposed Action is to “construct and operate a new, up to 1 million square-foot CPF on a minimum 100-acre parcel of federally owned, available land within the NCR that has ready access to interstate roadways and commercial airports for transportation of US currency.” The stated Need for the Proposed Action is to “replace Treasury’s obsolete DC Facility that is neither able to support modern currency production nor support Treasury’s current and future mission.” The DEIS states that the existing facility’s condition, configuration, and location limit its potential for modernization through renovation. The Proposed Action would allow for a “smaller, strategically located, state-of-the-art” facility in which production operations would be co-located on a single floor, thereby increasing flexibility and reconfigurability. Documents included with the DEIS indicate that a new facility in the NCR will reduce BEP’s footprint in the region by approximately 27 percent.

A. Treasury’s Facility Planning Process

The DEIS states that the Proposed Action is the result of a nearly 20-year-long planning process initiated to address the inadequacies of existing BEP facilities in the NCR. After considering a range of possible

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actions to address the current facility's issues and inadequacies (including renovating the DC facility and constructing a new facility within the NCR), Treasury concluded that new construction is the most efficient and cost-saving option, and that it will better address BEP's need for secure, efficient, and flexible currency production than a renovation of the Washington, DC, facility. As such, in approximately 2014, Treasury gathered data on 81 potential sites within the NCR to relocate the CPF and screened them against minimum criteria.¹ Twenty-five (25) privately-owned sites and six (6) federally-owned sites met preliminary screening criteria. In late 2015, Treasury eliminated the 25 privately-owned sites from consideration after determining that only a federal property was reasonable due to a) the cost of acquiring or leasing private property in the NCR, and b) federal directives dating from 2004-2015 to prioritize the reduction of federal real property assets.²

Five of the six federal sites were eliminated when compared against final screening criteria³ and the project Purpose and Need, prior to environmental impact analysis in the DEIS. The eliminated sites were RFK Memorial Stadium in Washington, DC; the FEMA Olney Federal Support Center in Gaithersburg; the FDA White Oak Campus in Silver Spring; the USDA Plant Introduction Center in Glenn Dale; and the GSA Warehouse in Springfield, VA. Additionally, two of the three sites under consideration at the Beltsville Agricultural Research Center (East Airfield and the Former FDA Laboratory) were also dismissed.

B. Alternatives Considered

Ultimately, two alternatives are analyzed in the DEIS: The Preferred (Build) Alternative and the No Action (No Build) Alternative. Treasury's Preferred Alternative would site a replacement CPF on a 104.2-acre parcel on BARC, located along BARC's northern boundary with Odell Road, in the former poultry research campus of the Central Farm (Attachment A). The 2018 Farm Bill authorized the transfer of "administrative jurisdiction" of the parcel from the USDA to Treasury, and the 2019 Department of the Treasury Appropriations Act made funding available for the Proposed Action. Treasury and the USDA entered into a Memorandum of Agreement (MOA) on February 13, 2020, confirming the availability of the Preferred Alternative parcel. The MOA does not appear to have been made publicly available. The

¹ The DEIS states that preliminary screening criteria included parcel size (i.e., 60 acres or more) and location (i.e., within a 30-mile radius of central Washington, DC, and within 10 miles of a major interstate).

² Federal directives cited are as follows: EO 13327, *Federal Real Property Management* (2004); OMB Memorandum 2015-01, *Reduce the Footprint*; and Presidential Memorandum DCPD201000483, *Disposing of Unneeded Federal Real Estate* (2010).

³ Final screening criteria identified in the DEIS are as follows:

- Location (site must be located within approximately 30 miles of central Washington, DC);
- Accessibility (site must be accessible to major interstate within 10 miles, and reasonably near an international airport);
- Availability (federal landowner must be willing to transfer the site to Treasury or establish a land use agreement and make the site available within the required timeframe);
- Parcel size (site must include a minimum 100 acres of land suitably configured to construct the CPF and provide for security/setback requirements); and
- Developability (site must have minimal development constraints due to terrain or other construction/use limitations).

replacement CPF is proposed to be between 40 and 50 feet in height, and up to 1 million square feet in area (i.e., greater than 22 acres). Additional site modifications, including parking and security measures, would also be constructed. Under the Preferred Alternative, Treasury would also construct a new entry road from the site to Powder Mill Road, along with several modifications to Powder Mill Road itself.⁴

Per Federal Regulations, the No Action alternative is included to provide a baseline for analysis.

As required by the National Environmental Policy Act (NEPA), the Council on Environmental Quality (CEQ) NEPA Regulations, and Treasury's NEPA Regulation, the DEIS analyzes the potential environmental, cultural, and socioeconomic impacts of the Proposed Action and its considered alternatives. The DEIS identifies thirteen resource areas⁵ that may be impacted by the Proposed Action. The DEIS presents existing environmental conditions; an analysis of potential impacts to the natural and human environment that may result from implementation of the Proposed Action; and measures to avoid or reduce adverse impacts to those resources. The EIS is intended to inform decision-makers and the public about potential environmental impacts, prior to Treasury deciding whether to implement the Proposed Action and recommended mitigation. Following completion of the Final EIS (FEIS), Treasury will document and formalize its decision in a Record of Decision (ROD).

C. City of Greenbelt Actions to Date

On October 28, 2019, at a regularly scheduled City Council meeting, Council voted 6-1 in opposition the relocation of the Bureau of Engraving and Printing to the Beltsville Agricultural Research Center (Proposed Action). During the public scoping comment period, City of Greenbelt Council sent a letter dated December 12, 2019, to USACE outlining community issues and concerns regarding the Proposed Action.

II. ANALYSIS

Staff has identified several procedural and substantive concerns associated with the DEIS for the proposed CPF at BARC. These concerns are outlined below.

A. Purpose and Need

In accordance with Federal NEPA regulations, Environmental Impact Statements (EIS) are required to define a "Statement of Purpose and Need" (i.e., a justification of why the proposed project should be built). The Purpose and Need statement is the first crucial decision-making milestone in an EIS, as the range of alternatives evaluated in the DEIS is defined by the purpose and need for the project. Yet, the

⁴ Proposed modifications to Powder Mill Road include installation of a traffic control device (likely a traffic light) at the new entry to the project site, widening of Powder Mill Road to accommodate additional lanes, and removal of the rumble strips

⁵ The thirteen resource areas analyzed in the DEIS are: Land Use; Visual Resources; Air Quality; Noise; Geology, Topography, and Soils; Water Resources; Biological Resources; Cultural Resources; Traffic and Transportation; Utilities; Socioeconomics and Environmental Justice; Hazardous and Toxic Materials and Waste; and Human Health and Safety.

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Screening Process outlined in the DEIS and information contained in the Final Scoping Report demonstrate that multiple rounds of alternatives development and screening were completed and other important analytical steps were taken prior to completing this foundational procedural decision.⁶ As a result, it is likely that reevaluation of the underlying Need for the project and its relationship with the project Purpose would benefit the project overall. Reevaluation of the project Purpose and Need may also require reevaluation of alternatives development and screening criteria, as well as additional public and stakeholder involvement.

For example, the Purpose statement includes the stipulation that the site must be a minimum of 100 acres, but provides no justification for this minimum acreage. The DEIS indicates that International Security Committee (ISC) security and setback requirements factor into the site area requirements, but the Purpose and Need statement does not clarify the security standard required and the justification for need of that security standard. As opposed to including a minimum acreage in the Purpose and Need statement, a more useful statement would include reference the basic requirements the facility must address (i.e., the Need for a facility “that meets the Interagency Security Committee (ISC) Level __ security standards, which is reserved for agencies with mission functions as follows...”, etc.).

Additionally, the Need statement refers to the existing CPF as “obsolete” and unable “to support modern currency production”, but the 2018 Government Accountability Office (GAO) report *Bureau of Engraving and Printing: Operations for and Costs of a Future Currency Production Facility*, which is referenced throughout the DEIS, indicates that a renovation of the existing facility may address these issues, even if it is not the preferred alternative: “BEP officials have stated that if BEP does not receive [...] legal authority and funding, it will begin a renovation of the current D.C. facility”.

⁶ It should be noted that the Purpose and Need statements have been revised since the Final Scoping Report for the project was released in January 2019. The Purpose and Need statement included in the Final Scoping Report reads: “The purpose of the Proposed Action, therefore, is to construct and operate an up to 1 million-square foot CPF on an approximately 105-acre parcel of land at BARC (the Project Site) in compliance with the 2018 Farm Bill. [...] The need for the Proposed Action is to replace the BEP’s obsolete DC facility.” Additionally, the Conclusion to that report appears to indicate that, at the time of scoping, Treasury was interpreting the Congressional land transfer *authorization* to instead be a *mandate* and not subject to NEPA: “None of the received comments would change the Proposed Action or considered alternatives; although many commenters questioned the BEP’s site selection process. [...] Congress ultimately determined the result of this process (i.e., the Project Site at BARC) and codified this decision in the 2018 Farm Bill. This Congressional decision is not subject to NEPA.” This would appear to conflict with 40 CEQ 1502.2(f) and (g), which requires that “Agencies shall not commit resources prejudicing selection of alternatives before making a final decision (see also 40 CFR 1506.1 of this chapter). Environmental impact statements shall serve as the means of assessing the environmental impact of proposed agency actions, rather than justifying decisions already made”; and with 40 CEQ 1502.5, which requires that “The statement shall be prepared early enough so that it can serve as an important practical contribution to the decision-making process and will not be used to rationalize or justify decisions already made.” Although the Purpose and Need statement has been broadened in the DEIS and no longer specifically references BARC, the statement is sufficiently restrictive to preclude consideration of other alternatives.

B. The Future of Paper Currency

To substantiate a future need for paper currency, the main product of the CPF, the DEIS reports that the Federal Reserve predicts demand for cash will increase over the next decade; however, this prediction was reported in early 2018,⁷ and the CPF is not planned to be fully operational until 2029 – one year past the decade-long time horizon. Additionally, the basis for the Federal Reserve’s prediction is not provided. The GAO report in which this prediction is published does not substantiate the Federal Reserve’s prediction, but rather restates it. The GAO instead outlines the “several indications that currency demand will not *substantially decline* within the next decade [emphasis added]” in the United States. There are also those who believe paper currency is becoming obsolete. For example, in an interview on November 30, 2020, when asked about the payments landscape over the next decade, Gary Cohn, former Director of the National Economic Council and chief economic advisor to the President, stated “I think cash can easily disappear. The idea of paper currency in the legitimate world is becoming more and more obsolete, and I believe it can become totally obsolete.” Additional information regarding the demand for paper currency through the anticipated life of the project should be included in the DEIS.

C. Alternatives Considered

Prior to Treasury preparing the EIS, multiple rounds of alternatives screening by the project team had already occurred. Alternatives screened and eliminated include renovating and reconfiguring the existing CPF (which the GAO report indicates Treasury would do if they were unable to get legal authority to acquire land in the NCR to build a new facility), leasing privately-owned land, and constructing the CPF on one of five other federal sites meeting initial screening criteria. While NEPA does not require Treasury to ultimately choose to pursue an alternative other than its Preferred Alternative, Federal regulations do require Treasury to “rigorously explore and objectively evaluate” all reasonable alternatives and explain why certain alternatives were eliminated from detailed study. The DEIS states that, to be considered a reasonable alternative to be explored and evaluated as required, a site must meet the final screening criteria and achieve the Purpose of and Need for the proposed action. The DEIS provides a brief overview of the screening process. Staff has identified issues with the Purpose and Need statement, as outlined above.

Staff is concerned that certain screening criteria have been elevated in importance relative to other perhaps equally important criteria to improperly narrow the range of possible alternatives.

1. **Screening criteria do not include environmental concerns.** The initial and final screening criteria listed in the DEIS does not appear to include any consideration of environmental concerns, despite Treasury’s NEPA Regulation requiring that “The Department of the Treasury (Treasury) will consider environmental quality as equal with economic, social, and other relevant factors in program development and decision making processes.”
2. **DEIS lacks screening criteria rationale.** The DEIS does not include full rationale for the screening criteria employed in preliminary screening. For example, the project team eliminated two of the federal sites which appear reasonable because they are not a minimum 100 acres (a criterion also included in the Purpose statement). While Treasury’s Purpose statement includes a

⁷ GAO-18-338, BUREAU OF ENGRAVING AND PRINTING: Options for and Costs of a Future Currency Production Facility

stipulation that the site be a “minimum 100 acres”, it does not provide a coherent justification for this requirement. Previous screening criteria specified a site of a minimum 60 acres, and while Treasury states that “standards and specifications [...] had evolved over this time”, it is unclear what the change is that would increase site area requirements by more than 50%. Further, the Biological Resources portion of the DEIS indicates that 21.9 acres of the site will not be utilized in the operational footprint or construction limit of disturbance (LOD).

3. **Alternative analysis omits other site designs at Treasury’s Preferred Alternative site.** The DEIS considers only one conceptual site design at one location, and further caveats that this design is subject to change in final engineering and design. The Draft Finding of No Practicable Alternative (FONPA) submitted with the DEIS states that “Three site configurations were evaluated by the design team” at Treasury’s Preferred Alternative site, but it appears these have not been made available to the public, and they are not treated individually in the DEIS. The DEIS fails to note that multiple site configurations are/have been considered by the project team. A review of the conceptual rendering provided in the DEIS reveals opportunities exist to reduce and reconfigure the proposed development to minimize impact to wetlands and waterways, cultural resources, noise levels and lighting, viewshed, etc. For example, alternative site design(s) at Treasury’s Preferred Alternative site could consider structured parking, facility of different size (e.g., meeting Treasury’s maximum versus minimum floor area), variations in facility orientation, variation in loading zone location, etc. During the public scoping period, US EPA made additional suggestions to incorporate Green Infrastructure/Low Impact Design into the design. These comments do not appear to have been addressed.
4. **Public input not considered regarding alternatives.** Various commenters, including the City of Greenbelt and the US Environmental Protection Agency (EPA), indicated during the public scoping period that additional alternatives should be considered. Because seemingly reasonable alternatives were eliminated prior to the DEIS, the public and decision-makers are unable to understand the relative impacts to the human environment of, for example, retrofitting the existing BEP facility for another fifty years (the anticipated life of the project) of successfully producing the nation’s paper currency, or redeveloping an existing industrial site within the NCR. At a minimum, Staff believes it would be appropriate for Treasury to include analysis of three additional alternatives: the two federal facilities purported to have been dismissed from consideration based on size alone (the Olney Federal Support Center and the Plant Introduction Center), and the Landover Mall, which was specifically referenced in multiple comments during the scoping period. The DEIS could also include different site design proposals for Treasury’s Preferred Alternative site.

D. Project Site boundary

The DEIS and supporting materials provide conflicting information on the Project Site boundary. For example, the Bat Survey and the Cultural Resources Technical Memorandum Appendices show a larger project site than the figures provided in the body of the DEIS. The project site appears to have been reconfigured. If a reconfiguration has occurred during the preparation of the DEIS and background materials, this information should be clearly disclosed in the DEIS. Any impacts on analyses and findings should be identified and addressed, along with any implications for implementation of regulations, such as the Maryland Forest Conservation Law. A copy of the legal description and map of the parcel of real

property to be transferred from USDA to Treasury per Section 7602(b) of the 2018 Farm Bill, including metes and bounds, should be provided with the DEIS.

E. Region of Influence Designations

For each resource area investigated, the project team has identified one or more applicable 'Region of Influence' (ROI). An ROI is a geographic area where most of the direct and indirect effects of the project are likely to occur. ROIs vary based on the resource being analyzed. Delineation and identification of appropriate ROIs is important to ensure the utility and accuracy of analyses performed in the DEIS.⁸

In many instances, the rationale for an identified ROI is unclear. The DEIS would benefit from a brief justification or re-evaluation of the ROIs identified. This is particularly true when the ROI is a simple Euclidean buffer on the project site. Examples include:

1. The ROI for **pedestrian impacts** is 0.25 miles in all directions of the project site, and the ROI for **bicycle impacts** is one mile in all directions of the project site. In this instance, it is unclear why a network analysis has not been used (especially if the intersection of Odell Road and Poultry Road is to remain closed).
2. The ROI for **Land Use** which, like the bicycle impact ROI, is a one-mile Euclidean buffer on the project site, including the area of the proposed roadway. CEQ's publication, *Considering Cumulative Effects Under the National Environmental Policy Act* (CEQ, 1997), provides possible geographic boundaries for different environmental resources. For Land Use, the geographic boundaries suggested include "Community, metropolitan area, county, state, or region." The ROI identified does not correspond to any of these suggestions and does not reflect any unified geographic area, and therefore appears arbitrary. As the project site is located in the National Capital Region and in Maryland, Staff believes it would be useful to use three Land Use ROIs: 1) an NCR ROI, 2) an ROI based on relevant Maryland case law to determine a cohesive and defensible neighborhood, and 3) BARC's Central Farm. Maryland rezoning case law indicates that neighborhoods should be determined by patterns of development, physical boundaries, and existing natural features that appear to be natural breaking points.
3. The ROI provided for **Biological Resources** (including **vegetation, wildlife, and migratory birds**) is also a 1,500-foot buffer on the project site. Ecosystem, habitat, and natural connections are not addressed in this determination. More appropriate ROIs include:

⁸ The importance of defining appropriate ROIs is clearly stated in the US Department of the Army's *Guide to Environmental Impact Analysis*: "Defining the ROI correctly is important since its delineation has implications for: (1) the collection of background data and information to support the analysis; (2) bounding the affected environment description that provides the context for understanding potential project impacts; (3) defining the range of affected populations and interested parties to be included/sought after in the scoping process; and (4) capturing the direct, indirect, and potential cumulative impacts. Under-defining the ROI can result in the omission of potential impacts, and insufficient data and information to understand the full extent and context of impacts and their significance. Over-defining the ROI can lead to the collection and presentation of excessive, irrelevant information in the affected environment section, and the analysis of far removed, tenuous effects." [Guide to Environmental Impact Analysis - 2017.pdf \(dau.edu\)](#)

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- Vegetative Resources: Watershed, forest, range, or ecosystem
- Resident Wildlife: Species habitat or ecosystem
- Migratory Wildlife: Breeding grounds, migration route, wintering areas, or total range of affected population units⁹

F. Environmental Consequences and Significance

NEPA regulations requires that the Environmental Consequences portion of the EIS must include a discussion of both direct and indirect effects and their significance. The regulations also state, “Both short and long-term effects are relevant” in determining significance.

The DEIS uses the following categories to classify potential impacts to resource areas:

- **None:** No adverse impacts would be expected
- **Negligible:** Barely perceptible adverse impacts would be expected.
- **Less-than-significant:** Measurable or tangible adverse impacts would be expected but would not exceed the significance thresholds specified for the resource area.
- **Significant:** Adverse impacts would be obvious, either short-term or long-term, and would have serious consequences on a technical resource area that would be readily noticed by an observer. These impacts would include those that substantially exceed a regulatory or policy standard. They could include impacts that could be mitigated to a less-than-significant level, as well as those that cannot. Significance thresholds are provided for each resource area.
- **Beneficial:** Impacts would improve the condition of the technical resource area in the ROI.

For each resource area, the DEIS identifies working definitions/assumptions regarding what qualifies as a significant adverse impact (hereafter called a “significance threshold”). As with ROIs, significance thresholds vary based on the resource being analyzed, and defining appropriate significance thresholds is necessary to ensure that relevant environmental consequences can be identified and assessed accurately.

In many instances, it appears that significance thresholds have been defined too narrowly to allow for recognition of all significant adverse impacts, or they fail to consider component parts of the definition of “significantly” per 40 CFR 1508.27 or “effects” per 40 CFR 1502.16. For example:

1. **Significance thresholds are defined too narrowly.** This can cause adverse impacts to be overlooked. One example of this is provided in the Wildlife section of this memo (item #1); however, this issue was identified throughout the DEIS.
2. **Short-term effects are discounted.** Per 40 CFR 1508.27, “Both short and long-term effects are relevant” in determining significance; however, bike and pedestrian impacts are only identified as “significant” if they “Result in *long-term* closure or loss of sidewalks, trails, lanes, or other facilities used by pedestrians or cyclists to access frequently visited locations [emphasis added]”. The DEIS states that there would be temporary closures to the bicycle shoulder on Powder Mill Road during construction which would be restored once Powder Mill Road modifications were completed. The DEIS considers these impacts *less-than-significant*. Staff believes that a more accurate assessment would identify these impacts as “short-term adverse effects”, but the

⁹ CEQ’s publication, *Considering Cumulative Effects Under the National Environmental Policy Act* (CEQ, 1997)

significance threshold the DEIS established for pedestrian and bike facilities only recognizes the significance of long-term closures. The idea that short-term impacts are less significant appears throughout the DEIS.

Additionally, the DEIS does not consistently categorize the anticipated type (“direct” and “indirect”), and duration (“short-term” and “long-term”), but rather opts to separate environmental consequences by those incurred during “Construction” and “Operation”. Staff understands “Construction” and “Operation” to be proxies for “direct/short-term” and “indirect/long-term”; however, this formula can inadvertently obscure impacts. For example, the DEIS recognizes that the proposed diversion and/or filling of 226 linear feet of streams will have a *potentially significant adverse impact*. The DEIS lists this under Construction impacts, but does not explicitly state whether this impact is considered to be short- or long-term, direct or indirect; thus, it is later possible for the DEIS to claim, under the Operation impacts, that “in the long term, the Proposed Action would have *no impacts* to on-site surface water.” In this example, no consideration of possible direct, long-term adverse effects due to impacts to on-site streams is given.

The methodology for each technical resource area must be thoroughly examined to ensure NEPA requirements are being met. Broader significance thresholds and identification of the category, duration, and intensity of impacts, similar to the methodology used in the Traffic Impact Study (TIS) submitted with the DEIS, could be used to address issues identified above.¹⁰ It is anticipated that this would also necessitate revisions in analyses and findings.

G. A Note on Mitigation

The DEIS distinguishes between avoidance, minimization, and mitigation measures in the following way:

¹⁰ In the TIS, impacts are analyzed and described in terms of “type” (a synonym for significance threshold, which the TIS breaks down as follows: “*Beneficial*, reducing congestion or barriers and/or improving travel patterns, safety, or travel time; *Adverse*, increasing congestion or barriers and/or degrading travel patterns, safety, or travel time”), and

- **Category:** the type of effects
 - *Direct effects* are caused by the action and occur at the same time and place;
 - *Indirect effects* are caused by the action and are later in time or farther removed in distance but are still reasonably foreseeable.
- **Duration:** the length of time of the effects
 - *Short term*, lasting during construction or up to one year after;
 - *Long term*, lasting more than one year.
- **Intensity:** the thresholds for determining the intensity of effects on local pedestrian, bicycle, transit, parking, traffic networks, and truck access
 - *Not Measurable* – a localized impact that is barely perceptible to most users;
 - *Beneficial or Adverse* – a localized impact that is measurable to most users;
 - *Adverse Major* – a broad area impact that is highly noticeable and would substantially affect a large numbers of network users.

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- *Environmental Protection Measures (EPMs)* are non-regulatory measures that Treasury would conduct in order to reduce potential adverse environmental impacts (e.g., conducting construction activities outside the migratory bird breeding season).
- *Regulatory Compliance Measures (RCMs)* are compliance measures that Treasury is required to conduct in accordance with applicable laws and regulations (e.g., consultation with federal agencies under the ESA, NHPA, etc.).
- *Best Management Practices (BMPs)* are practices specifically identified by regulatory agencies as such in regulations or permits (e.g., air quality, noise).
- *Mitigation measures* are additional measures that Treasury could implement to further reduce adverse impacts.

Staff notes the distinction between measures that Treasury *would* conduct (EPMs, RCMs, and BMPs) and measures that Treasury *may* conduct (mitigation measures) as part of the Proposed Action. In an effort to ensure clarity, Staff has used the terms “EPMs” and has avoided the term “mitigation” throughout this memo when recommending additional measures to be included in the Proposed Action.

H. Land Use and Zoning

According to the DEIS, the project site (including the area in which the approximately 18-acre new entry road will be built) contains institutional (57.7 acres), agricultural (60.7 acres), and forested (3.8 acres) land uses. The 104.2-acre project site is currently zoned R-O-S (Reserved Open Space)¹¹. R-O-S zoning is described as providing permanent maintenance of certain areas of land in an undeveloped state, with the consent of the property owners. This type of zoning encourages preservation of large areas of trees and opens space; is designed to protect scenic and environmentally sensitive areas and ensure retention of land for non-intensive active or passive recreational uses; and provides for very low density residential development and a limited range of public, recreational, and agricultural uses. The minimum lot size is 20 acres, and the maximum dwelling units per net acre is 0.05 (Prince George’s County Planning Department 2010). The Proposed Action would convert the entire parcel to Industrial use. An industrial use is not a permitted use in the R-O-S Zone.

The DEIS claims that the Proposed Action would result in *less-than-significant impacts* or *no or negligible impact* on land use and zoning. Staff believes this to be an inaccurate characterization, based in part on inappropriate identification of the ROI (ROIs discussed earlier in this memo). Staff finds that the Proposed Action would result in a significant adverse impact on surrounding land uses from construction activities; a significant adverse impact on land use and local planning objectives from the conversion of

¹¹ Prince George’s County is currently undergoing a zoning ordinance rewrite. The zoning of the Project Site is proposed to remain R-O-S; however, the purpose of the R-O-S zone is proposed to be clarified, as follows: “To encourage the preservation of large areas of agriculture, trees, and open spaces; To protect scenic and environmentally-sensitive areas; To ensure the retention of certain areas for nonintensive [sic], active, or passive recreation uses; and To provide for a limited range of public, recreational, and agricultural uses.” Additionally, “The use of the ROS Zone is intended to facilitate the permanent maintenance of certain areas of the County, both publicly and privately owned, in an undeveloped state.”

agricultural land to industrial land, the reversal of many local and state land use policies, and lack of conformance with the mission of BARC; and a significant adverse impact on local zoning.

1. **The Proposed Action would not be in keeping with the general character and mission of BARC.** BARC serves the area as a critical environmental and open space resource, a National Register-eligible historic resource, a major employer, and a location for anticipated growth in research and development activities. The Project Site is located in the 2,980-acre Central Farm, BARC's oldest and largest farm. Most of the buildings and landscape of the Central Farm were developed between 1911 and 1944. The Central Farm has approximately 12 clusters of buildings situated on approximately 336 acres along with pastures, wetlands, and forested areas used for animal husbandry, production crops, animal and plant research, and wildlife management. County and state policies and regulations strongly discourage development of BARC, as its unique mission of agricultural research allows for both economic benefits and environmental preservation.
2. **The Proposed Action would not conform to R-O-S purpose or uses.** The DEIS accurately states that development on federal sites is not subject to local zoning; however, the proposed BEP facility would clearly not conform with the purpose of the R-O-S zone. The DEIS fails to provide a complete discussion of the Proposed Action in terms of the site's R-O-S zoning and intended purpose. It frequently refers to the existing zone as "Residential" (the broader category under which the R-O-S zone is situated) which does not clearly reflect the purpose and uses of the R-O-S zone.
3. **The Proposed Action would undermine established planning policies.** Many policies at the County and State level prioritize the preservation of prime agricultural land and the redevelopment of existing sites. The project site is located within the County's Priority Preservation Area (PPA), Growth Tier IV¹², the *Plan Prince George's 2035* Rural and Agricultural Policy Area, and the M-NCPPC Subregion 1 Master Plan Rural Tier¹³. Additionally, the Land Use Article § 25-211 of the Maryland Annotated Code stipulates, "If the United States Department of Agriculture sells any portion of the property known as the Beltsville Agricultural Research Center, the district council shall place and permanently maintain the land in a zoning classification of agricultural open space immediately after the transfer of the land to the buyer."
4. **The Proposed Action would establish a precedent for future actions with significant effects.** The DEIS does acknowledge that BARC is included in the County's PPA and the NCPC's regional parks and open space network, and conversion of this site to industrial land use would conflict with these policies; however, it fails to recognize the significance of the precedent that the Proposed Action would set in reversing these policies. NEPA regulations require that the significance of proposed actions be based on both context and intensity, and one of the considerations in evaluating intensity is "The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration."

¹² Growth Tier IV is the designation intended for the least intense uses under the Maryland Sustainable Growth and Agricultural Preservation Act of 2012.

¹³ The vision for the Rural Tier is the protection of large amounts of land for wooded wildlife habitat, recreation and agricultural pursuits, and preservation of the rural character and vistas that now exist.

5. **The DEIS mischaracterizes the ROI.** The analysis characterizes the ROI as an “established mixed-use community” and states that construction of the Proposed Action would be typical for the area, as “similar construction activities have occurred within the ROI throughout the past several decades.” It proves difficult to determine what “similar construction activities” the DEIS is referencing. Based on a review of aerials, to find any non-residential development within the past 20 years in the identified ROI, one must look half a mile away from the project site on the west side of Edmonston Road. A more sensitive construction of the ROI would eliminate areas west of Edmonston Road from this analysis, thereby eliminating most if not all of the industrial and commercial uses as well.

While the No Build Alternative is preferable, if the Build Alternative is pursued, the project should restore and/or enhance the current environmental features on the proposed site and/or mitigate CPF construction and operation through the acquisition and preservation of a comparably sized property in areas of the County currently slated for development. Additionally, the entire site should be vegetatively buffered in accordance with requirements of the Prince George’s County Landscape Manual, to ease transition between the existing residential and agricultural uses and the incompatible industrial use and to ensure the maintenance of a cohesive landscape to the maximum extent possible.

I. Historic Buildings and Structures

The entire area of BARC (6,582 acres) comprises the BARC Historic District. Building the CPF at BARC would result in the demolition of 22 existing buildings and structures identified as contributing resources to the BARC Historic District. The buildings and structures were constructed as early as 1914, and previously served a variety of functions including laboratory, poultry house, carpenter shop, and worker housing. The majority of the buildings are vacant, though three remain in use.¹⁴ Use of all other buildings and structures was discontinued by 2012.

Under Section 106 of the National Historic Preservation Act of 1966, if a federal project has the potential to affect historic properties, a Section 106 review will take place. As part of the Section 106 process, Treasury is consulting with required parties, including the Maryland Historic Trust, Indian Tribes, M-NCPPC and the Anacostia Trails Heritage Area. The DEIS evaluates impact to both physical effects (impacts to architectural resources within the Project Site itself, where building and structures could be physically impacted) and visual effects (impacts to the viewshed in which the Project Site is located).

1. **Staff believes the Proposed Action would have a *significant adverse effect* on the ROI for physical effects to architectural history.** Under the Proposed Action, 23 buildings and structures that contribute to the BARC Historic District would be demolished. As the DEIS notes, the Proposed Action would result in “diminished integrity of the BARC Historic District’s design, setting, materials, workmanship, and feeling.” Despite this, the DEIS claims that the Proposed Action, including EMPs, RCMs, and BMPs, would have a *less-than-significant adverse impact* on the architectural history ROI for physical effects. The historic structures onsite are non-

¹⁴ According to the Environmental Conditions of the Property Report (included with the DEIS), Building 253A is currently occupied by the Wildlife Office. Building 277 is currently being used to quarantine chickens. Building 267 is being used as a bee sanctuary. Draft Environmental Condition of Property Report Template (army.mil)

renewable. The significant adverse effect of the Build Alternative on the BARC Historic District *and* the individual contributing resources must be acknowledged.

2. **ROI for physical effects to architectural history must clearly include individual contributing resources to allow for an accurate assessment of impact to resources.** Staff notes an inconsistency in the definition of the ROI for physical effects to architectural history and the impact assessment. The DEIS defines this ROI as “the Project Site (i.e., where buildings and structures could be physically affected)”, but later states that there is only “one architectural resource (i.e., the BARC Historic District) in the architectural history APE¹⁵ [ROI] for physical effects.” The ROI for physical effects to historic resources must include all historic buildings and structures onsite, and the impact on these resources (i.e., their demolition) must be clearly addressed in the impact assessment.
3. **Discrepancy between DEIS significance assessment and documented significance and integrity of structures.** In terms of physical effects, the DEIS states that the No Build Alternative would result in a *significant adverse impact* on the BARC Historic District in the identified ROI “due to neglect and deterioration”. This assessment is especially concerning, considering the DEIS claims that the Build Alternative would result in a *less-than-significant adverse impact* on the BARC Historic District. This assessment that the No Build Alternative would have a greater impact than the Build Alternative lacks justification, and is inconsistent with evidence provided. While the majority of the historic buildings and structures onsite are vacant, the significance of these buildings and structures within BARC under NRHP Criteria A and C is well-documented in Maryland Inventory of Historic Places (MIHP) Determination of Eligibility (DOE) forms. Many of the structures are identified as retaining integrity, and a fair portion are identified as being in good condition. Additionally, the No Build alternative does not preclude future opportunities to address the current condition of historic buildings and structures. The DEIS would benefit from further discussion and a reconsideration of this assessment.
4. **Significance of impact to visual effects for No Action alternative must be clarified.** Although an assessment of visual effects for the No Action Alternative does not appear to be provided, Staff recommends that the continuance of the cohesive landscape and unobstructed vista and viewscape – despite the potential for deferred maintenance of vacant historic buildings within the ROI – would result in a *beneficial impact* on the ROI.
5. **M-NCPPC concerns must be addressed.** During the DEIS public webinar held on December 2, 2020, M-NCPPC expressed concerns regarding impacts to the view from Walnut Grange, a Prince George’s County Historic Site. These concerns should be addressed in the DEIS.

Staff concurs with the DEIS’s assessment that Treasury’s Preferred Alternative would have a *significant adverse impact* on the visual environment: “By introducing the proposed CPF into the previously cohesive landscape, the Preferred Alternative would also obstruct vistas and viewscales from on-BARC areas outside the Project Site, primarily from the west and southwest, including from the 16 off-site (but

¹⁵ Section 106 of the National Historic Preservation Act defines an APE as “the geographic area or areas within which an undertaking may directly or indirectly cause changes in the character or use of historic properties, if any properties exist.... [The APE] is influenced by the scale and nature of an undertaking and may be different for different kinds of effects caused by the undertaking.”

on-BARC) contributing resources located within the architectural history APE for visual effects.” The cohesive landscape is part of the justification for the BARC Historic District’s eligibility for listing in the NRHP. As stated in the 1997/98 MHT Internal NR-Eligibility Review Form for BARC, “Because the mission of the BARC facility has remained constant over the years, the landscape also reflects a high level of integrity.”¹⁶ Introduction of the replacement CPF into this cohesive landscape would have a significant adverse impact. Treasury’s Preferred Alternative should not be implemented.

J. Archaeological Resources

Ten archaeological sites were identified through two Phase I archaeological surveys of the property. Of these ten sites, Treasury determined seven are not NRHP-eligible, and the Maryland Historical Trust (MHT) concurred. For the remaining three potentially NHRP-eligible sites, MHT recommended avoidance or Phase II evaluation. Treasury anticipates avoiding one site entirely, and therefore did not perform a Phase II survey for this site. Treasury conducted Phase II surveys for two of the sites, and has determined that both are ineligible for NRHP, pending MHT concurrence. Evidence of MHT concurrence should be provided with the DEIS.

K. Visual Resources

Staff is concerned about the impact analysis performed for visual resources.

1. **Analysis does not include any area in the City of Greenbelt.** Because the northern edge of historic Greenbelt is located on a rise overlooking BARC, it is possible that the Proposed Action would have an impact on the City of Greenbelt (either the daytime or the nighttime view), specifically to those residences along Ridge Road.
2. **DEIS does not identify full extent of building envelope.** The impact on viewshed is determined in part by the CPF main structure’s proposed setback from roadways, property boundaries, etc., but the building shown in renderings is understood to be conceptual and therefore subject to change. The full extent of the building envelope for the facility should be disclosed in the DEIS.
3. **Visual impacts to Odell Road residences.** The DEIS acknowledges that the Proposed Action will impact the residences along Odell Road. During construction (2012-2025), these residences may have unobstructed views of construction activities, and once construction activities have abated, “introduction of the proposed CPF would obstruct the historically and aesthetically valued vista/viewscope from the residences (i.e., the BARC Historic District viewscape), thereby permanently altering the character of the views from those homes.” As such, particular attention should be given to the owners and residents (owners and/or renters) of these homes. Treasury should proactively engage property owners and residents of the 34 homes along Odell Road in determining measures to be incorporated in the Proposed Action as EPMs. To mitigate the impacts of construction of adjacent residences along Odell Road, an additional EPM could be added: “Enhance landscape buffers within Forest Conservation Easements as the first step in the Sequence of Construction, to ensure maximum screening of construction activities from residential properties and roadways.”
4. **Impacts to other residences not considered.** The DEIS does not address possible impacts to additional residences that appear to be located within the ROI for visual impacts. The ROI appears to include residential dwellings at the eastern extend of Brewer Road, Cordwall Drive

¹⁶ [se5-018238-0001.tif \(army.mil\)](#)

and Cordwall Court, and Cochran Road (Figure 3.9-2); however, these are bounded by a dashed line as opposed to a solid line. The meaning of the dashed line is not clarified within the DEIS, and impacts to these residences have not been accounted for in these analyses. The dashed line also appears at the ROI's western boundary along Edmonston Road. The meaning of the dashed line and reason for excluding these residences from analysis should be clarified. If further evaluation indicates these residences will be impacted, Treasury should proactively involve the owners and residents be included in determination of EPMs.

5. **Security fencing not adequately addressed.** One of the mitigation measures proposed for impacts to Visual Resources is to "Ensure the permanent security fencing around the perimeter of the proposed CPF blends with the natural surroundings to the extent possible and does not present an obtrusive, visually distracting, discordant visual impact with the ROI [Region of Influence]. Use fencing that resembles residential fencing and does not appear threatening to adjacent viewers." While Staff agrees that impacts resulting from security fencing should be mitigated, the DEIS does not provide information on ISC fencing requirements and Treasury's proposed fencing, and it fails to evaluate the visual impacts of security fencing. Requirements for fencing (height, materials, security features, etc.) should be outlined and included in the evaluation of visual impact. Security fencing should be shown in renderings provided in the Visual Resources Technical Memo. The "extent possible" to which fencing will be able to blend in with the natural surroundings should be identified and accounted for. At a minimum, the proposed mitigation should be revised to include "Consult with adjacent property owners along Odell Road to ensure fencing does not appear threatening to adjacent viewers" and included in the DEIS as an EPM.
6. **Landscape, forest conservation, and vegetative buffering not included.** To minimize visual impacts, the Proposed Action incorporates retention and enhancement of existing landscape buffers (i.e., topography and vegetation) around the periphery of Treasury's proposed parcel "to obscure it from adjacent areas and maintain visual resources for off-site locations"; however, the DEIS does not include a landscape plan, a forest conservation plan, or any specific information pertaining to enhanced/additional vegetative buffering. Two forest conservation easements (FCE) exist¹⁷ along the northern portion of the site, but the LOD shown in the DEIS appears to disturb the FCE to the northeast. Forested areas to the east, which were included in the forest stand delineation and appear to have been previously included in the project area, may be subject to retention and preservation under the Maryland Forest Conservation Act if included in the site; however, they are no longer shown as part of the project site. No vegetative buffering appears to be proposed along the western and southern site boundaries.
7. **Prince George's County Master Plan of Transportation and Landscape Manual not included.** Conformance to the Prince George's County Master Plan of Transportation, and to the Prince George's County Landscape Manual should be incorporated into the Proposed Action as an EPMs, RCMs, or BMP. To minimize visual impacts, landscape buffers should be installed on all sides of the facility, and should include a mixture of native canopy and understory trees and herbaceous cover to ensure full screening. A variety of fast-growing and slow-growing species could be used to facilitate short- and long-term screening.

L. Beaver Dam Creek and Surface Waters

¹⁷ Easements were established in 2014 as a mitigation measure for the Intercounty Connector Project.

One of the primary concerns raised by the City of Greenbelt during the public scoping period was “Wastewater discharge treatment and impact on Beaver Dam Creek”. Beaverdam Creek is considered an area of critical concern as a Tier II stream. The DEIS notes that operation of the proposed CPF would produce approximately 120,000 gallons per day of wastewater, all of which would be conveyed to BARC’s East Waste Water Treatment Plant (WWTP, located 0.3 miles south of the Project Site), treated to “applicable effluent standards”, and discharged to nearby surface waters. This will be done in accordance with BARC’s existing WWTP permit and is not anticipated to exceed the WWTP’s existing permit capacity or TMDLs for the receiving waterbody. The DEIS states, “The WWTP operates under a permit issued by the MDE and has sufficient existing permitted capacity to treat both existing and planned future wastewater at BARC, as well as the anticipated volume of wastewater from the Proposed Action”.

Issues that must be addressed in the DEIS include:

1. **The DEIS fails to provide sufficient information regarding existing WWTP facility and permit.** The DEIS does not include specifics regarding current and planned future wastewater treatment quantity and quality at BARC and the East WWTP specifically. The DEIS does not list BARC’s current permitted capacity. It does not provide information regarding the efficiency of the existing treatment plant and any upgrades that may be necessary to address increases in wastewater and introduction of a new industry which may generate wastewater of a different composition. The DEIS does not show the location of discharge on plans.
2. **The DEIS does not provide a comprehensive understanding of CPF wastewater composition, characteristics, and effluent standards.** The Hazardous and Toxic Materials and Waste portion of the DEIS states that “the largest amount of hazardous waste would be generated from wastewater treatment from nickel and chrome plating operations (i.e., 22,500 pounds [lbs] per year”, but the DEIS does not provide a complete breakdown of CPF wastewater composition (including anticipated material/pollutant types and amounts/proportions) and the specific effluent standards to which the water will be treated. The DEIS states that hazardous waste generated on-site would either be treated off-site prior to disposal or incinerated off-site in accordance with federal and state requirements; however, the DEIS does not indicate the effectiveness of wastewater treatment. The DEIS does not provide specifics regarding types and amounts of organic and inorganic pollutants that the treated water may retain when discharged into receiving waters of Beaver Dam Creek. It is unclear whether the wastewater would retain amounts of nickel, chrome, lead, arsenic, waste solvent, corrosive waste, etc. The DEIS also does not provide the anticipated temperature of discharged waters.
3. **Insufficient evidence and lack of clarity regarding determination of *less-than-significant adverse impacts*.** The DEIS states that CPF operations would result in “*less-than-significant adverse impacts* on the flow of surface waters in the ROI, including Beaverdam Creek.” It is unclear if this statement is intended to apply only to the *flow* of surface waters, or whether it is intended to apply to the hydrologic function and quality of surface waters as well. No information is provided regarding impacts to hydrologic function. The DEIS presents insufficient information to substantiate a claim that the CPF operations would have a less-than-significant adverse impact on Beaver Dam Creek’s hydrologic function, flow, or quality.
4. **Proposed impacts to onsite surface waters draining to Beaver Dam Creek.** The Proposed Action would divert approximately 117 linear feet of intermittent stream; fill and not replace approximately 109 linear feet of a second on-site intermittent stream; and impact a portion of

wetlands to allow for installation of security fencing. Both of these streams drain to Beaver Dam Creek. The wetland impacted for during fence installation is the “largest and highest quality of [the wetlands onsite, and] is largely groundwater-fed and derived from an intermittent channel”¹⁸ and feeds to the intermittent stream to be diverted. Staff is concerned that impacts to these streams may have down-stream effects on Beaver Dam Creek which the DEIS fails to account for.

5. **Additional EPMs should be considered.** While the No Action alternative is preferable, if the CPF proceeds to final design and engineering, as an additional EMP, Treasury should implement use of gray water systems onsite to minimize wastewater. Impact to these streams and wetland should be avoided.

M. Stormwater

The Project Site currently contains 17.3 acres of impervious surface. Once constructed, the site will contain a total of 46.7 acres of impervious surface (an increase of 29.4 acres, or 31.2%). Currently, much of the site is vegetated, so runoff does not contain high concentrations of pollutants or sediment. The DEIS asserts that *no or negligible adverse impacts* to stormwater are expected; however, evidence is not provided to support this claim.

1. **Regulatory requirements and stormwater proposal not included in DEIS.** The DEIS states that the project would comply with applicable state and federal stormwater regulations but it does not clarify specific regulatory requirements or provide information regarding Treasury’s proposed compliance measures. The Water Resources Technical Memorandum states, “To comply with Section 438 of the EISA, federal agencies are required to conduct an analysis of pre-development hydrology to establish a baseline condition and set design objectives for stormwater management that maintain predevelopment conditions with regard to temperature, rate, volume, and duration of flow associated with federal proposed actions.” This information must be included in the DEIS, but is not.
2. **Compliance with regulatory requirements may be insufficient to determine significance of impact. Additional information must be provided.** Staff notes that state and federal regulations do not require total quantity or quality treatment of all nutrients, but only keynote nutrients. It is conceivable that the project could meet all federal and state requirements and still have an adverse impact. During the public scoping period, the US EPA recommended that the EIS should “outline specific measures to protect surface waters” and include in the analysis a discussion of “how the proposed stormwater management facilities protect water quality by addressing pollutants such as runoff from parking lots (including thermal impacts, heavy metals and petroleum/oils) and landscape pollutants (such as fertilizers, pesticides, bacteria, and sediment) from entering surface waters.” The DEIS does not address these concerns.
3. **Treasury plans to defer determination of stormwater requirements.** It is unclear whether Treasury has performed site-specific analysis of possible effects of increased stormwater. The DEIS states that Treasury plans to determine stormwater requirements through the proposed CPF design process. Staff believes that determinations regarding stormwater cannot be deferred. To have a comprehensive understanding of the project’s potential effects, stormwater requirements

¹⁸ BEP Project - Traffic Impact Study (army.mil)

and impacts must be addressed with the DEIS, including but not limited to impacts to hydrology in terms of volume, quality, and temperature, and a complete break-out of current and anticipated nutrient and sediment loading must be provided. All calculations should be provided for the site as a whole, as well as by drainage area and watershed.

4. **Unclear if deficiencies in existing stormwater infrastructure will be addressed.** The Utilities Technical Memorandum notes that existing stormwater management capacity is “unknown; however, existing drainage is obsolete with significant inflow and infiltration issues”. The Water Resources Technical Memorandum notes that 51% of the site drains to existing stormwater management infrastructure, which drains to Indian Creek. The DEIS must provide information regarding whether the Proposed Action would address issues with existing stormwater management infrastructure. If so, specific actions must be outlined in the DEIS.
5. **Impacts of transportation mitigation are not addressed.** Per the TIS, proposed transportation mitigation will add over 340,000 square feet (i.e., approximately 8 acres) of new impervious surface for roadways. This concern is further outlined in the “Connected Actions” section of this memo.

N. Draft Finding of No Practicable Alternative (FONPA) and Wetlands

Under Executive Order (EO) 11990, *Protection of Wetlands*, Treasury “shall avoid undertaking or providing assistance for new construction located in wetlands unless the head of the agency finds: (1) that there is no practicable alternative to such construction; and, (2) that the proposed action includes all practicable measures to minimize harm to wetlands which may result from such use.” The Proposal would fill 0.94 acres of wetlands and impact 0.65 acres of MDE-regulated nontidal wetland buffer. An additional two additional acres of wetlands “may be subject to temporary, construction-related effects.” No floodplains are identified within the study area.

Under EO 11990, Treasury must find that there is no practicable alternative to development within wetlands and take all practicable measures to minimize harm to or within wetlands. The Draft FONPA includes such a finding and outlines the steps Treasury will take to avoid or minimize impact to wetlands.

Staff concerns pertaining to the FONPA are as follows:

1. **Treasury’s FONPA for the Proposed Action does not appear warranted**, given the information in the “Alternatives Considered” portion of Staff analysis, including the apparent existence of reasonable alternative sites and the extensive opportunities for redesign at Treasury’s Preferred Alternative site.
2. **The mitigation outlined in the FONPA does not appear to include “all practicable measures to minimize harm”**, as required by EO 11990. The DEIS and the FONPA state Treasury’s intent to apply for an exemption from mitigation requirements for wetlands under Maryland’s Nontidal Wetlands Protection Program. The FONPA states that “any mitigation will be implemented as directed”; however, Staff anticipates that MDE may not require mitigation, as the impact is less than 1 acre. While this may meet MDE’s regulatory requirements, the implementation only as directed – and not as a proactive harm-reduction measure – does not appear to meet the standards of EO 11990. Mitigation at a minimum 1:1 rate for emergent wetlands must be provided. The use of wetland restoration should always be the first compensatory mitigation option considered.

3. **The head of Treasury must make relevant findings.** Staff notes that EO 11990 appears to require the head of the federal agency to make relevant finding. The FONPA includes a signature line for “Charles C. Davis, P.E. / *Program Manager / Bureau of Engraving and Printing* [emphasis added]”.

Additional Staff concerns pertaining to wetlands generally include:

1. **Inadequate significance thresholds identified in the DEIS.** The DEIS considers a significant adverse impact to wetlands to be one that would “Fill or substantially alter more than 1 percent (i.e., 8.15 acres) of the total wetland acreage at BARC.” The DEIS provides no clear justification or rationale for this significance threshold. The significance threshold must be reconsidered in terms of the stringent guidance of EO 11990, which instructs federal agencies undertaking new construction to avoid *any* impact to wetlands (regardless of size) unless no alternative exists. The FONPA recognizes that development activities impact wetlands “via the loss or degradation of their natural functional benefits such as water storage, infiltration, and filtration. These impacts extend to the intrinsic value of these resources or the benefits associated with their use, such as wildlife habitat, recreation, and aesthetic enjoyment. Wetland functions and values are also susceptible to changes in the volume, rate, and quality of stormwater discharge, particularly as influenced by the amount of impervious surface within a watershed.” The DEIS does not appear to account for the significance of these impacts. The assessment that potential wetlands impacts from construction of the Proposed Action would be considered *less-than-significant impacts* must also be revised to *significant adverse impacts*.
2. **Information regarding wetland impacts are inconsistent.** The FONPA states, “The Proposed Action would permanently affect approximately 0.94 acres of wetlands and up to 2 additional acres of wetlands may be subject to temporary, construction-related effects.” The DEIS does not mention an additional two acres of temporary disturbance to wetlands. The extent and duration of impact to wetlands must be clarified in the DEIS.

O. Forest Retention

The Proposed Action would result in the permanent removal of vegetative communities on the Project Site, including 3.6 acres of forest, 58.4 acres of open meadow with mature trees, 0.9 acres of emergent wetlands, and 20.7 acres of agricultural land. Up to 125 of the 149 specimen trees on the project site (84%) would be removed. Despite this, the DEIS claims that “tree removal [...] would be *less than significant* on the Project Site and *negligible* in the context of the overall ROI.” This claim is not sufficiently justified. The proposal will adversely impact Forest Stand 2, which is identified as a high priority stand for retention due to its mature successional stage, specimen trees, and lack of invasive species.¹⁹ The proposal will result in the removal of the majority of specimen trees onsite, adversely impact mature vegetation. The proposal to mitigate tree removal through the Forest Conservation Act (FCA) has not been made available; it is possible that requirements are proposed to be met through off-site planting outside of the watershed or through a fee-in-lieu, neither of which would serve to minimize the impacts of tree removal onsite. The only forest clearly shown to be retained onsite is already encumbered in easement.

¹⁹ [BEP_PROJECT-Forest-Stand-Delineation.pdf \(army.mil\)](#)

In December 2019, USACE prepared a forest stand delineation (FSD) to identify, delineate, and characterize forest stands and specimen trees. 188 specimen trees²⁰ were identified and characterized, and four forest stands were identified and prioritized based on observed characteristics in accordance with guidance from the *Maryland State Forest Conservation Technical Manual*. Since the time of the FSD, the project site appears to have been reconfigured. As a result, the majority of the four forest stands and many of the specimen trees are located in areas that are now being identified as outside of the project site in areas not proposed to be disturbed by the Proposed Action.

It is concerning that the limit of disturbance (LOD) would impact the existing FCE in the northeast corner of the site (Figure 3.8-1). The easement documents should be provided to clarify applicable protections and responsibilities. The conflict between the LOD and the FCE should be resolved. The project proposes to “retain and enhance existing landscape buffers” (Table 2.2.-1). Because the existing conservation easements were established and credited as mitigation for an earlier project, their continued retention (and/or any reconfiguration, if applicable) should not be considered as mitigation toward this project, but rather as a legal obligation.

The DEIS claims “[t]he removal of specimen trees and forested areas during construction [...] would be offset by Treasury’s compliance with the FCA [Maryland Forest Conservation Act]”; however, it is unclear what measures Treasury plans to take to comply with the FCA. To substantiate these claims, the Forest Conservation Plan and Planting Plan that Treasury plans to develop should be prepared in accordance with the *Maryland State Forest Conservation Technical Manual* (1997) and made available with the DEIS. All applicable calculations should be made available, including net tract area (excluding forest already under easement), break-even, afforestation, and conservation thresholds. To maintain consistency with the current land use and zoning of the Project Site and BARC, these thresholds should be based on those required for an agricultural use, as opposed to an industrial use (which are less stringent). The plan should result in preservation and on-site planting to the maximum extent practicable. Any off-site planting should occur in the same watershed. Fee-in-lieu of planting should not be considered.

Additionally, the figures included in the FSD appendices should be revised as follows:

1. FSD maps should include all elements required by *Maryland State Forest Conservation Technical Manual*;
2. Sample points should be clearly and accurately located on the FSD map in Appendix B, to enable cross-referencing with data sheets in Appendix A; and
3. Specimen trees should be clearly and accurately located on the FSD map in Appendix C.

This will enable a more comprehensive understanding of the existing environmental resources onsite, including wetlands, streams, and steep slopes, and suggest possibilities for modification of the LOD to avoid impact to sensitive environmental features.

Further EPMs should be considered by Treasury to ensure maximum protection of priority forest and specimen trees, as follows:

²⁰ Trees of 30 inches diameter at breast height.

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- Modify the LOD associated with proposed entrance road upgrades and the proposed vehicle entry control facility to avoid diverting approximately 117 linear feet of the unnamed intermittent stream on-site, and to avoid removal of the maximum number of specimen trees in 'Very Good' and 'Good' condition.
- Because the FSD has revealed the high priority of forest stands 1, 2, and 4 (each of which is located substantially off-site and not proposed to be directly impacted by the Proposed Action), Treasury should work with BARC to protect these forest stands in their entirety by encumbering them with permanent protective easements. This would not only protect valuable forest land, but ensure a functional buffer to the east of the site into perpetuity. Additionally, as forest stands 1 and 4 have a moderate to high occurrence of invasive species, invasive management plans should be developed for these stands.

P. Lighting

The CPF will operate 24 hour per day, five days per week. The facility will also operate on the weekend, as needed. During the scoping period, the City of Greenbelt raised concerns regarding "The 24-hour operation of the BEP facility and associated lighting (i.e., impact on the environment/wildlife) [...]". The DEIS states that noise and light generated at the facility would attenuate to ambient levels at approximately 800 feet. The DEIS states that Treasury's Preferred Alternative would have potentially significant adverse impacts on nighttime lighting levels in and around the project site, and specifically for up to 34 residences along Odell Rd. Staff is concerned that the CPF would also be visible at night from within City limits particularly along Ridge Road. During the public scoping period, a concern was raised that nighttime lighting may impact the Greenbelt City Observatory. These concerns are not addressed in the DEIS. It would be beneficial for Treasury to provide a photometric study of the site in the DEIS to address concerns regarding lighting. Compliance with the Prince George's County Code of Ordinances regulations for parking lot lighting and associated off-site impacts should be incorporated into the Proposed Action as an EPM.

While the DEIS recognizes the significant adverse impact of nighttime lighting on humans living nearby, it fails to recognize its impact on wildlife. The DEIS claims that "measures to reduce operational noise and light impacts, including using lighting fixtures that direct light to on-site areas" would minimize impacts to a *less-than-significant adverse impacts* to wildlife. This conclusion lacks justification. It is unclear why lighting would adversely affect humans but not animals, particularly those that are nocturnal. The potential impact of increased lighting on migratory birds (many of whom migrate at night and are impacted by light pollution which hides their navigational aids, the moon and stars²¹) is also not addressed. As noted earlier in the Biological Resources portion of this memo, the significance threshold used to determine the intensity of impacts to biological resources is ill-suited to accurately assess impacts of the CPF's 24-hour operations and nighttime lighting on wildlife and wildlife habitat in and near the Project Site. The DEIS states that "Over time, many local wildlife species would adapt to these new conditions or relocate to other areas in the ROI," indicating that the Proposed Action would have, at a

²¹ Florida Atlantic University. n.d. Light Pollution Kills Birds in the Environment. Available at: <http://physics.fau.edu/observatory/lightpol-Birds.html>. Accessed December 4, 2020.

minimum, a short-term adverse impact that is not being accounted for. The City's previously-raised concerns regarding lighting and nighttime operations have not been fully addressed.

The Biological Resources portion of the DEIS includes the following as an EMP, RCM, and BMP: "Incorporate noise and light abatement or shielding features into the design of the proposed CPF as identified in other resource areas (see the Noise Technical Memorandum and Visual Resources Technical Memorandum, respectively)." Therefore, it is anticipated that the following "mitigation measures" listed in the Visual Resources portion of the DEIS (the only light abatement features listed therein) will be included in the Proposed Action:

1. "Develop an exterior lighting plan for the proposed CPF that minimizes off-site light pollution, such as by using directional lighting that focuses light on areas within the Project Site, while still meeting site security requirements.
2. Use a spectrum of light generally perceived as more natural, such as light-emitting diode (i.e., LED), metal halide, or halogen elements.
3. Avoid high-intensity discharge (i.e., HID) or fluorescent lights (except compact fluorescent bulbs 226 that screw into standard sockets) on the exterior of buildings.

For consistency, these measures must be included as EMPs in the Visual Resources section as well. An additional EPM that should be included with the proposal is the use of full cut-offs for all exterior lighting.

Q. Wildlife

The DEIS claims that the Proposed Action would have *no significant adverse impacts* to biological resources (this includes vegetation, wildlife, and migratory birds). Potential impacts on biological resources from light encroachment (addressed earlier in this memo) and noise were also analyzed. Staff has concerns about the assessment of impact to wildlife, including migratory birds, as follows:

1. **Inadequate significance thresholds identified in the DEIS.** The DEIS recognizes that the Proposed Action would result in the destruction of 83.6 acres of existing, vegetated wildlife habitat and the displacement and/or killing of wildlife currently living onsite; however, the DEIS claims that the Proposed Action would have a *less-than-significant adverse impact* on wildlife, as it "would not substantially reduce regionally or locally important habitat or substantially diminish a regionally or locally important plant or animal species." This may be a result of the insufficient significance threshold used in the Biological Resources portion of the DEIS, which fails to consider impacts to species that are not "regionally or locally important", or "federal- or state-listed species". To provide an accurate assessment, the definition must be expanded to include potential impacts to biological resources related to impacts to vegetation, aquatic wildlife species, terrestrial wildlife species, and special status species.
2. **Failure to address impacts to aquatic wildlife and plant species onsite.** The proposal will directly impact 226 linear feet of stream (117 to be diverted; 109 to be filled and not replaced), and approximately one acre of emergent wetlands. Impacts to aquatic species due to this action must be addressed in the DEIS.
3. **Failure to address impacts to aquatic and terrestrial species offsite.** The CPF will discharge 120,000 gallons of wastewater each day into Beaverdam Creek and will increase onsite impervious by 29.4 acres (31.2%). The analysis does not include potential impacts to wildlife and

plant species in wetlands, waterways, and floodplains due to possible impacts including changes in hydrology; higher water temperatures; increased sedimentation, nutrient loading, and turbidity; increased runoff of metals (e.g., arsenic, chromium, and lead) which naturally occur at high concentrations in the soil and sediment of the project site; introduction of harmful chemicals²²; etc. As with other analyses, impacts due to implementation of transportation mitigation are not addressed.

4. **Threatened species identified in the Environmental Condition of the Property (ECP) assessment not addressed in the DEIS.** Lists of endangered species that may be present in Prince George's County were reviewed as part of the ECP assessment provided with the DEIS. Two threatened species were identified: The Northern long-eared bat (*Myotis septentrionalis*, also "NLEB") and Sensitive joint-vetch (*Aeschynomene virginica*). A bat study performed in December 2019 did not identify any NLEB onsite. Information submitted with the DEIS indicates that the USFWS does not have further requirements pertaining to NLEB; however, the DEIS includes no information or analysis of Sensitive joint-vetch.
5. **DEIS does not appear to utilize all possible resources to identify species onsite.** Comments from the December 2, 2020, public DEIS webinar indicate that bird surveys have been performed by BARC staff and local volunteers. These could prove a useful resource to provide a baseline for analysis. Treasury should contact BARC staff running the bird surveys for assistance in further analysis. Revisions to impact determinations may be necessary.
6. **Possible impacts to migratory birds are not addressed sufficiently.** The DEIS notes that USFWS identifies 12 migratory birds with potential to occur on the project site, eight of which have specifically been reported within the designated ROI for Biological Resources. These birds are also considered Birds of Conservation Concern by the USFWS.²³ The DEIS makes claims such as "most [migratory] birds would likely avoid the Project Site or relocate to nearby habitat areas on BARC, in the ROI, or regionally", but provides little evidence to support such claims. Adverse impacts to migratory bird populations must be fully incorporated into the DEIS, including potential for bird migration to be impacted by additional light pollution and for migratory bird deaths to increase due to window strikes. While the No Action Alternative is preferable, if the BARC site is chosen, Treasury must commit to two revised EPMs:
 - a. "Limit or avoid all construction (e.g., ~~tree removal or noise intensive activities~~) within the nesting season of migratory birds observed on the Project Site (i.e., May 1 to September 10) ~~to the extent possible.~~"
 - b. ~~"Using the LEED framework, evaluate the need for~~ Implement design measures to reduce the likelihood of bird mortality from window strikes, including ~~such as~~ patterns on glass windows and use of non-reflective windows."
7. **Treatment of the Northern Long-Eared Bat (NLEB).** The DEIS states that the Proposed Action *may affect* the NLEB (a federally-threatened species). This level of significance is not

²² [BEP DRAFT EIS Technical Memoranda-Hazardous and Toxic Materials and Waste.pdf \(army.mil\)](#)

²³ Birds of Conservation Concern are identified by the USFWS in conformance with the 1988 amendment to the Fish and Wildlife Conservation Act as "species, subspecies, and populations of all migratory nongame birds that, without additional conservation actions, are likely to become candidates for listing under the Endangered Species Act (ESA) of 1973." [U.S. Fish & Wildlife Service - Migratory Bird Program | Conserving America's Birds \(fws.gov\)](#)

identified in the associated Technical Memorandum. It appears that because the USFWS concurred with Treasury's determination that "any take that may occur under the Proposed Action would not be prohibited", the possible impact to NLEB has been discounted. This logic is flawed: The fact that an action is legally permissible does not mean that it will have no adverse impact. Staff finds that an impact assessment of *potentially significant adverse impact* most appropriate. The determination of significance associated with possible impacts to NLEB must be reconsidered.

R. Traffic and Transportation

Vehicular forecasts for the Proposed Action assume that 254 administrative staff and 884 production staff would add 944 AM peak period and 946 PM peak period trips to the transportation network. Approximately 10% of these employees would travel by public transit or by bicycle. Based on a survey of 689 BEP employees, the largest concentration of respondent currently resides in southern Prince George's County, western Charles County, and northern Stafford County Virginia. Comparatively few employees live north of the proposed CPF. Treasury undertook a traffic impact analysis to determine impacts to roadways, pedestrian and bicycle networks, and public transportation facilities. The DEIS outlines anticipated impacts to a regional ROI that would likely be used by commuters (including I-495, US-1, and the Baltimore-Washington Parkway), and a local ROI, which includes the transportation elements near the project site that are most likely to be impacted by the Proposed Action. The local ROI includes 15 intersections identified in coordination with local officials, pedestrian elements within 0.25 miles, bicycle transportation elements within 1 mile, and the nearest public transit options in the vicinity of the project. Vehicular operations were analyzed using three methods.²⁴ Of the fifteen intersections analyzed, Treasury found that eight currently have a failing level of service (LOS) and five have failing queue length in at least one approach. Under Treasury's Preferred Alternative, nine of the 15 studied intersections would have a failing LOS in 2029, compared to seven failing intersections under the No Action Alternative.

Mitigation to minimize the impacts of intersections identified as having a *significant adverse impact* is proposed in the TIS and referenced in the DEIS. Mitigation is proposed at the following intersections:

- MD-201/Sunnyside Avenue
- MD-201/Beaver Dam Road
- MD-201/Powder Mill Road
- Powder Mill Road/Springfield Road
- Powder Mill Road/MD-295 southbound ramps

²⁴ Methods include:

- 1) Critical Lane Volume (CLV), a method required by M-NCPPC;
- 2) The latest Highway Capacity Manual (HCM) method delay, a method required by Maryland SHA and Prince George's County; and
- 3) Queuing, a method required by Maryland SHA.

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- Powder Mill Road/MD-295 northbound ramps

The TIS states that the Rough Order of Magnitude (ROM) cost estimate for mitigation at intersections for which the TIS recommends approval is \$27.7 million.²⁵

During the public scoping period, the City of Greenbelt raised traffic- and transportation-related concerns including:

1. Potential road closures within the BARC campus, and impacts on motorists, pedestrians and cyclists.
2. Traffic impacts/safety including heavy truck traffic.
3. Traffic patterns and impacts on local roadways including Edmonston Road, Sunnyside Avenue and Powder Mill Road.

Staff concerns include the following:

- 1) **DEIS does not clearly state which transportation mitigation measures would be implemented.** This concern is outlined in the “Connected Actions” section of this memo.
- 2) **Wetlands near possible transportation mitigation do not appear to have been field-delineated.** This concern is outlined in the “Connected Actions” section of this memo.
- 3) **Potential for increased traffic on Greenbelt’s local roadways.** The City is concerned that any unmitigated short- and long-term adverse traffic impacts will result in increased (cut through) traffic on Greenbelt’s local roadways and potential adverse impact to residential neighborhoods. This concern must be addressed in the DEIS.
- 4) **DEIS fails to address safety concerns.** Although the associated Technical Memorandum recognizes traffic-related safety concerns as one of the primary concerns raised by commenters during the public scoping period, the DEIS provides no analysis of or information regarding this concern. The only mention of traffic-related or pedestrian safety is in an optional mitigation measure recommending that Treasury “Consult with WMATA regarding the opportunity to adjust Metrobus routes such that they serve the proposed CPF more effectively (e.g., instating a bus stop along the proposed CPF’s driveway), thereby reducing traffic in the local ROI by making public transit more accessible and functional for employees, and improving pedestrian safety by reducing the need for employees to walk along Powder Mill Road to access a bus stop”. Safety concerns must be addressed and appropriate EPMs must be adopted.
- 5) **Mitigation outlined in the TIS and referenced in the DEIS includes significant widening of MD-201 (Edmonston Road).** Recommendations include:
 - a. Adding a second approach through lane and receiving lane in both directions at the intersection of Edmonston Road/Sunnyside Avenue
 - b. Adding a second eastbound Powder Mill Road through lane and adding additional turn lanes at the intersection of Edmonston Road/Powder Mill Road

The City of Greenbelt is not in favor of any street widening, particularly on Edmonston Road. Staff recommends that alternative means of mitigation be employed to fully address necessary mitigation.

²⁵ This estimate includes mitigation at the intersection of Edmonston Road and Beaver Dam Road, which is recommended in the TIS but not referenced in the DEIS.

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- 6) **Intersection of Edmonston Road and Beaver Dam road not identified for possible mitigation in the DEIS.** The TIS recognizes that mitigation at this intersection is not required, but recommends it, based on the “potential gap acceptance issues for vehicles attempting southbound left turns from Edmonston Road onto eastbound Beaver Dam Road”; however, the DEIS does not identify this intersection as experiencing a *significant adverse impact* because it has a volume of less than 100 vehicles per hour. Staff believes that mitigation for this intersection which does not include widening should be reconsidered, and impacts should be fully addressed.
- 7) **Anticipated short- and long-term road closures.** The DEIS states that all or part of Powder Mill Road would be temporarily closed to construct necessary modifications, and states that one-way alternating traffic would be used to the extent practical and roadwork would be coordinated with local authorities to maintain a less-than-significant impact. Construction would also result in the closure of the striped shoulder on Powder Mill Road between Edmonston Road and the Baltimore-Washington Parkway that provides space for cyclists. The DEIS states that these closures will have a *less-than-significant impact* on local traffic and the bicycle network. It does not appear that any other short- or long-term road closures would occur; however, the DEIS does not clearly state whether CPF operational requirements are anticipated result in additional permanent road closures. The DEIS should clearly indicate whether the road closure at the intersection of Odell Road and Poultry Road is intended to persist.
- 8) **Employee travel surveys did not capture baseline data.** The survey gathered information on employees’ expected travel modes to a possible CPF located at BARC; however, it does not appear to have gathered information on employees’ current travel mode to the CPF in Washington, DC. Establishing this baseline would provide a better understanding of Proposed Action impacts and would benefit the TIS and the DEIS.
- 9) **Baseline transit ridership data is not provided.** The DEIS does not provide data regarding the number of employees and visitors currently and historically (i.e., pre-COVID-19) arriving and departing the existing CPF by transit. This information should be provided to facilitate a better understanding of impacts to transit ridership.
- 10) **A decrease in transit ridership should be considered a significant adverse impact.** The significance threshold outlined in the associated Technical Memorandum defines a *significant adverse effect* as one that would “Interrupt an existing public transit route over the long-term without a convenient replacement” or “Cause an abrupt, unplanned change in existing transit ridership levels that would require the transit authority to alter existing operations”. BARC is significantly less transit-accessible than the existing facility, and Staff therefore anticipates that an overall drop in transit ridership is possible. However, based on the defined significance threshold, the DEIS finds that the generation of new transit trips in one direction or another would create an *adverse impact*. Staff believes that the transit system should be viewed holistically, and any system-wide reduction in transit ridership resulting from the Proposed Action should be conceived of as a negative impact. This could be addressed through revisions both to the significance threshold and the ROI.
- 11) **Concerns regarding truck traffic are insufficiently addressed.** The Transportation Technical Memorandum states that Treasury assumes there would be 7,278 dump trucks over the construction period (approximately one-two years). During operation, Treasury anticipates that 82 trucks would arrive and depart the CPF each week, some during the evening and midnight shifts. The DEIS states that construction traffic and construction noise would have a *less-than-*

significant adverse impact on the local area. The DEIS states that truck traffic during operation of the CPF would have a *less-than-significant adverse impact* on roadways with EMPs in place. The DEIS will incorporate a number of EPMs, RCMs, and BMPs to minimize the impact of trucks, including restricting truck arrival and departures and restricting truck traffic on residential roads; however, staff is concerned that trucks traffic during construction and operation would have a noticeable adverse effect. This should be recognized in the DEIS.

- 12) **Truck traffic to be routed along Edmonston Road.** One of the EPMs, RCMs, and BMPs to address traffic impacts is to require trucks to follow existing truck restrictions on various roadways. It further instructs, "Truck traffic should be routed along Powder Mill Road, Edmonston Road/Kenilworth Avenue, and the Capital Beltway to minimize its use of collector and local roads." Staff is concerned this may have an adverse impact on Edmonston Road.
- 13) **It is unclear if visitor traffic has been accounted for in the TIS.** The TIS recognizes that the CPF would include a visitor center, but it is unclear how many visitors are expected and whether the TIS accounts for visitor traffic to the site.
- 14) **Roadway impacts incurred during this project should be reconstructed with all master-planned bicycle and pedestrian facilities.** Since Powder Mill Road is a future location for bike lanes, staff reiterates NCPC's earlier suggestion that new bike lanes connecting the site to the existing bike lanes on Edmonston Road should be installed. This would encourage the use of bicycles to commute to the BEP facility.
- 15) **Depiction of proposed internal circulation would be useful for informational purposes.** This would include proposed location of loading zones.

S. Need for Additional Field Investigations

The DEIS does not provide enough information to form a comprehensive understanding of the Proposed Action's impacts. The Project Site, which is to be transferred from the USDA to Treasury, is identified as a 104.2-acre parcel (as described above). Under the Proposed Action, an additional 18 acres adjacent to the Project Site would be directly impacted by development activities associated with road improvements and modifications. Many of the analyses included in the DEIS examine impacts associated with all of the above areas; however, in some instances, supporting investigations for the 18-acre area have not been made available. For example, neither the Forest Stand Delineation (FSD) nor the Wetland Delineation include these 18 acres adjacent to the Project Site.²⁶ Background investigations for this portion of the site must be provided with the DEIS.

T. Connected Actions

40 CEQ 1508.25 requires that the DEIS include "connected actions". Actions are considered to be connected actions if they: 1) automatically trigger other actions which may require environmental impact statements; 2) cannot or will not proceed unless other actions are taken previously or simultaneously; 3) are interdependent parts of a larger action and depend on the larger action for their justification.

²⁶ Wetlands 7 and 8, which are located in the 18-acre area, are shown in Figure 3.7-2, but this area is not shown to be included in the Wetland Delineation provided with the DEIS. It is unclear when, how, and by whom these wetlands were identified.

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The DEIS does not evaluate the impact of connected actions at BEP's existing facilities once currency production is transitioned to the proposed CPF.²⁷ Additionally, potential costs associated with the existing facility do not appear to be reflected in the DEIS. The 2018 GAO report states, "The ability to sell or repurpose any part of the current D.C. facility could affect the total federal costs of BEP's actions."

The DEIS also does not evaluate the impact of connected actions associated with possible transportation mitigation at the intersections listed in the Traffic and Transportation section of this memo. It is anticipated that these measures would result in impacts to additional off-site areas, but they are not analyzed in the DEIS. It appears that decisions regarding specific mitigation to be implemented with the Proposed Action have not yet been agreed upon. The EPMs, RCMs, and BMPs do not include the specific mitigation required to address failing intersections. Instead, a generalized list of typical intersection design measures is included in the DEIS as "mitigation measures" that Treasury *should* design and implement for the intersections anticipated to experience *significant adverse impacts*.

The DEIS does not appear to include information regarding any on-site investigation of transportation mitigation areas' existing conditions, nor does it provide an analysis of the proposed mitigation's impact on resources. For example, wetlands depicted in TIS mitigation figures appear to be based on Fish and Wildlife Service National Wetlands Inventory (USFWS NWI) data, without the benefit of field-verification. Field work identifying all environmental features should be completed prior to, and made available with, the DEIS. Treasury should coordinate with the County to determine which mitigation measures would be implemented under the Proposed Action. If transportation mitigation will result in impact to wetlands, the impact should be considered under the same permit as other wetlands impacts.

It is also unclear if the existing BARC East will require upgrades to address increases in wastewater and introduction of a new industry which may generate wastewater of a different composition. If upgrades or modifications are required, this action should be addressed in the DEIS.

To ensure a comprehensive understanding of the Proposed Action's impacts, impact analyses, supporting investigations, and cost estimates should consider and treat the Project Site, the 18 acres on which the new entry road and associated modifications to Powder Mill Road are proposed, all areas subject to proposed traffic mitigation measures, and existing BEP facilities, at a minimum.

U. Limits of Disturbance (LOD)

The limits of disturbance appear inaccurate and insufficient. The following issues must be addressed:

1. **The LOD associated with work at the Project Site is shown inconsistently throughout the DEIS (e.g., Figures 3.6-1 and 3.7-3).**

²⁷ The DEIS states, "Currency manufacturing at the DC Facility would be phased out. The DC Facility would likely be renovated to function as the BEP's administrative headquarters and support various other Treasury functions; however, this is not considered part of the Proposed Action and would be analyzed under separate NEPA documentation. Treasury would likely transfer the Annex Building to the General Services Administration (GSA) as surplus federal property, and discontinue its warehouse lease in Landover, Maryland. However, the plans for these facilities have not been finalized."

2. **The LOD does not appear to provide for utility work.** The project will include utilities installation and relocation, including relocation and reconnection of an existing USDA water line around the Project Site, and installation of approximately one mile of new force main that would tie into the USDA's existing sanitary sewer system south of the Project Site. Proposed utility locations and tie-ins must be clearly located and the LOD must be adjusted to account for their installation.
3. The LOD may also need to be adjusted to account for stable outfalls and rehabilitation of impacted assets.
4. As previously noted, **the DEIS does not account for impact due to off-site work.** No LOD is shown for transportation mitigation.

V. Security and Facility Requirements

As discussed previously in this memo, the DEIS does not provide information regarding ISC security standards for the CPF. Materials referenced in the DEIS indicate that a facility risk assessment was conducted in 2015, and that requirements for integrated security have previously analyzed. The security rating of the facility, explanation of the security rating, and a detailed list of applicable ISC security standards and CPF proposed security features (including setbacks and other relevant details), should be provided. Impacts of proposed security features should be accounted for in analyses.

The DEIS would also benefit from an illustration of the anticipated space utilization, printing workflow, and components.

W. Operational History of Existing Facility

Comments submitted by the City of Greenbelt during the public scoping period requested that the DEIS include the "Operational history of the current BEP facility, including researching violations and enforcement issues." For the DEIS, Project Site investigations were conducted to characterize the environmental conditions of the Project Site and identify Hazardous and Toxic Materials and Waste (HTMW) resulting from past activities conducted within 0.25 miles of the Project Site (the ROI for HTMW), but it appears that no equivalent investigations were conducted for the current BEP facility. The associated Technical Memorandum states only that "To determine potential HTMW impacts, Treasury analyzed the existing conditions at the Proposed Site through site investigations". No information regarding past violations and enforcement issues at the current BEP facility has been provided. The DEIS must be amended to include this information.

III. RECOMMENDATION

As explained above, Staff has identified several procedural and substantive concerns associated with the DEIS for the proposed Currency Production Facility at the Beltsville Agricultural Research Center. The Purpose and Need are narrowly constructed, and only two alternatives – the site at BARC and the No Action alternative – are being considered. Significant issues are apparent in the methodology employed presented in the DEIS, and additional information is required to ensure a full understanding of the possible adverse effects resulting from the Action alternative. The Action alternative under consideration will all have significant adverse impacts.

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Treasury is accepting comments on the DEIS until close of business on December 21, 2020. Staff recommends the City submit a letter stating the City's strong opposition to Treasury's Preferred alternative, and support for the No Action alternative. The Letter will highlight the issues and/or deficiencies in the DEIS as discussed in Staff's analysis above and summarized in Attachment B.

**CONSTRUCCION AND OPERATION OF A CURRENCY PRODUCTION FACILITY AT
BELTSVILLE AGRICULTURAL RESEARCH CENTER**

DRAFT ENVIRONMENTAL IMPACT STATEMENT

CITY OF GREENBELT'S SUMMARY COMMENTS

DECEMBER 14, 2020

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I. Purpose and Need

In accordance 40 CEQ 1502.19, Environmental Impact Statements (EIS) are required to define a “Statement of Purpose and Need” (i.e., a justification of why the proposed project should be built). The Screening Process outlined in the DEIS and information contained in the Final Scoping Report demonstrate that multiple rounds of alternatives development and screening were completed, and other important analytical steps were taken prior to completing this foundational procedural decision. As a result, it is likely that reevaluation of the underlying Need for the project and its relationship with the project Purpose would benefit the project overall. Reevaluation of the project Purpose and Need may also require reevaluation of alternatives development and screening criteria, as well as additional public and stakeholder involvement.

For example, the Purpose statement includes the stipulation that the site must be a minimum of 100 acres, but provides no justification for this minimum acreage. The DEIS indicates that International Security Committee (ISC) security and setback requirements factor into the site area requirements, but the Purpose and Need statement does not clarify the security standard required and the justification for need of that security standard. As opposed to including a minimum acreage in the Purpose and Need statement, a more useful statement would include reference the basic requirements the facility must address (i.e., the Need for a facility “that meets the Interagency Security Committee (ISC) Level __ security standards, which is reserved for agencies with mission functions as follows...”, etc.).

Additionally, the Need statement refers to the existing CPF as “obsolete” and unable “to support modern currency production”, but the 2018 Government Accountability Office (GAO) report *Bureau of Engraving and Printing: Operations for and Costs of a Future Currency Production Facility*, which is referenced throughout the DEIS, indicates that a renovation of the existing facility may address these issues, even if it is not the preferred alternative: “BEP officials have stated that if BEP does not receive [...] legal authority and funding, it will begin a renovation of the current D.C. facility”.

II. The Future of Paper Currency

To substantiate a future need for paper currency, the main product of the CPF, the DEIS reports that the Federal Reserve predicts demand for cash will increase over the next decade; however, this prediction was reported in early 2018, and the CPF is not planned to be fully operational until 2029 – one year past the decade-long time horizon. Additionally, the basis for the Federal Reserve’s prediction is not provided. The GAO report in which this prediction is published does not substantiate the Federal Reserve’s prediction, but rather restates it. The GAO instead outlines the “several indications that currency demand will not *substantially decline* within the next decade [emphasis added]” in the United States. There are also those who believe paper currency is becoming obsolete. For example, in an interview on November 30, 2020, when asked about the payments landscape over the next decade, Gary Cohn, former Director of the National Economic Council and chief economic advisor to the President, stated “I think cash can easily disappear. The idea of paper currency in the legitimate world is becoming more and more obsolete, and I believe it can become totally obsolete.” Additional information regarding the demand for paper currency through the anticipated life of the project should be included in the DEIS.

III. Alternatives Considered

The DEIS states that, to be considered a reasonable alternative to be explored and evaluated as required by 40 CFR 1500.2(e), a site must meet the final screening criteria and achieve the Purpose of and Need for the proposed action. The City has the following concerns with the screening criteria and analysis:

1. **Screening criteria do not include environmental concerns.** The initial and final screening criteria listed in the DEIS does not appear to include any consideration of environmental concerns, despite Treasury's NEPA Regulation (Treasury Directive 75-02) requiring that "The Department of the Treasury (Treasury) will consider environmental quality as equal with economic, social, and other relevant factors in program development and decision making processes."
2. **DEIS lacks screening criteria rationale.** The DEIS does not include full rationale for the screening criteria employed in preliminary screening. For example, the project team eliminated two of the federal sites which appear reasonable because they are not a minimum 100 acres (a criterion also included in the Purpose statement). While Treasury's Purpose statement includes a stipulation that the site be a "minimum 100 acres", it does not provide a coherent justification for this requirement. Previous screening criteria specified a site of a minimum 60 acres, and while Treasury states that "standards and specifications [...] had evolved over this time", it is unclear what the change is that would increase site area requirements by more than 50%. Further, the Biological Resources portion of the DEIS indicates that 21.9 acres of the site will not be utilized in the operational footprint or construction limit of disturbance (LOD).
3. **Alternative analysis omits other site designs at Treasury's Alternative site.** The DEIS considers only one conceptual site design at one location, and further caveats that this design is subject to change in final engineering and design. The Draft Finding of No Practicable Alternative (FONPA) submitted with the DEIS states that "Three site configurations were evaluated by the design team" at Treasury's Preferred Alternative site, but it appears these have not been made available to the public, and they are not treated individually in the DEIS. The DEIS fails to note that multiple site configurations are/have been considered by the project team. A review of the conceptual rendering provided in the DEIS reveals opportunities exist to reduce and reconfigure the proposed development to minimize impact to wetlands and waterways, cultural resources, noise levels and lighting, viewshed, etc. For example, alternative site design(s) at Treasury's Preferred Alternative site could consider structured parking, facility of different size (e.g., meeting Treasury's maximum versus minimum floor area), variations in facility orientation, variation in loading zone location, etc. During the public scoping period, US EPA made additional suggestions to incorporate Green Infrastructure/Low Impact Design into the design. These comments do not appear to have been addressed.
4. **Public input not considered regarding alternatives.** Various commenters, including the City of Greenbelt and the US Environmental Protection Agency (EPA), indicated during the public scoping period that additional alternatives should be considered. Because seemingly reasonable alternatives were eliminated prior to the DEIS, the public and decision-makers are unable to understand the relative impacts to the human environment of, for example, retrofitting the existing BEP facility for another fifty years (the anticipated life of the project) of successfully producing the nation's paper currency, or redeveloping an existing industrial site within the NCR. At a minimum, the City believes it would be appropriate for Treasury to include analysis of three

additional alternatives: the two federal facilities purported to have been dismissed from consideration based on size alone (the Olney Federal Support Center and the Plant Introduction Center), and the Landover Mall, which was specifically referenced in multiple comments during the scoping period. The DEIS could also include different site design proposals for Treasury's Preferred Alternative site.

IV. Project Site boundary

The DEIS and supporting materials provide conflicting information on the Project Site boundary. For example, the Bat Survey and the Cultural Resources Technical Memorandum Appendices show a larger project site than the figures provided in the body of the DEIS. The project site appears to have been reconfigured. If a reconfiguration has occurred during the preparation of the DEIS and background materials, this information should be clearly disclosed in the DEIS. Any impacts on analyses and findings should be identified and addressed, along with any implications for implementation of regulations, such as the Maryland Forest Conservation Law. A copy of the legal description and map of the parcel of real property to be transferred from USDA to Treasury per Section 7602(b) of the 2018 Farm Bill, including metes and bounds, should be provided with the DEIS.

V. Region of Influence Designations

In many instances, the rationale for an identified ROI is unclear. The DEIS should provide a brief justification or re-evaluation of the ROIs identified. This is particularly true when the ROI is a simple Euclidean buffer on the project site. Examples include:

1. The ROI for **pedestrian impacts** is 0.25 miles in all directions of the project site, and the ROI for **bicycle impacts** is one mile in all directions of the project site. In this instance, it is unclear why a network analysis has not been used (especially if the intersection of Odell Road and Poultry Road is to remain closed).
2. The ROI for **Land Use** which, like the bicycle impact ROI, is a one-mile Euclidean buffer on the project site, including the area of the proposed roadway. CEQ's publication, *Considering Cumulative Effects Under the National Environmental Policy Act* (CEQ, 1997), provides possible geographic boundaries for different environmental resources. For Land Use, the geographic boundaries suggested include "Community, metropolitan area, county, state, or region." The ROI identified does not correspond to any of these suggestions and does not reflect any unified geographic area, and therefore appears arbitrary. As the project site is located in the National Capital Region and in Maryland, the City believes it would be useful to use three Land Use ROIs: 1) an NCR ROI, 2) an ROI based on relevant Maryland case law to determine a cohesive and defensible neighborhood, and 3) BARC's Central Farm. Maryland rezoning case law indicates that neighborhoods should be determined by patterns of development, physical boundaries, and existing natural features that appear to be natural breaking points.
3. The ROI provided for **Biological Resources** (including **vegetation, wildlife, and migratory birds**) is also a 1,500-foot buffer on the project site. Ecosystem, habitat, and natural connections are not addressed in this determination. More appropriate ROIs include:
 - Vegetative Resources: Watershed, forest, range, or ecosystem
 - Resident Wildlife: Species habitat or ecosystem

- Migratory Wildlife: Breeding grounds, migration route, wintering areas, or total range of affected population units¹

VI. Environmental Consequences and Significance

40 CFR 1502.16(a) and (b) requires that the Environmental Consequences portion of the EIS must include a discussion of both direct and indirect effects and their significance. Per 40 CFR 1508.27, “‘Significantly’ as used in NEPA requires consideration of both context and intensity”. It also states, “Both short and long-term effects are relevant” in determining significance.

In many instances, it appears that significance thresholds have been defined too narrowly to allow for recognition of all significant adverse impacts, or they fail to consider component parts of the definition of “significantly” per 40 CFR 1508.27 or “effects” per 40 CFR 1502.16. For example:

1. **Significance thresholds are defined too narrowly.** This can cause adverse impacts to be overlooked. One example of this is provided in the Wildlife section of this memo (item #1); however, this issue was identified throughout the DEIS.
2. **Short-term effects are discounted.** Per 40 CFR 1508.27, “Both short and long-term effects are relevant” in determining significance; however, bike and pedestrian impacts are only identified as “significant” if they “Result in *long-term* closure or loss of sidewalks, trails, lanes, or other facilities used by pedestrians or cyclists to access frequently visited locations [emphasis added]”. The DEIS states that there would be temporary closures to the bicycle shoulder on Powder Mill Road during construction which would be restored once Powder Mill Road modifications were completed. The DEIS considers these impacts *less-than-significant*. The City believes that a more accurate assessment would identify these impacts as “short-term adverse effects”, but the significance threshold the DEIS established for pedestrian and bike facilities only recognizes the significance of long-term closures. The idea that short-term impacts are less significant appears throughout the DEIS.

Additionally, the DEIS does not consistently categorize the anticipated type (“direct” and “indirect”), and duration (“short-term” and “long-term”), but rather opts to separate environmental consequences by those incurred during “Construction” and “Operation”. This formula can inadvertently obscure impacts. For example, the DEIS recognizes that the proposed diversion and/or filling of 226 linear feet of streams will have a *potentially significant adverse impact*. The DEIS lists this under Construction impacts but does not explicitly state whether this impact is considered to be short- or long-term, direct or indirect; thus, it is later possible for the DEIS to claim, under the Operation impacts, that “in the long term, the Proposed Action would have *no impacts* to on-site surface water.” In this example, no consideration of possible direct, long-term adverse effects due to impacts to on-site streams is given.

The methodology for each technical resource area must be thoroughly examined to ensure the requirements of 40 CFR 1502.16 and 1508.27 are being met. Broader significance thresholds and identification of the category, duration, and intensity of impacts, similar to the methodology used in the Traffic Impact Study (TIS) submitted with the DEIS, could be used to address issues identified above. It is anticipated that this would also necessitate revisions in analyses and findings.

¹ CEQ’s publication, *Considering Cumulative Effects Under the National Environmental Policy Act* (CEQ, 1997)

VII. Land Use and Zoning

The DEIS claims that the Proposed Action would result in *less-than-significant impacts* or *no or negligible impact* on land use and zoning. The City believes this to be an inaccurate characterization, based in part on inappropriate identification of the ROI. The City strongly believes the Proposed Action would result in a significant adverse impact on surrounding land uses from construction activities; a significant adverse impact on land use and local planning objectives from the conversion of agricultural land to industrial land, the reversal of many local and state land use policies, and lack of conformance with the mission of BARC; and a significant adverse impact on local zoning.

1. **The Proposed Action would not be in keeping with the general character and mission of BARC.** BARC serves the area as a critical environmental and open space resource, a National Register-eligible historic resource, a major employer, and a location for anticipated growth in research and development activities. The Project Site is located in the 2,980-acre Central Farm, BARC's oldest and largest farm. Most of the buildings and landscape of the Central Farm were developed between 1911 and 1944. The Central Farm has approximately 12 clusters of buildings situated on approximately 336 acres along with pastures, wetlands, and forested areas used for animal husbandry, production crops, animal and plant research, and wildlife management. County and state policies and regulations strongly discourage development of BARC, as its unique mission of agricultural research allows for both economic benefits and environmental preservation.
2. **The Proposed Action would not conform to R-O-S purpose or uses.** The DEIS accurately states that development on federal sites is not subject to local zoning; however, the proposed BEP facility would clearly not conform with the purpose of the R-O-S zone. The DEIS fails to provide a complete discussion of the Proposed Action in terms of the site's R-O-S zoning and intended purpose. It frequently refers to the existing zone as "Residential" (the broader category under which the R-O-S zone is situated) which does not clearly reflect the purpose and uses of the R-O-S zone.
3. **The Proposed Action would undermine established planning policies.** Many policies at the County and State level prioritize the preservation of prime agricultural land and the redevelopment of existing sites. The project site is located within the County's Priority Preservation Area (PPA), Growth Tier IV², the *Plan Prince George's 2035* Rural and Agricultural Policy Area, and the M-NCPPC Subregion 1 Master Plan Rural Tier³. Additionally, the Land Use Article § 25-211 of the Maryland Annotated Code stipulates, "If the United States Department of Agriculture sells any portion of the property known as the Beltsville Agricultural Research Center, the district council shall place and permanently maintain the land in a zoning classification of agricultural open space immediately after the transfer of the land to the buyer."
4. **The Proposed Action would establish a precedent for future actions with significant effects.** The DEIS does acknowledge that BARC is included in the County's PPA and the NCPC's regional parks and open space network, and conversion of this site to industrial land use would

² Growth Tier IV is the designation intended for the least intense uses under the Maryland Sustainable Growth and Agricultural Preservation Act of 2012.

³ The vision for the Rural Tier is the protection of large amounts of land for wooded wildlife habitat, recreation and agricultural pursuits, and preservation of the rural character and vistas that now exist.

conflict with these policies; however, it fails to recognize the significance of the precedent that the Proposed Action would set in reversing these policies. NEPA regulations require that the significance of proposed actions be based on both context and intensity, and one of the considerations in evaluating intensity is “The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.”

5. **The DEIS mischaracterizes the ROI.** The analysis characterizes the ROI as an “established mixed-use community” and states that construction of the Proposed Action would be typical for the area, as “similar construction activities have occurred within the ROI throughout the past several decades.” It proves difficult to determine what “similar construction activities” the DEIS is referencing. Based on a review of aerials, to find any non-residential development within the past 20 years in the identified ROI, one must look half a mile away from the project site on the west side of Edmonston Road. A more sensitive construction of the ROI would eliminate areas west of Edmonston Road from this analysis, thereby eliminating most if not all of the industrial and commercial uses as well.

While the No Build Alternative is preferable, if the Preferred Alternative is pursued, the project should restore and/or enhance the current environmental features on the proposed site and/or mitigate CPF construction and operation through the acquisition and preservation of a comparably sized property in areas of the County currently slated for development. Additionally, the entire site should be vegetatively buffered in accordance with requirements of the Prince George’s County Landscape Manual, to ease transition between the existing residential and agricultural uses and the incompatible industrial use and to ensure the maintenance of a cohesive landscape to the maximum extent possible.

VIII. Historic Buildings and Structures

The DEIS evaluates impact to both physical effects (impacts to architectural resources within the Project Site itself, where building and structures could be physically impacted) and visual effects (impacts to the viewshed in which the Project Site is located). The City offers the following comment on the DEIS’s evaluation of historic buildings and structures:

1. **The City believes the Proposed Action would have a *significant adverse effect* on the ROI for physical effects to architectural history.** Under the Proposed Action, 23 buildings and structures that contribute to the BARC Historic District would be demolished. As the DEIS notes, the Proposed Action would result in “diminished integrity of the BARC Historic District’s design, setting, materials, workmanship, and feeling.” Despite this, the DEIS claims that the Proposed Action, including EMPs, RCMs, and BMPs, would have a *less-than-significant adverse impact* on the architectural history ROI for physical effects. The historic structures onsite are non-renewable. The significant adverse effect of the Build Alternative on the BARC Historic District and the individual contributing resources must be acknowledged.
2. **ROI for physical effects to architectural history must clearly include individual contributing resources to allow for an accurate assessment of impact to resources.** The City notes an inconsistency in the definition of the ROI for physical effects to architectural history and the impact assessment. The DEIS defines this ROI as “the Project Site (i.e., where buildings and structures could be physically affected)”, but later states that there is only “one architectural

resource (i.e., the BARC Historic District) in the architectural history APE⁴ [ROI] for physical effects.” The ROI for physical effects to historic resources must include all historic buildings and structures onsite, and the impact on these resources (i.e., their demolition) must be clearly addressed in the impact assessment.

3. **Discrepancy between DEIS significance assessment and documented significance and integrity of structures.** In terms of physical effects, the DEIS states that the No Build Alternative would result in a *significant adverse impact* on the BARC Historic District in the identified ROI “due to neglect and deterioration”. This assessment is especially concerning, considering the DEIS claims that the Build Alternative would result in a *less-than-significant adverse impact* on the BARC Historic District. This assessment that the No Build Alternative would have a greater impact than the Build Alternative lacks justification, and is inconsistent with evidence provided. While the majority of the historic buildings and structures onsite are vacant, the significance of these buildings and structures within BARC under NRHP Criteria A and C is well-documented in Maryland Inventory of Historic Places (MIHP) Determination of Eligibility (DOE) forms. Many of the structures are identified as retaining integrity, and a fair portion are identified as being in good condition. Additionally, the No Build alternative does not preclude future opportunities to address the current condition of historic buildings and structures. The DEIS would benefit from further discussion and a reconsideration of this assessment.
4. **Significance of impact to visual effects for No Action alternative must be clarified.** Although an assessment of visual effects for the No Action Alternative does not appear to be provided, the City recommends that the continuance of the cohesive landscape and unobstructed vista and viewscape – despite the potential for deferred maintenance of vacant historic buildings within the ROI – would result in a *beneficial impact* on the ROI.
5. **M-NCPPC concerns must be addressed.** During the DEIS public webinar held on December 2, 2020, M-NCPPC expressed concerns regarding impacts to the view from Walnut Grange, a Prince George’s County Historic Site. These concerns should be addressed in the DEIS.

The City concurs with the DEIS’s assessment that the Preferred Alternative would have a *significant adverse impact* on the visual environment: “By introducing the proposed CPF into the previously cohesive landscape, the Preferred Alternative would also obstruct vistas and views from on-BARC areas outside the Project Site, primarily from the west and southwest, including from the 16 off-site (but on-BARC) contributing resources located within the architectural history APE for visual effects.” The cohesive landscape is part of the justification for the BARC Historic District’s eligibility for listing in the NRHP. As stated in the 1997/98 MHT Internal NR-Eligibility Review Form for BARC, “Because the mission of the BARC facility has remained constant over the years, the landscape also reflects a high level of integrity.”⁵ Introduction of the replacement CPF into this cohesive landscape would have a significant adverse impact. The Preferred Alternative should not be implemented.

⁴ Section 106 of the National Historic Preservation Act defines an APE as “the geographic area or areas within which an undertaking may directly or indirectly cause changes in the character or use of historic properties, if any properties exist.... [The APE] is influenced by the scale and nature of an undertaking and may be different for different kinds of effects caused by the undertaking.”

⁵ se5-018238-0001.tif (army.mil)

IX. Visual Resources

The City offers the following comments/concerns about the impact analysis performed for visual resources.

1. **Analysis does not include any area in the City of Greenbelt.** Because the northern edge of historic Greenbelt is located on a rise overlooking BARC, it is possible that the Proposed Action would have an impact on the City of Greenbelt (either the daytime or the nighttime view), specifically to those residences along Ridge Road.
2. **DEIS does not identify full extent of building envelope.** The impact on viewshed is determined in part by the CPF main structure's proposed setback from roadways, property boundaries, etc., but the building shown in renderings is understood to be conceptual and therefore subject to change. The full extent of the building envelope for the facility should be disclosed in the DEIS.
3. **Visual impacts to Odell Road residences.** The DEIS acknowledges that the Proposed Action will impact the residences along Odell Road. During construction (2012-2025), these residences may have unobstructed views of construction activities, and once construction activities have abated, "introduction of the proposed CPF would obstruct the historically and aesthetically valued vista/viewscape from the residences (i.e., the BARC Historic District viewscape), thereby permanently altering the character of the views from those homes." As such, particular attention should be given to the owners and residents (owners and/or renters) of these homes. Treasury should proactively engage property owners and residents of the 34 homes along Odell Road in determining measures to be incorporated in the Proposed Action as EPMs. To mitigate the impacts of construction of adjacent residences along Odell Road, an additional EPM could be added: "Enhance landscape buffers within Forest Conservation Easements as the first step in the Sequence of Construction, to ensure maximum screening of construction activities from residential properties and roadways."
4. **Impacts to other residences not considered.** The DEIS does not address possible impacts to additional residences that appear to be located within the ROI for visual impacts. The ROI appears to include residential dwellings at the eastern extend of Brewer Road, Cordwall Drive and Cordwall Court, and Cochran Road (Figure 3.9-2); however, these are bounded by a dashed line as opposed to a solid line. The meaning of the dashed line is not clarified within the DEIS, and impacts to these residences have not been accounted for in these analyses. The dashed line also appears at the ROI's western boundary along Edmonston Road. The meaning of the dashed line and reason for excluding these residences from analysis should be clarified. If further evaluation indicates these residences will be impacted, Treasury should proactively involve the owners and residents be included in determination of EPMs.
5. **Security fencing not adequately addressed.** One of the mitigation measures proposed for impacts to Visual Resources is to "Ensure the permanent security fencing around the perimeter of the proposed CPF blends with the natural surroundings to the extent possible and does not present an obtrusive, visually distracting, discordant visual impact with the ROI [Region of Influence]. Use fencing that resembles residential fencing and does not appear threatening to adjacent viewers." While the City agrees that impacts resulting from security fencing should be mitigated, the DEIS does not provide information on ISC fencing requirements and Treasury's proposed fencing, and it fails to evaluate the visual impacts of security fencing. Requirements for fencing (height, materials, security features, etc.) should be outlined and included in the evaluation of visual impact. Security fencing should be shown in renderings provided in the Visual Resources

Technical Memo. The “extent possible” to which fencing will be able to blend in with the natural surroundings should be identified and accounted for. At a minimum, the proposed mitigation should be revised to include “Consult with adjacent property owners along Odell Road to ensure fencing does not appear threatening to adjacent viewers” and included in the DEIS as an EPM.

6. **Landscape, forest conservation, and vegetative buffering not included.** To minimize visual impacts, the Proposed Action incorporates retention and enhancement of existing landscape buffers (i.e., topography and vegetation) around the periphery of Treasury’s proposed parcel “to obscure it from adjacent areas and maintain visual resources for off-site locations”; however, the DEIS does not include a landscape plan, a forest conservation plan, or any specific information pertaining to enhanced/additional vegetative buffering. Two forest conservation easements (FCE) exist⁶ along the northern portion of the site, but the LOD shown in the DEIS appears to disturb the FCE to the northeast. Forested areas to the east, which were included in the forest stand delineation and appear to have been previously included in the project area, may be subject to retention and preservation under the Maryland Forest Conservation Act if included in the site; however, they are no longer shown as part of the project site. No vegetative buffering appears to be proposed along the western and southern site boundaries.
7. **Prince George’s County Master Plan of Transportation and Landscape Manual not included.** Conformance to the Prince George’s County Master Plan of Transportation, and to the Prince George’s County Landscape Manual should be incorporated into the Proposed Action as an EPMs, RCMs, or BMP. To minimize visual impacts, landscape buffers should be installed on all sides of the facility, and should include a mixture of native canopy and understory trees and herbaceous cover to ensure full screening. A variety of fast-growing and slow-growing species could be used to facilitate short- and long-term screening.

X. Beaver Dam Creek and Surface Waters

One of the primary concerns raised by the City of Greenbelt during the public scoping period was “Wastewater discharge treatment and impact on Beaver Dam Creek”. Beaverdam Creek is considered an area of critical concern as a Tier II stream. The DEIS notes that operation of the proposed CPF would produce approximately 120,000 gallons per day of wastewater, all of which would be conveyed to BARC’s East Waste Water Treatment Plant (WWTP, located 0.3 miles south of the Project Site), treated to “applicable effluent standards”, and discharged to nearby surface waters. The following Issues that must be addressed in the DEIS include:

1. **The DEIS fails to provide sufficient information regarding existing WWTP facility and permit.** The DEIS does not include specifics regarding current and planned future wastewater treatment quantity and quality at BARC and the East WWTP specifically (sans CPF). The DEIS does not list BARC’s current permitted capacity. It does not provide information regarding the efficiency of the existing treatment plant and any upgrades that may be necessary to address increases in wastewater and introduction of a new industry which may generate wastewater of a different composition. The DEIS does not show the location of discharge on plans.
2. **The DEIS does not provide a comprehensive understanding of CPF wastewater composition, characteristics, and effluent standards.** The Hazardous and Toxic Materials and

⁶ Easements were established in 2014 as a mitigation measure for the Intercounty Connector Project.

Waste portion of the DEIS states that “the largest amount of hazardous waste would be generated from wastewater treatment from nickel and chrome plating operations (i.e., 22,500 pounds [lbs] per year”, but the DEIS does not provide a complete breakdown of CPF wastewater composition (including anticipated material/pollutant types and amounts/proportions) and the specific effluent standards to which the water will be treated. The DEIS states that hazardous waste generated on-site would either be treated off-site prior to disposal or incinerated off-site in accordance with federal and state requirements; however, the DEIS does not indicate the effectiveness of wastewater treatment. The DEIS does not provide specifics regarding types and amounts of organic and inorganic pollutants that the treated water may retain when discharged into receiving waters of Beaver Dam Creek. It is unclear whether the wastewater would retain amounts of nickel, chrome, lead, arsenic, waste solvent, corrosive waste, etc. The DEIS also does not provide the anticipated temperature of discharged waters.

3. **Insufficient evidence and lack of clarity regarding determination of *less-than-significant adverse impacts*.** The DEIS states that CPF operations would result in “*less-than-significant adverse impacts* on the flow of surface waters in the ROI, including Beaverdam Creek.” It is unclear if this statement is intended to apply only to the *flow* of surface waters, or whether it is intended to apply to the hydrologic function and quality of surface waters as well. No information is provided regarding impacts to hydrologic function. The DEIS presents insufficient information to substantiate a claim that the CPF operations would have a less-than-significant adverse impact on Beaver Dam Creek’s hydrologic function, flow, or quality.
4. **Proposed impacts to onsite surface waters draining to Beaver Dam Creek.** The Proposed Action would divert approximately 117 linear feet of intermittent stream; fill and not replace approximately 109 linear feet of a second on-site intermittent stream; and impact a portion of Wetland 4 to allow for installation of security fencing. Both of these streams drain to Beaver Dam Creek. Wetland 4 is the “largest and highest quality of [the wetlands onsite, and] is largely groundwater-fed and derived from an intermittent channel” and feeds to the intermittent stream to be diverted. The City is concerned that impacts to these streams may have down-stream effects on Beaver Dam Creek which the DEIS fails to account for.
5. **Additional EPMS should be considered.** While the No Action alternative is preferable, if the CPF proceeds to final design and engineering, as an additional EMP, Treasury should implement use of gray water systems onsite to minimize wastewater. Impact to these streams and wetland should be avoided.

XI. Stormwater

The DEIS asserts that *no or negligible adverse impacts* to stormwater are expected; however, evidence is not provided to support this claim. The City offers the following comments:

1. **Regulatory requirements and stormwater proposal not included in DEIS.** The DEIS states that the project would comply with applicable state and federal stormwater regulations (specifically “Section 438 of the EISA and EO 13508”), but it does not clarify specific regulatory requirements or provide information regarding Treasury’s proposed compliance measures. The Water Resources Technical Memorandum states, “To comply with Section 438 of the EISA, federal agencies are required to conduct an analysis of pre-development hydrology to establish a baseline condition and set design objectives for stormwater management that maintain

- predevelopment conditions with regard to temperature, rate, volume, and duration of flow associated with federal proposed actions.” This information must be included in the DEIS.
2. **Compliance with regulatory requirements may be insufficient to determine significance of impact. Additional information must be provided.** The City notes that state and federal regulations do not require total quantity or quality treatment of all nutrients, but only keynote nutrients. It is conceivable that the project could meet all federal and state requirements and still have an adverse impact. During the public scoping period, the US EPA recommended that the EIS should “outline specific measures to protect surface waters” and include in the analysis a discussion of “how the proposed stormwater management facilities protect water quality by addressing pollutants such as runoff from parking lots (including thermal impacts, heavy metals and petroleum/oils) and landscape pollutants (such as fertilizers, pesticides, bacteria, and sediment) from entering surface waters.” The DEIS does not address these concerns.
 3. **Treasury plans to defer determination of stormwater requirements.** It is unclear whether Treasury has performed site-specific analysis of possible effects of increased stormwater. The DEIS states that Treasury plans to determine stormwater requirements through the proposed CPF design process. The City believes that determinations regarding stormwater cannot be deferred. To have a comprehensive understanding of the project’s potential effects, stormwater requirements and impacts must be addressed with the DEIS, including but not limited to impacts to hydrology in terms of volume, quality, and temperature, and a complete break-out of current and anticipated nutrient and sediment loading must be provided. All calculations should be provided for the site as a whole, as well as by drainage area and watershed.
 4. **Unclear if deficiencies in existing stormwater infrastructure will be addressed.** The Utilities Technical Memorandum notes that existing stormwater management capacity is “unknown; however, existing drainage is obsolete with significant inflow and infiltration issues”. The Water Resources Technical Memorandum notes that 51% of the site drains to existing stormwater management infrastructure, which drains to Indian Creek. The DEIS must provide information regarding whether the Proposed Action would address issues with existing stormwater management infrastructure. If so, specific actions must be outlined in the DEIS.
 5. **Impacts of transportation mitigation are not addressed.** Per the TIS, proposed transportation mitigation will add over 340,000 square feet (i.e., approximately 8 acres) of new impervious surface for roadways. This concern is further outlined in the “Connected Actions” section of this memo.

XII. Draft Finding of No Practicable Alternative (FONPA) and Wetlands

Under Executive Order (EO) 11990, *Protection of Wetlands*, Treasury “shall avoid undertaking or providing assistance for new construction located in wetlands unless the head of the agency finds: (1) that there is no practicable alternative to such construction; and, (2) that the proposed action includes all practicable measures to minimize harm to wetlands which may result from such use.”

Under EO 11990, Treasury must find that there is no practicable alternative to development within wetlands and take all practicable measures to minimize harm to or within wetlands. The Draft FONPA includes such a finding and outlines the steps Treasury will take to avoid or minimize impact to wetlands.

The City offers the following comments pertaining to the FONPA are as follows:

1. **Treasury's FONPA for the Proposed Action does not appear warranted**, given the information in the "Alternatives Considered" portion of the City analysis, including the apparent existence of reasonable alternative sites and the extensive opportunities for redesign at Treasury's Preferred Alternative site.
2. **The mitigation outlined in the FONPA does not appear to include "all practicable measures to minimize harm"**, as required by EO 11990. The DEIS and the FONPA state Treasury's intent to apply for an exemption from mitigation requirements for wetlands under Maryland's Nontidal Wetlands Protection Program. The FONPA states that "any mitigation will be implemented as directed"; however, it is anticipated that MDE may not require mitigation, as the impact is less than 1 acre. While this may meet MDE's regulatory requirements, the implementation only as directed – and not as a proactive harm-reduction measure – does not appear to meet the standards of EO 11990. Mitigation at a minimum 1:1 rate for emergent wetlands must be provided. The use of wetland restoration should always be the first compensatory mitigation option considered.
3. **The head of Treasury must make relevant findings.** The City notes that EO 11990 appears to require the head of the federal agency to make relevant finding. The FONPA includes a signature line for "Charles C. Davis, P.E. / *Program Manager / Bureau of Engraving and Printing* [emphasis added]".

Additional comments pertaining to wetlands generally include:

1. **Inadequate significance thresholds identified in the DEIS.** The DEIS considers a significant adverse impact to wetlands to be one that would "Fill or substantially alter more than 1 percent (i.e., 8.15 acres) of the total wetland acreage at BARC." The DEIS provides no clear justification or rationale for this significance threshold. The significance threshold must be reconsidered in terms of the stringent guidance of EO 11990, which instructs federal agencies undertaking new construction to avoid *any* impact to wetlands (regardless of size) unless no alternative exists. The FONPA recognizes that development activities impact wetlands "via the loss or degradation of their natural functional benefits such as water storage, infiltration, and filtration. These impacts extend to the intrinsic value of these resources or the benefits associated with their use, such as wildlife habitat, recreation, and aesthetic enjoyment. Wetland functions and values are also susceptible to changes in the volume, rate, and quality of stormwater discharge, particularly as influenced by the amount of impervious surface within a watershed." The DEIS does not appear to account for the significance of these impacts. The assessment that potential wetlands impacts from construction of the Proposed Action would be considered *less-than-significant impacts* must also be revised to *significant adverse impacts*.
2. **Information regarding wetland impacts are inconsistent.** The FONPA states, "The Proposed Action would permanently affect approximately 0.94 acres of wetlands and up to 2 additional acres of wetlands may be subject to temporary, construction-related effects." The DEIS does not mention an additional two acres of temporary disturbance to wetlands. The extent and duration of impact to wetlands must be clarified in the DEIS.

XIII. Forest Retention

The Proposed Action would result in the permanent removal of vegetative communities on the Project Site, including 3.6 acres of forest, 58.4 acres of open meadow with mature trees, 0.9 acres of emergent wetlands, and 20.7 acres of agricultural land. Up to 125 of the 149 specimen trees on the project site

(84%) would be removed. Despite this, the DEIS claims that “tree removal [...] would be *less than significant* on the Project Site and *negligible* in the context of the overall ROI.” This claim is not sufficiently justified. The proposal will adversely impact Forest Stand 2, which is identified as a high priority stand for retention due to its mature successional stage, specimen trees, and lack of invasive species. The proposal will result in the removal of the majority of specimen trees onsite, adversely impact mature vegetation. The proposal to mitigate tree removal through the Forest Conservation Act (FCA) has not been made available; it is possible that requirements are proposed to be met through off-site planting outside of the watershed or through a fee-in-lieu, neither of which would serve to minimize the impacts of tree removal onsite. The only forest clearly shown to be retained onsite is already encumbered in easement.

In December 2019, USACE prepared a forest stand delineation (FSD) to identify, delineate, and characterize forest stands and specimen trees. 188 specimen trees were identified and characterized, and four forest stands were identified and prioritized based on observed characteristics in accordance with guidance from the *Maryland State Forest Conservation Technical Manual*. Since the time of the FSD, the project site appears to have been reconfigured. As a result, the majority of the four forest stands and many of the specimen trees are located in areas that are now being identified as outside of the project site in areas not proposed to be disturbed by the Proposed Action.

It is concerning that the limit of disturbance (LOD) would impact the existing FCE in the northeast corner of the site (Figure 3.8-1). The easement documents should be provided to clarify applicable protections and responsibilities. The conflict between the LOD and the FCE should be resolved. The project proposes to “retain and enhance existing landscape buffers” (Table 2.2.-1). Because the existing conservation easements were established and credited as mitigation for an earlier project, their continued retention (and/or any reconfiguration, if applicable) should not be considered as mitigation toward this project, but rather as a legal obligation.

The DEIS claims “[t]he removal of specimen trees and forested areas during construction [...] would be offset by Treasury’s compliance with the FCA [Maryland Forest Conservation Act]”; however, it is unclear what measures Treasury plans to take to comply with the FCA. To substantiate these claims, the Forest Conservation Plan and Planting Plan that Treasury plans to develop should be prepared in accordance with the *Maryland State Forest Conservation Technical Manual* (1997) and made available with the DEIS. All applicable calculations should be made available, including net tract area (excluding forest already under easement), break-even, afforestation, and conservation thresholds. To maintain consistency with the current land use and zoning of the Project Site and BARC, these thresholds should be based on those required for an agricultural use, as opposed to an industrial use (which are less stringent). The plan should result in preservation and on-site planting to the maximum extent practicable. Any off-site planting should occur in the same watershed. Fee-in-lieu of planting should not be considered.

Additionally, the figures included in the FSD appendices should be revised as follows:

1. FSD maps should include all elements required by *Maryland State Forest Conservation Technical Manual*;

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2. Sample points should be clearly and accurately located on the FSD map in Appendix B, to enable cross-referencing with data sheets in Appendix A; and

3. Specimen trees should be clearly and accurately located on the FSD map in Appendix C.

This will enable a more comprehensive understanding of the existing environmental resources onsite, including wetlands, streams, and steep slopes, and suggest possibilities for modification of the LOD to avoid impact to sensitive environmental features.

Further EPMs should be considered by Treasury to ensure maximum protection of priority forest and specimen trees, as follows:

- Modify the LOD associated with proposed entrance road upgrades and the proposed vehicle entry control facility to avoid diverting approximately 117 linear feet of the unnamed intermittent stream on-site, and to avoid removal of the maximum number of specimen trees in 'Very Good' and 'Good' condition.
- Because the FSD has revealed the high priority of forest stands 1, 2, and 4 (each of which is located substantially off-site and not proposed to be directly impacted by the Proposed Action), Treasury should work with BARC to protect these forest stands in their entirety by encumbering them with permanent protective easements. This would not only protect valuable forest land, but ensure a functional buffer to the east of the site into perpetuity. Additionally, as forest stands 1 and 4 have a moderate to high occurrence of invasive species, invasive management plans should be developed for these stands.

XIV. Lighting

The CPF will operate 24 hour per day, five days per week. The facility will also operate on the weekend, as needed. During the scoping period, the City of Greenbelt raised concerns regarding "The 24-hour operation of the BEP facility and associated lighting (i.e., impact on the environment/wildlife) [...]". The DEIS states that noise and light generated at the facility would attenuate to ambient levels at approximately 800 feet. The DEIS states that Treasury's Preferred Alternative would have potentially significant adverse impacts on nighttime lighting levels in and around the project site, and specifically for up to 34 residences along Odell Rd. The City is concerned that the CPF would also be visible at night from within City limits particularly along Ridge Road. During the public scoping period, a concern was raised that nighttime lighting may impact the Greenbelt City Observatory. These concerns are not addressed in the DEIS. It would be beneficial for Treasury to provide a photometric study of the site in the DEIS to address concerns regarding lighting. Compliance with the Prince George's County Code of Ordinances regulations for parking lot lighting and associated off-site impacts should be incorporated into the Proposed Action as an EPM.

While the DEIS recognizes the significant adverse impact of nighttime lighting on humans living nearby, it fails to recognize its impact on wildlife. The DEIS claims that "measures to reduce operational noise and light impacts, including using lighting fixtures that direct light to on-site areas" would minimize impacts to a *less-than-significant adverse impacts* to wildlife. This conclusion lacks justification. It is unclear why lighting would adversely affect humans but not animals, particularly those that are nocturnal. The potential impact of increased lighting on migratory birds (many of whom migrate at night and are

impacted by light pollution which hides their navigational aids, the moon and stars⁷) is also not addressed. As noted earlier in the Biological Resources portion of this memo, the significance threshold used to determine the intensity of impacts to biological resources is ill-suited to accurately assess impacts of the CPF's 24-hour operations and nighttime lighting on wildlife and wildlife habitat in and near the Project Site. The DEIS states that "Over time, many local wildlife species would adapt to these new conditions or relocate to other areas in the ROI," indicating that the Proposed Action would have, at a minimum, a short-term adverse impact that is not being accounted for. The City's previously-raised concerns regarding lighting and nighttime operations have not been fully addressed.

The Biological Resources portion of the DEIS includes the following as an EMP, RCM, and BMP: "Incorporate noise and light abatement or shielding features into the design of the proposed CPF as identified in other resource areas (see the Noise Technical Memorandum and Visual Resources Technical Memorandum, respectively)." Therefore, it is anticipated that the following "mitigation measures" listed in the Visual Resources portion of the DEIS (the only light abatement features listed therein) will be included in the Proposed Action:

1. "Develop an exterior lighting plan for the proposed CPF that minimizes off-site light pollution, such as by using directional lighting that focuses light on areas within the Project Site, while still meeting site security requirements.
2. Use a spectrum of light generally perceived as more natural, such as light-emitting diode (i.e., LED), metal halide, or halogen elements.
3. Avoid high-intensity discharge (i.e., HID) or fluorescent lights (except compact fluorescent bulbs 226 that screw into standard sockets) on the exterior of buildings.

For consistency, these measures must be included as EMPs in the Visual Resources section as well. An additional EPM that should be included with the proposal is the use of full cut-offs for all exterior lighting.

XV. Wildlife

The DEIS claims that the Proposed Action would have *no significant adverse impacts* to biological resources (this includes vegetation, wildlife, and migratory birds). Potential impacts on biological resources from light encroachment (addressed earlier in this memo) and noise were also analyzed. The City has concerns about the assessment of impact to wildlife, including migratory birds, as offers the following comments:

1. **Inadequate significance thresholds identified in the DEIS.** The DEIS recognizes that the Proposed Action would result in the destruction of 83.6 acres of existing, vegetated wildlife habitat and the displacement and/or killing of wildlife currently living onsite; however, the DEIS claims that the Proposed Action would have a *less-than-significant adverse impact* on wildlife, as it "would not substantially reduce regionally or locally important habitat or substantially diminish a regionally or locally important plant or animal species." This may be a result of the insufficient significance threshold used in the Biological Resources portion of the DEIS, which fails to consider impacts to species that are not "regionally or locally important", or "federal- or state-

⁷ Florida Atlantic University. n.d. Light Pollution Kills Birds in the Environment. Available at: <http://physics.fau.edu/observatory/lightpol-Birds.html>. Accessed December 4, 2020.

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listed species". To provide an accurate assessment, the definition must be expanded to include potential impacts to biological resources related to impacts to vegetation, aquatic wildlife species, terrestrial wildlife species, and special status species.

2. **Failure to address impacts to aquatic wildlife and plant species onsite.** The proposal will directly impact 226 linear feet of stream (117 to be diverted; 109 to be filled and not replaced), and approximately one acre of emergent wetlands. Impacts to aquatic species due to this action must be addressed in the DEIS.
3. **Failure to address impacts to aquatic and terrestrial species offsite.** The CPF will discharge 120,000 gallons of wastewater each day into Beaverdam Creek and will increase onsite impervious by 29.4 acres (31.2%). The analysis does not include potential impacts to wildlife and plant species in wetlands, waterways, and floodplains due to possible impacts including changes in hydrology; higher water temperatures; increased sedimentation, nutrient loading, and turbidity; increased runoff of metals (e.g., arsenic, chromium, and lead) which naturally occur at high concentrations in the soil and sediment of the project site; introduction of harmful chemicals⁸; etc. As with other analyses, impacts due to implementation of transportation mitigation are not addressed.
4. **Threatened species identified in the Environmental Condition of the Property (ECP) assessment not addressed in the DEIS.** Lists of endangered species that may be present in Prince George's County were reviewed as part of the ECP assessment provided with the DEIS. Two threatened species were identified: The Northern long-eared bat (*Myotis septentrionalis*, also "NLEB") and Sensitive joint-vetch (*Aeschynomene virginica*). A bat study performed in December 2019 did not identify any NLEB onsite. Information submitted with the DEIS indicates that the USFWS does not have further requirements pertaining to NLEB; however, the DEIS includes no information or analysis of Sensitive joint-vetch.
5. **DEIS does not appear to utilize all possible resources to identify species onsite.** Comments from the December 2, 2020, public DEIS webinar indicate that bird surveys have been performed by BARC staff and local volunteers. These could prove a useful resource to provide a baseline for analysis. Treasury should contact BARC staff running the bird surveys for assistance in further analysis. Revisions to impact determinations may be necessary.
6. **Possible impacts to migratory birds are not addressed sufficiently.** The DEIS notes that USFWS identifies 12 migratory birds with potential to occur on the project site, eight of which have specifically been reported within the designated ROI for Biological Resources. These birds are also considered Birds of Conservation Concern by the USFWS. The DEIS makes claims such as "most [migratory] birds would likely avoid the Project Site or relocate to nearby habitat areas on BARC, in the ROI, or regionally", but provides little evidence to support such claims. Adverse impacts to migratory bird populations must be fully incorporated into the DEIS, including potential for bird migration to be impacted by additional light pollution and for migratory bird deaths to increase due to window strikes. While the No Action Alternative is preferable, if the BARC site is chosen, Treasury must commit to two revised EPMs:
 - a. "Limit or avoid all construction (e.g., ~~tree removal or noise-intensive activities~~) within the nesting season of migratory birds observed on the Project Site (i.e., May 1 to September 10) ~~to the extent possible.~~"

- b. ~~“Using the LEED framework, evaluate the need for~~ Implement design measures to reduce the likelihood of bird mortality from window strikes, including ~~such as~~ patterns on glass windows and use of non-reflective windows.”
7. **Treatment of the Northern Long-Eared Bat (NLEB).** The DEIS states that the Proposed Action *may affect* the NLEB (a federally-threatened species). This level of significance is not identified in the associated Technical Memorandum. It appears that because the USFWS concurred with Treasury’s determination that “any take that may occur under the Proposed Action would not be prohibited”, the possible impact to NLEB has been discounted. This logic is flawed: The fact that an action is legally permissible does not mean that it will have no adverse impact. The City finds that an impact assessment of *potentially significant adverse impact* most appropriate. The determination of significance associated with possible impacts to NLEB must be reconsidered.

XVI. Traffic and Transportation

During the public scoping period, the City of Greenbelt raised traffic- and transportation-related concerns including:

- 1) Potential road closures within the BARC campus, and impacts on motorists, pedestrians and cyclists.
- 2) Traffic impacts/safety including heavy truck traffic.
- 3) Traffic patterns and impacts on local roadways including Edmonston Road, Sunnyside Avenue and Powder Mill Road.

The City offers the following comments:

- 1) **DEIS does not clearly state which transportation mitigation measures would be implemented.**
- 2) **Wetlands near possible transportation mitigation do not appear to have been field-delineated.**
- 3) **Potential for increased traffic on Greenbelt’s local roadways.** The City is concerned that any unmitigated short- and long-term adverse traffic impacts will result in increased (cut through) traffic on Greenbelt’s local roadways and potential adverse impact to residential neighborhoods. This concern must be addressed in the DEIS.
- 4) **DEIS fails to address safety concerns.** Although the associated Technical Memorandum recognizes traffic-related safety concerns as one of the primary concerns raised by commenters during the public scoping period, the DEIS provides no analysis of or information regarding this concern. The only mention of traffic-related or pedestrian safety is in an optional mitigation measure recommending that Treasury “Consult with WMATA regarding the opportunity to adjust Metrobus routes such that they serve the proposed CPF more effectively (e.g., instating a bus stop along the proposed CPF’s driveway), thereby reducing traffic in the local ROI by making public transit more accessible and functional for employees, and improving pedestrian safety by reducing the need for employees to walk along Powder Mill Road to access a bus stop”. Safety concerns must be addressed and appropriate EPMs must be adopted.
- 5) **Mitigation outlined in the TIS and referenced in the DEIS includes significant widening of MD-201 (Edmonston Road).** Recommendations include:

- a. Adding a second approach through lane and receiving lane in both directions at the intersection of Edmonston Road/Sunnyside Avenue
- b. Adding a second eastbound Powder Mill Road through lane and adding additional turn lanes at the intersection of Edmonston Road/Powder Mill Road

The City of Greenbelt is not in favor of any street widening, particularly on Edmonston Road. The City recommends that alternative means of mitigation be employed to fully address necessary mitigation.

- 6) **Intersection of Edmonston Road and Beaver Dam road not identified for possible mitigation in the DEIS.** The TIS recognizes that mitigation at this intersection is not required, but recommends it, based on the “potential gap acceptance issues for vehicles attempting southbound left turns from Edmonston Road onto eastbound Beaver Dam Road”; however, the DEIS does not identify this intersection as experiencing a *significant adverse impact* because it has a volume of less than 100 vehicles per hour. The City believes that mitigation for this intersection which does not include widening should be reconsidered, and impacts should be fully addressed.
- 7) **Anticipated short- and long-term road closures.** The DEIS states that all or part of Powder Mill Road would be temporarily closed to construct necessary modifications, and states that one-way alternating traffic would be used to the extent practical and roadwork would be coordinated with local authorities to maintain a less-than-significant impact. Construction would also result in the closure of the striped shoulder on Powder Mill Road between Edmonston Road and the Baltimore-Washington Parkway that provides space for cyclists. The DEIS states that these closures will have a *less-than-significant impact* on local traffic and the bicycle network. It does not appear that any other short- or long-term road closures would occur; however, the DEIS does not clearly state whether CPF operational requirements are anticipated result in additional permanent road closures. The DEIS should clearly indicate whether the road closure at the intersection of Odell Road and Poultry Road is intended to persist.
- 8) **Employee travel surveys did not capture baseline data.** The survey gathered information on employees’ expected travel modes to a possible CPF located at BARC; however, it does not appear to have gathered information on employees’ current travel mode to the CPF in Washington, DC. Establishing this baseline would provide a better understanding of Proposed Action impacts and would benefit the TIS and the DEIS.
- 9) **Baseline transit ridership data is not provided.** The DEIS does not provide data regarding the number of employees and visitors currently and historically (i.e., pre-COVID-19) arriving and departing the existing CPF by transit. This information should be provided to facilitate a better understanding of impacts to transit ridership.
- 10) **A decrease in transit ridership should be considered a significant adverse impact.** The significance threshold outlined in the associated Technical Memorandum defines a *significant adverse effect* as one that would “Interrupt an existing public transit route over the long-term without a convenient replacement” or “Cause an abrupt, unplanned change in existing transit ridership levels that would require the transit authority to alter existing operations”. BARC is significantly less transit-accessible than the existing facility, and therefore an overall drop in transit ridership is possible. However, based on the defined significance threshold, the DEIS finds that the generation of new transit trips in one direction or another would create an *adverse impact*. The transit system should be viewed holistically, and any system-wide reduction in transit

ridership resulting from the Proposed Action should be conceived of as a negative impact. This could be addressed through revisions both to the significance threshold and the ROI.

- 11) **Concerns regarding truck traffic are insufficiently addressed.** The Transportation Technical Memorandum states that Treasury assumes there would be 7,278 dump trucks over the construction period (approximately one-two years). During operation, Treasury anticipates that 82 trucks would arrive and depart the CPF each week, some during the evening and midnight shifts. The DEIS states that construction traffic and construction noise would have a *less-than-significant adverse impact* on the local area. The DEIS states that truck traffic during operation of the CPF would have a *less-than-significant adverse impact* on roadways with EMPs in place. The DEIS will incorporate a number of EPMs, RCMs, and BMPs to minimize the impact of trucks, including restricting truck arrival and departures and restricting truck traffic on residential roads; however, the City is concerned that trucks traffic during construction and operation would have a noticeable adverse effect. This should be recognized in the DEIS.
- 12) **Truck traffic to be routed along Edmonston Road.** One of the EPMs, RCMs, and BMPs to address traffic impacts is to require trucks to follow existing truck restrictions on various roadways. It further instructs, "Truck traffic should be routed along Powder Mill Road, Edmonston Road/Kenilworth Avenue, and the Capital Beltway to minimize its use of collector and local roads." The City is concerned this may have an adverse impact on Edmonston Road.
- 13) **It is unclear if visitor traffic has been accounted for in the TIS.** The TIS recognizes that the CPF would include a visitor center, but it is unclear how many visitors are expected and whether the TIS accounts for visitor traffic to the site.
- 14) **Roadway impacts incurred during this project should be reconstructed with all master-planned bicycle and pedestrian facilities.** Since Powder Mill Road is a future location for bike lanes, the City reiterates NCPC's earlier suggestion that new bike lanes connecting the site to the existing bike lanes on Edmonston Road should be installed. This would encourage the use of bicycles to commute to the BEP facility.
- 15) **Depiction of proposed internal circulation would be useful for informational purposes.** This would include proposed location of loading zones.

XVII. Need for Additional Field Investigations

The DEIS does not provide enough information to form a comprehensive understanding of the Proposed Action's impacts. The Project Site, which is to be transferred from the USDA to Treasury, is identified as a 104.2-acre parcel (as described above). Under the Proposed Action, an additional 18 acres adjacent to the Project Site would be directly impacted by development activities associated with road improvements and modifications. Many of the analyses included in the DEIS examine impacts associated with all of the above areas; however, in some instances, supporting investigations for the 18-acre area have not been made available. For example, neither the Forest Stand Delineation (FSD) nor the Wetland Delineation include these 18 acres adjacent to the Project Site. Background investigations for this portion of the site must be provided with the DEIS.

XVIII. Connected Actions

40 CEQ 1508.25 requires that the DEIS include “connected actions”. Actions are considered to be connected actions if they: 1) automatically trigger other actions which may require environmental impact statements; 2) cannot or will not proceed unless other actions are taken previously or simultaneously; 3) are interdependent parts of a larger action and depend on the larger action for their justification.

The DEIS does not evaluate the impact of connected actions at BEP’s existing facilities once currency production is transitioned to the proposed CPF. Additionally, potential costs associated with the existing facility do not appear to be reflected in the DEIS. The 2018 GAO report states, “The ability to sell or repurpose any part of the current D.C. facility could affect the total federal costs of BEP’s actions.”

The DEIS also does not evaluate the impact of connected actions associated with possible transportation mitigation at the intersections listed in the Traffic and Transportation section of this memo. It is anticipated that these measures would result in impacts to additional off-site areas, but they are not analyzed in the DEIS. It appears that decisions regarding specific mitigation to be implemented with the Proposed Action have not yet been agreed upon. The EPMs, RCMs, and BMPs do not include the specific mitigation required to address failing intersections. Instead, a generalized list of typical intersection design measures is included in the DEIS as “mitigation measures” that Treasury *should* design and implement for the intersections anticipated to experience *significant adverse impacts*.

The DEIS does not appear to include information regarding any on-site investigation of transportation mitigation areas’ existing conditions, nor does it provide an analysis of the proposed mitigation’s impact on resources. For example, wetlands depicted in TIS mitigation figures appear to be based on Fish and Wildlife Service National Wetlands Inventory (USFWS NWI) data, without the benefit of field-verification. Field work identifying all environmental features should be completed prior to, and made available with, the DEIS. Treasury should coordinate with the County to determine which mitigation measures would be implemented under the Proposed Action. If transportation mitigation will result in impact to wetlands, the impact should be considered under the same permit as other wetlands impacts.

It is also unclear if the existing BARC East will require upgrades to address increases in wastewater and introduction of a new industry which may generate wastewater of a different composition. If upgrades or modifications are required, this action should be addressed in the DEIS.

To ensure a comprehensive understanding of the Proposed Action’s impacts, impact analyses, supporting investigations, and cost estimates should consider and treat the Project Site, the 18 acres on which the new entry road and associated modifications to Powder Mill Road are proposed, all areas subject to proposed traffic mitigation measures, and existing BEP facilities, at a minimum.

XIX. Limits of Disturbance (LOD)

The limits of disturbance appear inaccurate and insufficient. The following issues must be addressed:

1. **The LOD associated with work at the Project Site is shown inconsistently throughout the DEIS** (e.g., Figures 3.6-1 and 3.7-3).
2. **The LOD does not appear to provide for utility work.** The project will include utilities installation and relocation, including relocation and reconnection of an existing USDA water line around the Project Site, and installation of approximately one mile of new force main that would

tie into the USDA's existing sanitary sewer system south of the Project Site. Proposed utility locations and tie-ins must be clearly located and the LOD must be adjusted to account for their installation.

3. The LOD may also need to be adjusted to account for stable outfalls and rehabilitation of impacted assets.
4. As previously noted, **the DEIS does not account for impact due to off-site work**. No LOD is shown for transportation mitigation.

XX. Security and Facility Requirements

The DEIS does not provide information regarding ISC security standards for the CPF. Materials referenced in the DEIS indicate that a facility risk assessment was conducted in 2015, and that requirements for integrated security have previously analyzed. The security rating of the facility, explanation of the security rating, and a detailed list of applicable ISC security standards and CPF proposed security features (including setbacks and other relevant details), should be provided. Impacts of proposed security features should be accounted for in analyses.

The DEIS would also benefit from an illustration of the anticipated space utilization, printing workflow, and components.

XXI. Operational History of Existing Facility

Comments submitted by the City of Greenbelt during the public scoping period requested that the DEIS include the "Operational history of the current BEP facility, including researching violations and enforcement issues." For the DEIS, Project Site investigations were conducted to characterize the environmental conditions of the Project Site and identify Hazardous and Toxic Materials and Waste (HTMW) resulting from past activities conducted within 0.25 miles of the Project Site (the ROI for HTMW), but it appears that no equivalent investigations were conducted for the current BEP facility. The associated Technical Memorandum states only that "To determine potential HTMW impacts, Treasury analyzed the existing conditions at the Proposed Site through site investigations". No information regarding past violations and enforcement issues at the current BEP facility has been provided. The DEIS must be amended to include this information.

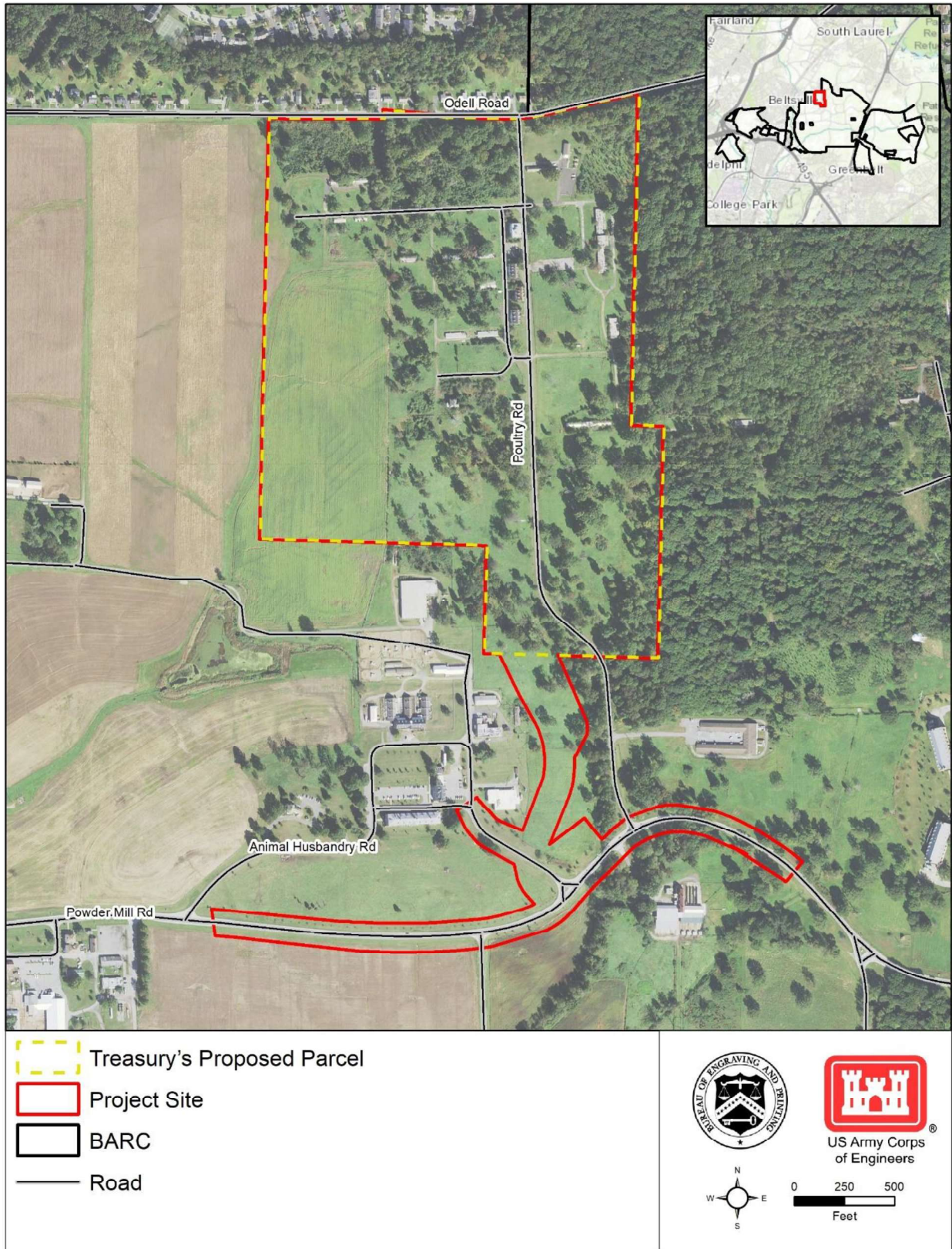


Figure 2.3-3: Project Site (Preferred Alternative) at BARC

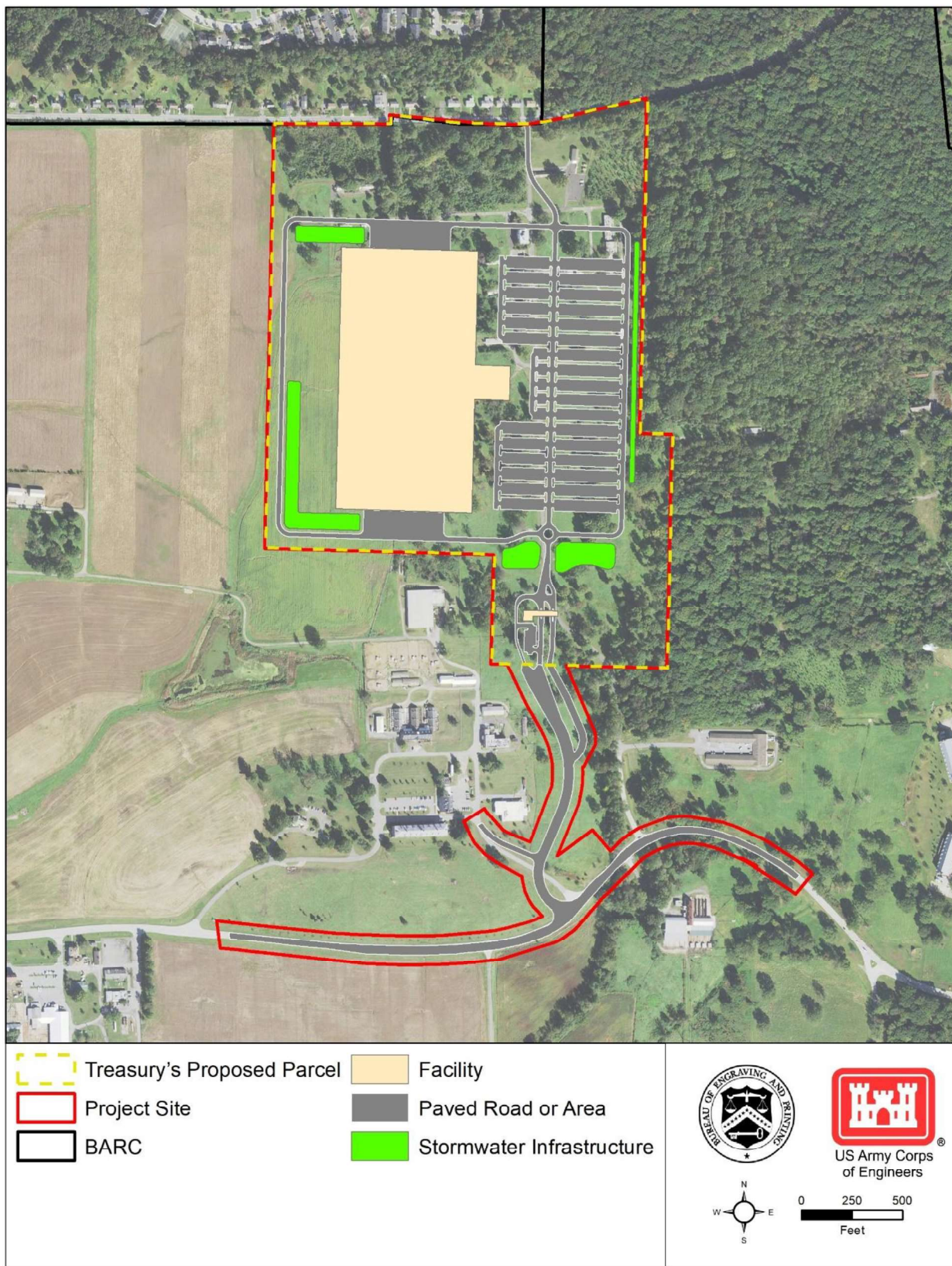
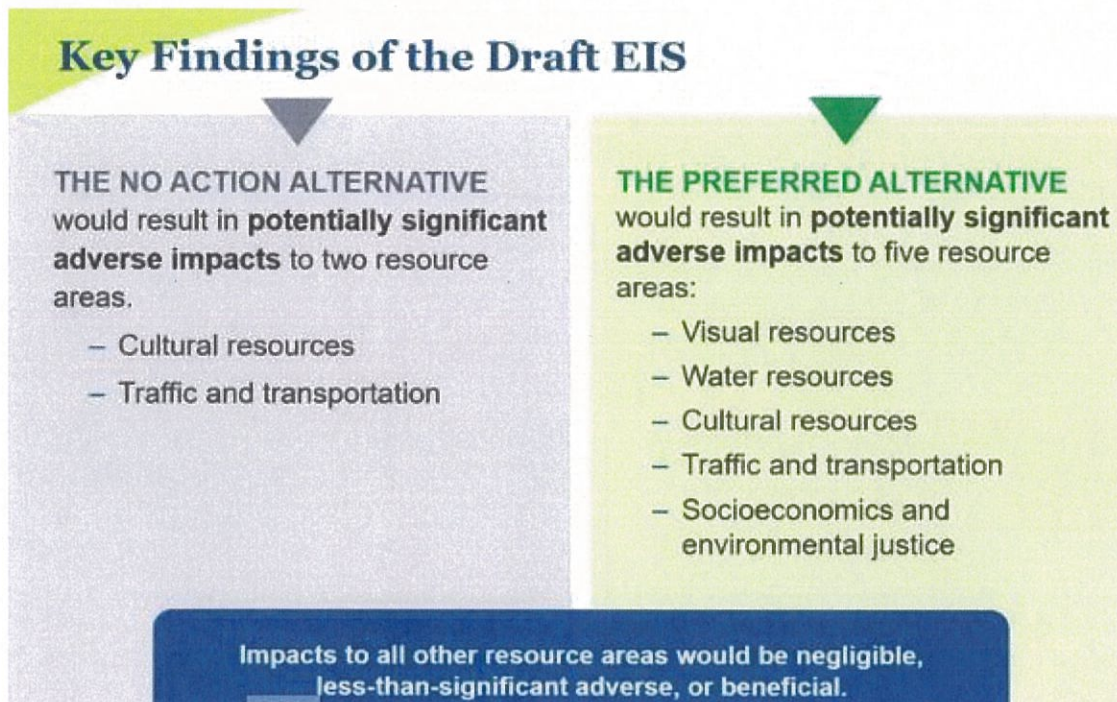


Figure 2.5-1: Concept Site Plan of the Preferred Alternative



A Malcom In a Tier II watershed

30:50 to
Jeff Chanelle?
301---580

Over 20 years bird watching and wildlife research 4-5 years
Resources not covered....info grossly inadequate for biological resources...whole document more on level of an EA, but even for that is grossly inadequate...significant determinations not based on adequate documentation...info dismissed

37:50
Gail Mackiernan
Retired EPA/UMd
Hydrology and Beaverdam Creek
Almost doubling the permitted discharge of effluent from WWTP into B Creek
Filtration
Replacement of ...trading meadows and woods for impervious surfaces

Michael Hartman
Slide on adverse impact (Key Findings)...adverse impacts to cultural resources for no action alternative...concerned about traffic on PM Rd

Melissa Dastin...audio problem

Rodney Roberts

This project is inappropriate for the farm...

Amount of waste water effluent to be dumped into creek

Sited in wrong place

47:32

Linda Saffell

Buttress the comments of the EPA, I think the project is inappropriate for the site

Michel Cavigelli

BARC Ecology Committee

Refers back to Jeff Chennault's comments

Approx. 53:00

Tom Dernoga's Chief of Staff Michelle Garcia

Approx. 54:00

Ross Geredien

9008 48th Place College Park

volunteer surveyor for the aforementioned biodiversity and avian surveys at BARC

Habitat loss

Migratory bird # highly inactive

Cumulative effects analysis lacking in quantitative measures

Permanently lost habitat...no mitigation proposed for that loss

No quantification of the amount of impermeable surface in the watershed with respect to other current and existing proposed projects such as the Maglev, this is a known existing proposed project and there is no mention of it here in the cumulative effects analysis

56:00

John Lippert ("Solar Jack")

3 brief comments

-cash is becoming obsolete

-agree with RR Out of compliance with zoning

-traffic... technical background, 12 intersections need remediation but no details—totally lacking

59:00

Bill Orleans

Kaber, CP CC

Gail and Linda: need specific outreach to Odell Road residents

Comments from John Lippert, Chair, Green ACES and Green Team: I oppose the proposed BEP project.

The Project Site, including Treasury's proposed parcel, is zoned under the Reserved Open Space (R-O-S) zoning classification within the Residential major zoning type. According to the June 2020 TRANSPORTATION IMPACT STUDY for the DEIS, "the proposed BEP facility will be out of compliance with the zoning regulations and not in keeping with the general character of BARC, which could give greater credence to an organized remonstrance from the surrounding community. However, the previous land use at this exact location—an expansive poultry research campus—also did not align with the character; additionally, both it and the proposed BEP facility may find viable exception through the RO-S classification's provision for 'a limited range of public, recreational, and agricultural uses.'" This industrial project is totally outside both the character of BARC and the allowable uses for this land.

According to the DEIS, the Preferred Alternative of the BEP, as compared to the No Action Alternative, would (in 2029) continue the failing LOS [a primary performance level of traffic operations] of Intersection 8 [Edmonston Road and Powder Mill Road]; result in failing LOS at Intersections 10 [Powder Mill Road and Poultry Road], 12 [Powder Mill Road and Springfield Road], 13 [Powder Mill Road and Southbound ramp of the BW Parkway], and 14 [Powder Mill Road and Northbound ramp of the BW Parkway]; and result in failing queue lengths at Intersection 8 [Edmonston Road and Powder Mill Road]. I think these are unacceptable.

At the recent virtual public awareness presentation of the DEIS, it was stated that contrary to public perception that paper currency is being used less and less, paper currency demand is growing. However, Gary Cohn, former Director of the National Economic Council, said on Bloomberg the very day before the presentation: "I think cash can easily disappear. I mean the idea of paper currency in the legitimate world is becoming more and more obsolete. And I believe it can become totally obsolete."

Comments from Jane Young/Green ACES and Green Team: I am very concerned about the environmental impact of the proposed BEP project for many reasons—additional traffic, security issues, water quality, and loss of green space. I hope that this will not be built at BARC. It was stated that the Environmental Impact comment period was well advertised. I do not believe this is the case. Some environmental activists are aware of this project, mostly by word of mouth. Most of us are white, middle class residences of areas not as directly impacted by this project as those who live very close to BARC. The area adjacent to BARC is mostly lower income and not well represented in the comments.

Comments from Susan Barnett/Green Team:

There will be a negative impact to wildlife habitat due to the construction, increased traffic and increased security measures (lighting, fencing, etc.)

There will be a negative impact to the quality of life of residents in the area:

1. Noise - due to traffic on Powdermill Road and Kenilworth Road and likely Route 1.
2. Lighting - which will impact nearby residents and reduce our night sky.
3. Decreased access to important recreation - the use of Research Road, Beaverdam Road and Powdermill Road are essential to our quality of life.
4. Traffic - increased traffic will negatively impact resident near and far.

I am concerned that we are losing an important local resource related to food and health. BARC is a research center that is essential as we come closer to the death toll deadline of climate crisis (8 - 10 years from now). We need BARC to be actively developing ways to grow food **locally** so we can be certain to grow food as the climate changes. This is SO MUCH MORE IMPORTANT THAN PRINTING MONEY! It is so difficult for me to comprehend how this project can be seen as a priority. All of our federal resources should be focused on solving climate related issues. If we do not do this we will have no need for money. So the ridiculous use of resources on this project is going to be wasted as we struggle to survive. This issue requires explanation.

I am concerned that there will be a much greater impact than we are being informed of. At the information sessions last spring at BARC and a local school there was a significant amount of confusion - different representatives provided different answers to the same questions regarding stormwater management and other environmentally related issues. It was also very clear this project was being pushed forward by the project manager and he was disregarding important questions by the public. So I do not have much confidence that this project will be done well. I am certain the outcome will be a negative one on our community and ecosystems.

Stormwater-Related Comments from Tom Taylor and Ben Fischler/Friends of the Green Team:

We remain concerned about potential negative impacts on the streams that flow through the BARC site. An unnamed tributary of Beaverdam Creek carries surface runoff from a large part of the proposed BEP site south to Beaverdam Creek. BEP proposes to pipe wastewater from the proposed facility to the BARC wastewater treatment plant. That plant releases treated effluent directly into Beaverdam Creek.

In reference to Beaverdam Creek – the Water Resources Technical Memorandum of the EIS states:

“Beaverdam Creek has remaining assimilative capacity, which means it is able to receive additional wastewater or pollutants, in accordance with applicable TMDLs and permitting requirements, relative to current conditions while still maintaining its status as a Tier II water.” (p. 6, lines 65-68)

However, the technical memorandum goes on to state the following about the overall conditions of the Anacostia Watershed, of which Beaverdam Creek is a part:

"Due to the intense development of the Anacostia Watershed, the watershed has poor ecological conditions and degraded water quality. A 2019 'report card' issued by the Anacostia Watershed Society gave the Anacostia Watershed a grade of 51 percent for overall health..." (p. 6, lines 77-79)

It makes no sense to add increased burden to one of the healthier streams when the overall watershed is rated as "degraded." This will not advance water quality improvement in the DC region.

The EIS technical memo also describes the current nature of the site as follows:

"The primarily pervious nature of the site facilitates stormwater infiltration into the ground; the site is also largely vegetated, so runoff does not contain high concentrations of pollutants or sediment." (p.7, lines 102-104)

The report then goes on to cite the proposed increase in impervious surface:

"...the Proposed Action would increase impervious surface cover on the Project Site by 29.4 acres for a total of 46.7 acres, or 38.2 percent of the Project Site. As a result, stormwater runoff volumes discharging from the Project Site to receiving waterbodies could increase, with corresponding increases in concentrations of pollutants and sediments.

As shown on Figure 3, however, Treasury would properly design, construct, and maintain GI/LID stormwater infrastructure on the Project Site that would comply with state of Maryland requirements and Section 438 of the EISA, ensuring that pre-development hydrology is maintained on-site to the maximum extent technically feasible and no significant adverse impacts related to stormwater occur. Stormwater control BMPs identified under EO 13508 would also be integrated into the Project Site design to control and reduce water pollution coming from federal facilities to protect the Chesapeake Bay and its tributaries. As such, no or negligible adverse impacts to stormwater would be expected." (p. 12, lines 266-276)

In a time of projected significantly higher amounts of rainfall due to climate change, construction of the proposed facility would reduce the existing amount of naturally occurring filtration at the site. Though the report cites use of BMP's *"to control and reduce water pollution,"* no backup data and support are provided to show how this will be accomplished specifically. Specific BMP's also are not identified, making it difficult to assess their potential benefits in relation to the harmful effects that need to be remedied.

The technical memo cites the potential for higher stream volume as follows:

“...operation of the Proposed Action could increase water volumes downstream of the BARC East WWTP, but these increases would be minor and would result in less-than-significant adverse impacts on the flow of surface waters in the ROI, including Beaverdam Creek. (p. 12, lines 252-255)

But again, why risk some degradation of a healthy stream when the overall state of the Anacostia watershed is in poor condition, and there is no backup data that supports the above conclusion.

We also are concerned about harmful effects to wetlands at BARC. In the Draft Finding of No Practicable Alternative for Construction and Operation of a Currency Production Facility at the Beltsville Agricultural Research Center, Maryland (attached to the technical report), the report states that “approximately 0.94 acres” (about one-third) of the 2.94 acres of “wetlands identified within the Project Action Site” would be permanently affected, “and up to 2 additional acres of wetlands may be subject to temporary, construction-related effects.” (p. 2)

As the technical memo notes:

“Wetlands perform diverse hydrologic functions such as water quality improvement, groundwater recharge, pollution mitigation, nutrient cycling, and stormwater and floodwater storage. Wetlands also provide wildlife habitat and have socioeconomic benefits...” (p. 7, footnote 6)

The Greenbelt area already has suffered significant wetland loss due to previous development. In this era of climate change, habitat loss, and other ecological damage, we need to preserve and protect remaining wetlands.

City Council Agenda Item Report

Meeting Date: December 14, 2020

Submitted by: Bonita Anderson

Submitting Department: Administration

Item Type: OTHER BUSINESS

Agenda Section: OTHER BUSINESS

Subject:

SCMaglev Public/Agency Coordination Plan - Updated October 2020

Suggested Action:

Ms. Davis requested this item to be added to the agenda.

Attachments:

[MAGLEV_Public-Involvement-Agency-Coordination_Update_2020_10_19_final.pdf](#)



U.S. Department of Transportation
Federal Railroad Administration



BALTIMORE-WASHINGTON SUPERCONDUCTING MAGLEV PROJECT



Public/Agency Coordination Plan

October 2020 Update

Original Publication:
November 2017



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1 INTRODUCTION

The Federal Railroad Administration (FRA) is preparing an Environmental Impact Statement (EIS) in accordance with the National Environmental Policy Act (NEPA) to evaluate the Baltimore-Washington Superconducting Magnetic Levitation (SCMAGLEV) Project (the “Proposed Action” or the “Project”). As part of the NEPA process, FRA will follow “Efficient Environmental Reviews for Project Decision-making” (23 U.S. Code § 139), which specifies requirements for coordination by the lead Federal agency within the U.S. Department of Transportation (USDOT) with permitting and resource agencies that may have jurisdiction, authority, expertise, and/or relevant information with respect to the Project as well as with the public.

This Public/Agency Coordination Plan has been developed to guide the SCMAGLEV Project’s coordination activities with both the public and other interested, involved, cooperating, and participating agencies through the duration of the NEPA process.

1.1 PURPOSE OF THE COORDINATION PLAN

The FRA has developed this Public/Agency Coordination Plan (Plan) to describe the SCMAGLEV Project’s coordination activities with both the public and other interested, involved, cooperating, and participating agencies throughout the NEPA environmental review and approval process. The Plan summarizes key federal, state, and local agencies that are stakeholders and describes their responsibilities. It identifies key messages, themes, and general considerations to support the public outreach efforts associated with the planning, design, and study of the SCMAGLEV Project. This Plan also outlines the methodology for receiving input from agency and public stakeholders throughout the environmental review process.

This Plan includes a schedule for completion of the environmental review process that has been established by FRA, after consultation with cooperating and participating agencies for the project and with the State, per 23 U.S. Code § 139. The schedule is provided in **Table 3** and includes required comment review periods for key project milestones.

1.2 COORDINATION PLAN UPDATES AND REVISIONS

The coordination plan will be in effect throughout the NEPA process. The plan will be updated or modified as necessary based on determinations by the FRA as the Project progresses. Following review of existing data, literature searches, and agency/public meetings and comments, FRA will determine if changes or adjustments are needed. If FRA determines that adjustments or changes are needed, the revised section(s) will be submitted to cooperating and participating agencies for review. Agencies will have fourteen (14) days to review and submit comments. If comments are not received, FRA will assume the agency concurs with the revisions. All changes and updates will be documented in the Revision History section of the plan. Revision history and reference to agency comments are in **Section 6, Revision History**

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2 PROJECT OVERVIEW

2.1 PROJECT BACKGROUND

In 2001, the Federal Railroad Administration published the Record of Decision (ROD) on a Programmatic Environmental Impact Statement (PEIS) for the MAGLEV Deployment Program (MDP), established in the Transportation Equity Act for the 21st Century (TEA-21). The purpose of the PEIS was to identify potentially viable project locations in the United States to demonstrate the feasibility of MAGLEV technology.

Through a nationwide competition, FRA selected seven states — California, Florida, Georgia, Louisiana, Maryland, Nevada, and Pennsylvania — to receive pre-construction planning grants and participate in the development of the Draft and Final PEIS. Each state project was considered an alternative in the PEIS. The PEIS ROD concluded that MAGLEV was an appropriate technology to provide additional transportation options and the Maryland and Pennsylvania projects should be further considered as the preferred project alternatives for the MDP.

In cooperation with the Maryland Department of Transportation's (MDOT) Maryland Transit Administration (MTA), FRA then published and circulated a Draft Environmental Impact Statement (DEIS) in 2003, for a MAGLEV system linking downtown Baltimore, MD, BWI Thurgood Marshall International (BWI Marshall) Airport and Union Station in Washington, DC. In 2007, MDOT/MTA, in cooperation with FRA, prepared but did not finalize a Final Environmental Impact Statement (FEIS). The revitalization of the Project is due in large part to the commitment of private and international funding for both the NEPA study and design and construction and because of technological advancements over the last decade that make project construction and operations more economically feasible.

In November 2015, the Maryland Public Service Commission approved the Baltimore Washington Rapid Rail's (BWRR) application to acquire a passenger railroad franchise to deploy a SCMAGLEV system between Baltimore, MD and Washington, DC. BWRR is a private corporation and, as the Project Sponsor and developer of the proposed SCMAGLEV system, will work with Federal and state agencies, including FRA, on this Environmental Impact Statement. In 2016, through the Safe Accountable Flexible Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), FRA awarded funds to MDOT to prepare preliminary engineering and conduct the NEPA process for the SCMAGLEV Project.

2.2 PROJECT DESCRIPTION

The proposed system will utilize SCMAGLEV technology and build upon previous planning and environmental review efforts to provide a service between Baltimore and Washington. The Baltimore-Washington SCMAGLEV Project involves the proposed construction and operation of a high-speed superconducting MAGLEV train system between downtown Washington, DC and downtown Baltimore, MD with an intermediate stop at BWI Marshall Airport. The Project will include construction of a guideway (track) and three stations, a rolling stock storage depot, maintenance facility, power substations, vent plants, and an operations facility.

The study area (Figure 1) between Baltimore and Washington is approximately 40 miles long and 10 miles wide. The proposed SCMAGLEV system would be designed to run on a new, high-quality guideway with bidirectional service, an automatic train control system, and no at-grade crossings. The proposed SCMAGLEV design is anticipated to provide service between Baltimore and Washington in approximately

15 minutes of travel time. The Project Team, (members described in **Section 3.1**), anticipates the Project would be funded by federal and private funding, and would include construction of the new SCMAGLEV guideway, stations, and support facilities.

The purpose of the SCMAGLEV Project is to evaluate, and ultimately construct and operate, a safe, revenue-producing, high-speed ground transportation system that achieves the optimum operating speed of the SCMAGLEV technology to significantly reduce travel time in order to meet the capacity and ridership needs of the Baltimore-Washington region. To achieve the operational and safety metrics needed for a SCMAGLEV system, the Project must include:

- Infrastructure, vehicles, and operating procedures required for the SCMAGLEV system.
- An alignment which allows the highest practical speed that can be attained by SCMAGLEV technology at a given location and which avoids the need for reduction in speed other than that imposed by the normal acceleration and braking curves into and out of stations.
- A system that complies with federal safety requirements.
- Avoidance, minimization, and mitigation of impacts to the human and natural environment.

The objectives of the SCMAGLEV Project are to:

- Improve redundancy and mobility options for transportation between the metropolitan areas of Baltimore and Washington, DC.
- Provide connectivity to existing transportation modes in the region (e.g., heavy rail, light rail, bus, air).
- Provide a complementary alternative to future rail expansion opportunities on adjacent corridors.
- Support local and regional economic growth.

The purpose of the Project has been derived from the following needs:

- Increasing population and employment;
- Growing demands on the existing transportation network;
- Inadequate capacity of the existing transportation network;
- Increasing travel times;
- Decreasing mobility; and
- Maintaining economic viability.

FRA published a Notice of Intent (NOI) to prepare an EIS for the SCMAGLEV Project in the Federal Register on November 25, 2016. An Environmental Impact Statement Scoping Document was also made available to the public in May 2017, via the Project website (www.bwmaglev.info).

FRA will coordinate with cooperating and participating agencies during development of the EIS pursuant to NEPA (23 USC 139) and Council on Environmental Quality (CEQ) regulations (40 CFR Section

This map illustrates the region around Washington, DC, highlighting the locations of stations to be located in Baltimore City, Washington DC, and BWI Thurgood Marshall Airport. The map shows major highways, including I-495, I-270, I-66, I-395, I-295, I-95, I-83, I-67, I-450, and I-50. It also depicts the Potomac River, Anacostia River, and various parks and research centers. Surrounding counties and states are labeled: Howard County, Baltimore County, Montgomery County, Anne Arundel County, Prince George's County, and Virginia. A north arrow and a scale bar (0 to 5 miles) are included. A note specifies that stations are to be located in Baltimore City, Washington DC, and BWI Thurgood Marshall Airport.

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3 LEAD/COOPERATING/PARTICIPATING AGENCIES

3.1 AGENCIES, ROLES, AND RESPONSIBILITIES

There are many Federal, District, state, regional, and local agencies with varied interests in the SCMAGLEV Project. In accordance with 40 CFR 1501.5 and 23 U.S.C. § 139, agency roles and responsibilities are defined below.

Lead Agencies and Project Sponsor

For projects subject to NEPA, the lead agencies are responsible for ensuring that the environmental review process is conducted properly and in accordance with all applicable environmental regulations. FRA is the lead Federal agency for the Project, and MDOT, as the grantee, is the joint lead agency. As the lead Federal agency, FRA is responsible for identifying, inviting, and proactively involving cooperating and participating agencies as well as the public.

BWRR, as the private Project Sponsor and developer of the proposed SCMAGLEV system, will work with FRA to carry out preliminary engineering throughout the NEPA process.

Cooperating Agencies

The CEQ regulations (40 CFR 1508.5), define a Cooperating Agency as “any Federal agency other than a lead agency which has jurisdiction by law or special expertise with respect to any environmental impact involved in a proposal (or a reasonable alternative) for legislation or other major Federal action significantly affecting the quality of the human environment.” A state or local agency of similar qualifications or when the effects are on a reservation, an Indian Tribe may, by agreement with the lead agency, become a cooperating agency. At this time, there are no state or local agencies or Indian Tribes that are also Cooperating Agencies.

In accordance with (CEQ) regulations (40 CFR 1501.6 and 23 USC 139), each Cooperating Agency shall:

- Participate in the NEPA process at the earliest possible time.
- Participate in the scoping process.
- Assume, on request of the lead agency, responsibility for developing information and preparing environmental analyses including portions of the environmental impact statement concerning which the cooperating agency has special expertise.
- Make available staff support at the lead agency’s request to enhance the latter’s interdisciplinary capability.
- Normally use its own funds. However, the lead agency shall, to the extent available funds permit, fund those major activities or analyses it requests from cooperating agencies. Potential lead agencies shall include such funding requirements in their budget requests.

A Cooperating Agency with jurisdiction may adopt an EIS prepared by another agency without re-circulating the EIS as the lead agency when, after an independent review of the EIS, the Cooperating Agency concludes that its comments and suggestions have been satisfied. This provision is particularly important for permitting agencies that, as Cooperating Agencies, routinely adopt environmental documents prepared by the USDOT. Cooperating agencies will be provided the opportunity to review and

comment on Administrative (Admin) Draft EIS or Admin Final EIS.

Participating Agencies

Participating Agencies are Federal, state, or local agencies or Federally recognized tribal governmental organizations with an interest in the Project. The standard for Participating Agency status is more encompassing than the standard for Cooperating Agency status. Therefore, Cooperating Agencies are, by definition, Participating Agencies. However, not all Participating Agencies are designated as Cooperating Agencies. Cooperating Agencies have a higher degree of authority, responsibility, and involvement in the environmental review process than participating agencies. As the lead Federal agency, FRA considered the distinctions noted above in deciding whether to invite an agency to serve as a cooperating agency or a participating agency. The role of participating agencies is to:

- Provide input on defining the Project's purpose and need, the range of alternatives to be considered, and the methodologies and level of detail required in the alternatives analysis;
- Participate in coordination meetings and joint field reviews, as appropriate;
- Provide timely comments on unresolved issues.

Concurring and Commenting Agencies

The NEPA Team for the SCMAGLEV Project is using Maryland's Streamlined Environmental and Regulatory Process to establish concurrent coordination of Section 106, Endangered Species Act, Clean Air Act, and Clean Water Act Section 404.

Concurring Agencies will review, comment and provide formal concurrence at three key milestones to comply with Maryland's Streamlined Environmental and Regulatory Process for issuance of required wetlands and waterways permits following the NEPA phase. Milestones are: 1) purpose and need; 2) alternatives retained for detailed study; and 3) selected alternative and conceptual mitigation. Concurring Agencies provide agreement to the decisions made at key milestones, unless there are substantial changes to the proposed action or significant new circumstances or information relevant to the environmental concern.

Cooperating and participating agencies will review and provide formal comments at the above three milestones. Both concurring and commenting agencies work closely with other Federal, state, and local resource agencies during the NEPA phase of the Project.

Summary

FRA has invited applicable federal, state, county, and local government regulatory and jurisdictional agencies within the SCMAGLEV study area to be cooperating and participating agencies. The invited agencies are listed in **Table 1**. As study alternatives are developed and potential property impacts are determined, additional public landowners will be invited to participate in the NEPA process.

Table 1 lists the lead agencies as well as the agencies that have been invited and agreed to serve as cooperating or participating agencies for the Project, with their responsibilities associated with the applicable area of jurisdiction or expertise. Any Federal agency that is invited by the lead agency to participate in the environmental review process for a project shall be designated as a Participating Agency by the lead agency unless the invited agency declines in writing; other agencies must accept in writing. FRA sent letters in late November 2016, inviting agencies to be either cooperating or participating agencies and to participate in scoping for the Project. The invitations requested written responses by December 23, 2016.

Table 1: Lead Agencies and Invited Cooperating and Participating Agencies

Agency	Accepted Invitation	Responsibilities
Lead Agencies		
Federal Railroad Administration (FRA)	NA	Manage environmental review process; prepare EIS and NEPA decision document; provide opportunity for public and agency involvement; arbitrate and resolve issues.
Maryland Department of Transportation (MDOT)	NA	Administer federal grant funding in amount of \$27.8M; oversee environmental studies and preliminary engineering being performed by other state agencies, including MEDCO and the MTA for BWRR's proposal; and oversee the public outreach process.
Maryland Department of Transportation Maryland Transit Administration (MDOT MTA)	NA	Oversee EIS documentation, which is being prepared by the Environmental Consultant, AECOM.
Cooperating Agencies		
Federal Agencies		
Federal Aviation Administration (FAA)****	Yes	Regulatory authority over BWI Marshall Airport. Consultation related to airport planning and FAA Form 7460-1, Notice of Proposed Construction or Alteration.
Federal Transit Administration (FTA)	Yes	Consultation related to transit services and facilities including MTA Commuter Bus, Commuter Rail and Light Rail and WMATA Metrorail and Commuter Bus services.
National Capital Planning Commission (NCPCC)	Yes	Approval authority over Federal projects within the District, including all land transfers and physical alterations to Federal property, pursuant to the National Capital Planning Act of 1952. Federal properties noted within the study area include the Baltimore-Washington Parkway, Greenbelt Park, Kenilworth Park and Aquatic Gardens, U.S. National Arboretum; Anacostia Park; Beall's Pleasure, and the L'Enfant Plan Reservation 173 & 174.
U.S. Department of Interior (USDOI)-National Park Service (NPS)	Yes	NPS is responsible for managing the National Park System, including permitting on NPS land. The NPS has jurisdiction over Federal park land in the Study Area including Baltimore- Washington Parkway, Kenilworth Park, and Anacostia Park. There are several National Register of Historic Places (NRHP)-listed properties in the study area, including L'Enfant Plan (Reservation 173), the Baltimore and Washington Parkway, Greenbelt, and portions or all of the property that would be "used" (and thus are subject to review under Section 4(f) of the USDOT Act). Actions that would require an NPS decision will require that NEPA compliance for this Project be easily adoptable by NPS (43 CFR 46.120) and should meet the policies set forth in NPS's Director's Order 12: Conservation, Planning, Environmental Impact Analysis, and Decision-Making (DO-12) and the NPS Compliance Handbook (2015).
Surface Transportation Board (STB)	Yes	STB has not determined if it has jurisdiction over construction of the SCMAGLEV Project. If the Board finds that it does have jurisdiction, then it will become a cooperating agency.
U.S. Army Corps of Engineers (USACE)****	Yes	Review and permitting for impacts to rivers, streams, and wetlands under Rivers and Harbors Act, Section 10, and Clean Water Act (CWA) Sections 401 and 404. Oversees selection of the Least Environmentally Damaging Practicable Alternative (LEDPA) pursuant to CWA Section 404 before the NEPA process is completed.
U.S. Coast Guard (USCG)***	No	Consultation on the permitting of bridge construction in or over navigable waterways (Patapsco River, Anacostia River).
U.S. Department of Agriculture (USDA)-Beltsville Agricultural Research Center (BARC)	Yes	Provide protection to human health and the environment of BARC and the U.S. National Arboretum (USNA) through compliance with all environmental related management requirements; specifically, through complying with Executive Order 13693.
U.S. Environmental Protection Agency (EPA)****	Yes	NEPA Compliance, Hazardous Materials, Environmental Justice, Air Quality, Water Quality.

Agency	Accepted Invitation	Responsibilities
National Aeronautics and Space Administration, Goddard Space Flight Center (NASA/GSFC)	Yes	Consultation related to impacts to their property and operations.
National Security Agency (NSA)	Yes	Consultation related to impacts to their property and operations including potential impacts from SCMAGLEV's electromagnetic fields.
U.S. Fish and Wildlife Service (USFWS)****	Yes	Consultation related to Federally Listed Threatened & Endangered Species, Jurisdiction of Patuxent Research Refuge- USFWS accepted invite on May 17, 2018

Participating Agencies

Federal Agencies		
Federal Highway Administration (FHWA)*	Yes	Provides consultation related to the planning, construction, and maintenance of roadways within the study area.
Fort George G. Meade (U.S. Army)**	Yes	Consultation related to potential impacts to their property. Ft. Meade is a Participating Agency, but if an alternative impacting their property is in the DEIS, they will become a cooperating agency.
Federal Emergency Management Agency (FEMA)	Yes	Consultation related to resilience and floodplain issues.
U.S. Secret Service (USSS)**	Yes	Consultation related to impacts to their property and operations.
U.S. Commission of Fine Arts (CFA)	Yes	Review design proposals for public and private properties in the National Capital, as they affect the federal interest and preserve the dignity of the nation's capital.
National Oceanic and Atmospheric Administration (NOAA) - National Marine Fisheries Service (NMFS)	Yes	Consultation related to the federal management of United States fisheries under the Magnuson-Stevens Fishery Conservation and Management Act (MSA) and regarding management plans and regulations.
General Services Administration (GSA)	Yes	Consultation related to properties and federal lands operated and maintained by the GSA
U.S. Department of Labor	Yes	Consultation related to properties and federal lands operated and maintained by the U.S. Department of Labor
State		
Maryland Aviation Administration (MAA)	Yes	Consultation related impacts for compliance with requirements of FAA Orders 1050.1F.
Maryland Department of Natural Resources (DNR)	Yes	Consultation related to development within Chesapeake Bay Critical Area; resources regulated by Maryland's Forest Conservation Act; the presence of state listed rare, threatened and endangered species and critical habitat; and significant fisheries resources.
- Maryland Park Service - Wildlife and Heritage Service - Maryland Environmental Trust		Consultation related to Patapsco Valley State Park. Consultation related to rare, threatened, and endangered species. Consultation related to environmental easements
Maryland Department of Planning (MDP)	Yes	Consultation related to comprehensive plans, ordinances, and state and county level geographic information.
Maryland Department of the Environment (MDE)	Yes	Consultation related to compliance with Maryland's National Pollutant Discharge Elimination System (NPDES) requirements; Erosion and Sediment Control/Stormwater Management requirements; and Tidal and Nontidal Wetlands, Waterways and Floodplains.
Maryland Historical Trust (MHT)	Yes	Part of the MDP, the MHT serves as Maryland's State Historic Preservation Office (SHPO) pursuant to the NHPA Section 106 for compliance.
Maryland Public Service Commission (PSC)***	No***	Consultation related to compliance with requirements for operation of rail passenger services in Maryland.
Maryland Department of Transportation State Highway Administration (MDOT SHA)	Yes	Consultation related to SHA's transportation system including its infrastructure, operations, safety, public space, and right of way.

Agency	Accepted Invitation	Responsibilities
Regional		
Baltimore Metropolitan Council (BMC)	Yes	Administers the Baltimore region's Transportation Improvement Program (TIP), Constrained Long Range Transportation Plan (CLRP), and CAA compliance. BMC provides oversight for the regional transportation network and programming.
Metropolitan Washington Council of Governments (COG)	No (declined)	Administers the region's Transportation Improvement Program (TIP), Constrained Long Range Transportation Plan (CLRP), and CAA compliance. MWCOG provides oversight for the regional transportation network and programming.
Washington Metropolitan Area Transit Authority (WMATA)	Yes	Consultation related to Metrorail facilities within the study area, including its station facilities, rail alignments, ridership statistics, and future plans.
County		
Anne Arundel County Transportation Division	Yes	Consultation related to planning and engineering for SCMAGLEV Project and its impact to County transportation operations and adequate public facilities requirements.
Baltimore County Planning Office	No (declined)	Consultation related to County's land uses, development, and neighborhood planning.
Howard County Department of Planning and Zoning	Yes	Consultation related to County's land uses, development, and neighborhood planning.
Maryland-National Capital Park and Planning Commission (MNCPPC)	Yes	Consultation related to proposed impacts to Prince George's County parks, trails and recreations facilities.
• Community Planning		Consultation related to plans and studies used to guide future growth and physical development throughout the County, i.e. Master Sector Plans.
• Countywide Planning		Consultation related to transportation (bicycle/pedestrian/roadway) policies that guide growth and development while providing a countywide perspective.
• Park Planning and Development		Consultation related to the subdivision review, site plan review, and review of zoning applications related to parks and recreation.
Prince George's Public Works and Transportation	Yes	Consultation related to the county maintained roadway network impacts and transit connectivity.
Local		
Baltimore City Department of Planning	Yes	Consultation related to City's land uses, development, and neighborhood planning.
Baltimore City Department of Transportation (BCDOT)	Yes	Consultation related to City's transportation system including its infrastructure, operations, safety, public space, and right of way.
District of Columbia Department of Transportation (DDOT)*	Yes	Consultation related to DDOT's transportation system including its infrastructure, operations, safety, public space, and right of way.
District of Columbia Department of Energy & Environment (DOEE)	Yes	Consultation related to wildlife and habitat review; compliance with the CWA; regulatory review of stormwater management, sediment and erosion control, and floodplain management; oversight and compliance with Underground Storage Tank regulations (Risk Based Corrective Action process) and the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA).
District of Columbia Department of Public Works (DPW)	Yes	Consultation related to District waste management, parking enforcement, and fleet management.
District of Columbia Historic Preservation Office (DC SHPO)	Yes	Review for National Historic Preservation Act (NHPA) Section 106 compliance in the District.
District of Columbia Office of Planning (DCOP)	Yes	Consultation related to District land uses, development, and neighborhood planning.
District of Columbia Public Service Commission	No (declined)	Regulatory agency responsible for landline telephone, electricity, and gas utility companies operating within the District.

* Agency was sent a Cooperating Agency invitation but chose to be designated as a Participating Agency instead.

** Agency was sent an invitation to upgrade from a Participating Agency to a Cooperating Agency since they are impacted by proposed alternatives. They did not respond at the time of this writing.

*** Agency was sent a Cooperating or Participating Agency invitation, and they did not respond at the time of this writing.

**** Agency is also a Concurring Agency

3.2 AGENCY CONTACT INFORMATION

Table 2 lists the primary point of contact for each of the cooperating and participating agencies for the SCMAGLEV Project.

Table 2: Primary Point of Contact

Agency	Name	Address
Lead Agencies		
Federal Railroad Administration (FRA)	Brandon Bratcher	1200 New Jersey Avenue SE, MS-20, Washington DC 20590
Maryland Department of Transportation (MDOT)	Jacqueline Thorne	7201 Corporate Center Drive, Hanover, MD 21076
Maryland Department of Transportation Maryland Transit Administration (MDOTMTA)	Lauren Molesworth	6 St. Paul Street, Baltimore, MD 21202
Cooperating Agencies		
Federal Agencies		
Federal Aviation Administration (FAA)	Andrew Brooks	Federal Aviation Administration, Eastern Regional Office; 1 Aviation Plaza, Jamaica, NY 11434
Federal Transit Administration (FTA)	Daniel Koenig; Ryan Long	1990 K Street NW, Suite 510, Washington, DC 20006
National Capital Planning Commission (NCPC)	Michael Weil; Matthew Fils	401 Ninth Street NW, Suite 500, Washington, DC 20004
U.S. Department of Interior (USDOI)-National Park Service (NPS)	Tammy Stidham; Matt Carroll; Joel Gorder; Laurel Hammig	1100 Ohio Drive SW, Washington, DC 20242
Surface Transportation Board (STB)	Victoria Rutson; Adam Assenza	Surface Transportation Board, 395 E Street SW, Washington, DC 20423
U.S. Army Corps of Engineers (USACE)	Joe DaVia; Matthew Hynson	2 Hopkins Plaza, Baltimore, MD 21201
U.S. Department of Agriculture (USDA)–Beltsville Agricultural Research Center (BARC)	LeAnn Blomberg	10300 Baltimore Avenue, Building 003, Room 117, Beltsville, MD 20705
U.S. Environmental Protection Agency (EPA)	Tim Whitman	1650 Arch Street, MS-3EA30, Philadelphia, PA 19103
National Aeronautics and Space Administration, Goddard Space Flight Center (NASA/GSFC)	Lizabeth Montgomery	8800 Greenbelt Road, Code 250, Building 26 Room N250, Greenbelt, MD 20771
National Security Agency (NSA)	Corey M. Stacy; Jeffrey Williams; Lydia Bednarski	9800 Savage Road, Fort George G. Meade, MD, 20755
U.S. Fish and Wildlife Service (USFWS)	Jennifer Greiner; Raymond Li; Sandy Spencer; Tarik Adams	177 Admiral Cochrane Drive, Annapolis, MD 21401 12100 Beech Forest Road, Suite #138, Laurel, MD 20708-4036 10901 Scarlet Tanager Loop, Laurel, MD 20708-4027
Participating Agencies		
Federal Agencies		
Federal Highway Administration (FHWA)	Jeanette Mar	31 Hopkins Plaza, Suite 1520, Baltimore, MD 21201
Fort George G. Meade (U.S. Army)	LTC Allan Floyd	4551 Llewellyn Avenue, Fort Meade, MD 20755
Federal Emergency Management Agency (FEMA)	Stephanie Everfield	615 Chestnut Street, 6th Floor, Philadelphia, PA 19106

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Agency	Name	Address
U.S. Coast Guard (USCG)	Hal Pitts	Fifth Coast Guard District, 431 Crawford Street, Portsmouth VA 23704
U.S. Secret Service (USSS)	Anthony Knight; Lauren Evans	9200 Powder Mill Road, Laurel Maryland 20708
U.S. Commission of Fine Arts (CFA)	Frederick J. Lindstrom	401 F Street NW, Suite 312, Washington, DC 20001
National Oceanic and Atmospheric Administration (NOAA) National Marine Fisheries Service (NMFS)	Karen Greene	74 Magruder Rd, Highlands, NJ, 07732
General Services Administration (GSA)	Missy Mertz	100 S Independence Mall West, Philadelphia, PA 19106
U.S. Department of Labor	Daniel Cornish	200 Constitution Ave, NW Washington, DC 20210
State		
Maryland Aviation Administration (MAA)	Robin Bowie; Shawn Ames; Kevin Clarke	PO Box 8766, BWI Airport, MD 21240
Maryland Department of Natural Resources (DNR)	Greg Golden; Tony Redman	580 Taylor Avenue, Annapolis, MD 21401
• Maryland Park Service	Shane Johnston	580 Taylor Avenue, Annapolis, MD 24104
• Wildlife and Heritage Service	Lori Byrne	580 Taylor Avenue, Annapolis, MD 24104
• Maryland Environmental Trust	Jon Chapman	100 Community Place, 3rd Floor, Crownsville, MD 21032
Maryland Department of Planning (MDP)	Bihui Xu	301 W. Preston Street, Suite 1101, Baltimore, MD 21201
Maryland Department of the Environment (MDE)	Amanda Sigillito	1800 Washington Blvd, Suite 430, Baltimore, MD 21230-1708
Maryland Historical Trust (MHT)	Elizabeth Cole	100 Community Place, 3rd Floor, Crownsville, MD 21032
Maryland Public Service Commission (PSC)	Anthony Myers	6 St Paul Street, 6th Floor, Baltimore MD 21202
Maryland Department of Transportation State Highway Administration (MDOT SHA)	Eric Beckett	707 North Calvert Street, Mail Stop C-502, Baltimore, MD 21202
Regional		
Baltimore Metropolitan Council (BMC)	Todd Lang	1500 Whetstone Way, Suite 300, Baltimore, MD 21230
Washington Metropolitan Area Transit Authority (WMATA)	James Ashe	600 5th Street NW, Washington, DC 20001
County		
Anne Arundel County Transportation Division	Ramond A. Robinson	2664 Riva Road, Annapolis, MD 21401
Howard County Office of Transportation	David Cookson	3430 Courthouse Drive, Ellicott City, MD 21043
Maryland-National Capital Park and Planning Commission (MNCPPC)		14741 Governor Bowie Drive, Upper Marlboro, MD 20772
• Community Planning	Scott Rowe	
• Countywide Planning	Tom Masog	
• Park Planning and Development		7833 Walker Drive, Suite 300, Greenbelt, MD 20770
Prince George's Public Works and Transportation	Victor Weissberg	Department of Public Works and Transportation, 9400 Peppercorn Place, Suite 300, Largo, MD 20774
Local		
Baltimore City Department of Planning	Kyle B. Leggs	417 E. Fayette Street, 8th Floor, Baltimore, MD 21202
Baltimore City Department of Transportation (BCDOT)	Charles Penny	417 E. Fayette Street, 5th Floor, Baltimore, MD 21202

Agency	Name	Address
District of Columbia Department of Transportation (DDOT)*	Aaron Zimmerman; Austina Casey	55 M St SE, Suite 500, Washington, DC 20003
District of Columbia Department of Energy & Environment (DOEE)	Apurva Patil	1200 First Street NE, 5th Floor, Washington, DC 20002
District of Columbia Department of Public Works (DPW)	Christopher Geldart	2000 14th Street NW, 6th Floor, Washington, DC 20009
District of Columbia Historic Preservation Office (DC SHPO)	Andrew Lewis	1100 4th Street SW, Suite E650, Washington, DC 20024
District of Columbia Office of Planning (DCOP)	Sakina Khan; Rogelio Flores	1100 4th Street SW, Suite 650 East, Washington DC 20024

4 COORDINATION POINTS AND ANTICIPATED COMPLETION DATES

Timeframes and review periods for the Project's NEPA review have been established in accordance with the Council on Environmental Quality's (CEQ) regulations implementing NEPA (40 CFR parts 1500 1508), FRA's Procedures for Considering Environmental Impacts (FRA's Environmental Procedures) (64 FR 28545, May 26, 1999, as updated in 78 FR 2713, January 14, 2013), and 23 USC 139. The key coordination points are summarized below, and **Table 3** provides a schedule of key milestone dates

- **Publish Notice of Intent (NOI):** The NOI was published in the Federal Register on November 25, 2016.
- **Scoping:** The Scoping Document was made available on the Project website in May 2017. Although not specified in the regulation, scoping comment periods are customarily a minimum of 30 days. For this Project, the comment period extended 15 additional days until January 9, 2017 for the public and until January 31, 2017 for participating and cooperating agencies (following January 31, agency meeting); comments received after these dates were also accepted. For additional information on scoping meetings held for this Project, see Section 5.2.3.
- **Invite Cooperating and Participating Agencies:** 23 USC 139 requires that within 45 days of the NOI (i.e., by January 9, 2017), FRA will invite any other Federal and non-Federal agencies that may have an interest in the Project to become participating agencies in the Project.

Letters were distributed to the agencies listed in **Table 1** above in November 2016, informing them about the initiation of NEPA, inviting them to attend the scoping meetings, and inviting them to serve as cooperating or participating agencies for the Project.

- **Coordination Plan:** As required by 23 USC 139, this Coordination Plan details the plan for agency and public involvement for the Project, including the anticipated milestones for involvement. This Coordination Plan includes a proposed schedule for completion of the environmental review (see **Table 3**), and upon finalization, will have been established in consultation with each of the participating agencies for the Project. Once established, this environmental review schedule will be made available to the public and the participating agencies via the Permitting Dashboard for Federal Infrastructure projects, including any subsequent updates to the established schedule.
- **Ongoing Coordination with Agencies:** Following the establishment of the Coordination Plan, FRA will conduct regular outreach with the Project's cooperating and participating agencies. This will include Interagency Meetings via face-to-face interaction, webinars, or at the Project site (typically on a monthly basis depending on the level of Project activity) to keep participants informed of the Project's progress. FRA will coordinate certain key milestones with Interagency Meeting briefings, as indicated in **Table 3**.
- **Project Documentation:** Cooperating and participating agencies will have an opportunity to comment on the following Project documents: Purpose and Need; Preliminary Alternatives Screening Report; Alternatives Report; and DEIS and FEIS documentation. 23 USC 139(g)(2)(B) requires the lead agency to establish comment deadlines for agency comments at a maximum of 30 days from the date of availability, unless otherwise agreed to by the agencies.

- **Section 106:** For this Project, FRA will conduct outreach and consultation required under Section 106 of the National Historic Preservation Act concurrently with the NEPA process. The Section 106 approach is discussed in Section 5 below.
- **Permitting:** Following and/or concurrent to the completion of the NEPA process, BWRR will obtain the required permits for the Project. The approach for permitting is discussed in Section 5 below.

Key milestones and coordination points are shown in **Table 3**. The Project Team will engage agency and public stakeholders to ensure relevant issues, constraints, and reasonable alternatives are addressed early in the NEPA process. Moreover, at various milestones throughout the process, the Project Team will provide additional opportunities for engagement, such as at interagency meetings and public meetings.

Table 3: Schedule of Key Milestone Dates for Baltimore Washington SCMAGLEV NEPA Study

Milestone	Original Anticipated Completion Date	Revised Actual/Expected Completion Date (red text is actual completion date)
Scoping & Purpose and Need	Fall 2016 – Spring 2017	Fall 2016 – Spring 2017
Notice of Intent Published	November 25, 2016	November 25, 2016
Public Scoping Comment Period	November 25, 2016 through January 9, 2017	November 25, 2016 through January 9, 2017
Cooperating and Participating Agencies Invited	November 25, 2016	November 25, 2016
Public Scoping Meetings	December 10 through December 15, 2016	December 10 through December 15, 2016
Interagency Meetings re. Purpose and Need and Scope	January 18, 2017; January 31, 2017	January 18, 2017; January 31, 2017
Scoping Document Available	May 17, 2017	May 17, 2017
Section 106 Consultation Initiated with MHT and the SHPO	May 15, 2017	May 15, 2017
Interagency Meeting re. Purpose and Need Comments	June 12, 2017	June 12, 2017
Joint Evaluation Meeting re. Purpose and Need	June 28, 2017	June 28, 2017
Interagency Concurrence on Purpose and Need	October 2017	October 2017
Development of Alternatives	Spring 2017 – Spring 2018	Spring 2017 – Fall 2018
Interagency Meeting re. Initial Alternatives	March 24, 2017; March 30, 2017	March 24, 2017; March 30, 2017
Public Meeting re. Initial Alternatives	April 10, 2017 through April 14, 2017	April 10, 2017 through April 14, 2017
Interagency Field Meetings re. Initial Alternatives	July 19 and July 26, 2017	July 19 and July 26, 2017
Joint Evaluation Meeting re. Prelim. Alternatives Screening Results	August 30, 2017	August 30, 2017
Interagency Meeting re. Preliminary Alternatives Screening Results	October 3, 2017	October 3, 2017
Public Meetings re. Preliminary Alternatives Screening Results	October 14 - 25, 2017	October 14 - 25, 2017
Final Preliminary Alternatives Screening Results	January 2018	January 30, 2018
Draft Alternatives Report	February 2018	June 8, 2018
FRA Comments to Team		July 19, 2018
Revised Draft Alternatives Report to FRA		August 27, 2018
Final Alternatives Report to Agencies	April 2018	August 31, 2018
Interagency Concurrence on Alternatives Report (ARDS)	May 2018	October 3, 2018
Final Agency Concurrence on Alternatives Report		October 30, 2018

Milestone	Original Anticipated Completion Date	Revised Actual/Expected Completion Date (green text is expected completion date)
Preparation of Draft Environmental Impact Statement (DEIS)	Winter 2018 – Summer 2019	Spring 2018 – Spring 2021
Environmental Evaluations/Technical Reports	February 2018 - June 2018	May – September 2020
Admin Draft DEIS completed	August 2018	October 19, 2020
Admin DEIS sent to cooperating agencies, DDOT and Federal Agencies with direct impacts to their property for review	October 2018	October 19, 2020
Comment Period Ends		November 13, 2020
DEIS Completed; Publish Draft EIS Notice of Availability	January 2019	January 22, 2021
DEIS Public Hearings	February 2019	February 2021
DEIS Public Comment Period (45 days)/Close of Availability	April 2019	January 22, 2021 – March 8, 2021
Preparation of Final Environmental Impact Statement/Record of Decision (FEIS/ROD)	Summer 2019 – Winter 2019	Spring 2021 – Winter 2022
Admin DEIS sent to cooperating agencies, DDOT and Federal Agencies with direct impacts to their property for review	September 2019	October 2021
Notice of Availability of FEIS/ROD	November 2019	January 28, 2022

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5 AGENCY COORDINATION AND PUBLIC INVOLVEMENT

5.1 AGENCY COORDINATION

5.1.1 COOPERATING AND PARTICIPATING AGENCY COORDINATION

FRA and MDOT will collaborate with cooperating and participating agencies in defining the Project's purpose and need, range of alternatives, and methodologies for documenting environmental conditions and assessing impacts and in preparing for future permit applications. While consensus is not required in the development of impact assessment methodologies, FRA and MDOT must consider the views of the agencies with relevant interests before making a decision on a particular methodology. After collaboration has taken place, FRA will make the decision on the methodology and level of detail to be used.

Agencies will be notified of the availability of key Project documents, including the Scoping Report, Preliminary Alternatives Screening Report, Alternatives Report, DEIS and FEIS/ROD, and given appropriate comment opportunities. After release and circulation of the DEIS for public comment, FRA intends to issue a single document that consists of a combined FEIS and ROD under 23 U.S.C. 139(n)(2) unless it determines the statutory criteria or practicability considerations preclude issuing a combined document. Following issuance of the FEIS/ROD, the NEPA Team will consult the appropriate agencies to complete any necessary permits for the Project.

5.1.2 SECTION 106 CONSULTATION

Section 106 of the National Historic Preservation Act (36 CFR Part 800) requires Federal agencies to consider the effects of their undertakings on historic properties that are listed or meet the eligibility criteria for listing in the National Register of Historic Places. A Federal undertaking is defined as a project, activity, or program either funded, permitted, licensed, or approved by a Federal Agency. The Section 106 process has a specific public involvement component. In particular, the implementing regulations require that the Federal agency (FRA), in consultation with the SHPOs (in this case, the Maryland State Historic Preservation Office [MD SHPO] and District of Columbia Historic Preservation Office [DC HPO]) as applicable, identify appropriate points for seeking public input regarding the identification of historic properties in the Project's Area of Potential Effects (APE), assessment of the Project's effects to those properties, and resolution of any adverse effects.

Public outreach for purposes of NEPA will satisfy Section 106 public outreach requirements, by providing information regarding the Project's effects on historic properties at NEPA public meetings and in the EIS. The public will be given the opportunity to provide FRA with comments on the identification and evaluation of effects to historic properties during the DEIS public comment period. Members of the public with a demonstrated interest in the Project (due to the nature of their legal or economic relation to the undertaking or affected properties, or their concern with the undertaking's effects on historic properties) may participate as Section 106 Consulting Parties.

"Consulting parties" are a component of the Section 106 public involvement process. FRA formally initiated Section 106 consultation with DC SHPO and MD SHPO in letters dated May 15, 2017. As stipulated in 36 CFR Part 800.2 (c)(3), as part of the Section 106 initiation step, FRA identified agencies and organizations that may be interested in participating as consulting parties in the Section

106 process and requested DC SHPO and MD SHPO feedback on the proposed list of consulting parties, including those recommended for removal or addition.

DC SHPO responded via letter on June 27, 2017 and MD SHPO responded via letter on August 15, 2017 with additional groups that may be interested in participating as consulting parties.

On January 17, 2018, FRA invited all of the agencies and organizations that had been identified by that date to be Section 106 consulting parties. As the Project boundaries have been refined, additional consulting parties and federally recognized Indian Tribes have been identified, and subsequent correspondence has been issued.

As of May 15, 2020, FRA has invited the following agencies and organizations to participate as consulting parties in the Section 106 process:

- Advisory Council on Historic Preservation
- Anacostia Trails Heritage Area/Maryland Milestones
- Anacostia Watershed Society
- Arboretum Neighborhood Association
- Architect of the Capitol
- Anne Arundel County Historical Society
- Anne Arundel County Planning and Zoning
- Apple, Inc.
- Baltimore City Comprehensive Planning Division
- Baltimore City Commission for Historical and Architectural Preservation
- Baltimore City Historical Society
- Baltimore County Planning Office
- Baltimore Heritage
- Baltimore National Heritage Area
- Cedarville Band of Piscataway Indian, Inc.
- Choptico Band of Piscataway
- City of Bowie
- City of Bowie Museums
- City of College Park
- Capitol Hill Restoration Society
- The Committee of 100 on the Federal City
- CSX Transportation
- Delaware Nation, Oklahoma
- Delaware Tribe of Indians
- District of Columbia (Office of Federal and Regional Affairs; Mayor; Deputy Mayor of Planning and Economic Development; Ward 5 Councilmember; DC Advisory Neighborhood Commissions 1B, 2B, 2C, 2F, 5A, 5B, 5C, 5D, 5E, 6A, 6C, 7C, 7D; Department of Energy and Environment; Department of General Services; Department of Parks and Recreation; Department of Transportation; Office of Planning; Metropolitan Police Department)
- DC Historic Preservation Office (DC HPO)
- DC Preservation League

- DC Water
- Events DC
- Friends of the National Arboretum
- Greenbelt Homes, Inc.
- Historical Society of Baltimore County
- Laurel Historical Society
- Maryland Commission on Indian Affairs
- Maryland Historical Society
- Maryland State Historic Preservation Office (Maryland Historical Trust)
- Montgomery County Historical Society
- Montgomery County Planning and Zoning
- Mount Vernon Triangle Community Improvement District
- NASA Goddard Space Flight Center
- National Capital Planning Commission
- National Park Service (Baltimore-Washington Parkway, National Capital Parks – East, National Capital Region)
- The National Railway Historical Society, Washington, D.C. Chapter, Inc.
- National Trust for Historic Preservation
- Pamunkey Indian Tribe
- Patapsco Heritage Greenway
- PEPCO Engineering
- Preservation Howard County
- Piscataway Conoy Tribe
- Piscataway Indian Nation
- Preservation Maryland
- Prince George's County Historical Society
- Prince George's County Planning and Zoning (Maryland-National Capital Park and Planning Commission)
- Savage Historical Society
- Seneca-Cayuga Nation
- Union Station Redevelopment Corporation
- U.S. Commission of Fine Arts
- U.S. Department of the Interior Office of Environmental Policy and Compliance
- U.S. Department of Agriculture (Beltsville Agricultural Research Center, U.S. National Arboretum)
- U.S. Environmental Protection Agency (APE Chesapeake Bay Program Office, Water Protection Division, Region III)
- U.S. Fish and Wildlife Service (Chesapeake Bay Field Office, Patuxent Research Refuge)
- U.S. House of Representatives DC Congresswoman Eleanor Holmes Norton
- U.S. General Services Administration
- Virginia Railway Express
- Washington Gas
- Washington Metropolitan Area Transit Authority

As of May 15, 2020, of the invited agencies and organizations, the following have accepted the invitation to be consulting parties:

- Advisory Council on Historic Preservation
- Anacostia Trails Heritage Area/Maryland Milestones
- Anacostia Watershed Society
- Arboretum Neighborhood Association
- Architect of the Capitol
- Anne Arundel County Planning and Zoning
- Baltimore City Comprehensive Planning Division
- Baltimore City Commission for Historical and Architectural Preservation
- Baltimore City Historical Society
- Baltimore Heritage
- City of College Park
- Capitol Hill Restoration Society
- The Committee of 100 on the Federal City
- CSX Transportation
- Delaware Nation, Oklahoma
- Delaware Tribe of Indians
- District of Columbia (DC Advisory Neighborhood Commissions 1B, 2C, 5B, 6C, 7D; Department of General Services; Department of Transportation)
- DC Historic Preservation Office (DC HPO)
- Friends of the National Arboretum
- Greenbelt Homes, Inc.
- Maryland Commission on Indian Affairs
- Maryland State Historic Preservation Office (Maryland Historical Trust)
- NASA Goddard Space Flight Center
- National Capital Planning Commission
- National Park Service
- Patapsco Heritage Greenway
- Prince George's County Planning and Zoning (Maryland-National Capital Park and Planning Commission)
- Savage Historical Society
- U.S. Commission of Fine Arts
- U.S. Department of the Interior Office of Environmental Policy and Compliance
- U.S. Department of Agriculture
- U.S. Fish and Wildlife Service
- U.S. General Services Administration
- Virginia Railway Express
- Washington Gas

FRA will continue to consult with DC SHPO and MHT to identify additional organizations or persons that should be invited to participate as Section 106 consulting parties. FRA will continue to coordinate to identify, accept, and notify interested parties of their status as Section 106 Consulting Parties.

Information presented to the Consulting Parties (or to be presented) includes the results of the historic architectural and archaeological surveys, as well as any potential effects to historic properties within the APE or larger study area. The Consulting Parties have the opportunity to comment on the identification and evaluation of historic properties, provide their views on effects to these properties and participate in the consideration of measures to avoid, minimize, or mitigate adverse effects on historic properties. Consulting party coordination is on-going and will continue through the completion of this project. To date, several NHPA Section 106 and SHPO coordination efforts have been conducted, including:

• An initial NHPA Section 106 consulting party meeting was held at MDOT headquarters in Hanover, Maryland, during which FRA presented the project overview, cultural resources methodology, and information on previously identified cultural resources.	March 14, 2018
• A second consulting party meeting was held at DDOT headquarters in Washington, DC, in which FRA provided updates on the project and presented the proposed areas of potential effect (APE).	September 11, 2018
• FRA sent the consulting parties a letter with updates to the above-ground APE and methodology for survey and determinations of eligibility in Washington, DC.	October 31, 2018
• FRA sent the SHPOs letters updating the agencies on the alternatives screening process, public involvement, consulting parties, area of potential effects delineation, the programmatic agreement, identification of historic properties, and assessment of effects.	September 20, 2018
• DC HPO responded with comments	September 28, 2018
• MD SHPO responded with comments	October 4, 2018
• FRA responded to the SHPOs	October 31, 2018
• DC HPO responded with additional comments	November 30, 2018
• FRA submitted to DC HPO a draft Determination of Eligibility (DOE)	April 15, 2019
• DC HPO responded to DOE with comments	May 10, 2019
• FRA responded to DC HPO comments	June 19, 2019
• FRA submitted the draft Section 106 Programmatic Agreement	August 2, 2019
• FRA submitted to MHT a draft DOE	August 19, 2019
• MHT responded to DOE	September 5, 2019
• FRA hosted a Programmatic Agreement Meeting	December 5, 2019
• FRA hosted a Programmatic Agreement Meeting	July 20, 2020
• FRA hosted a Programmatic Agreement Meeting	September 3, 2020

5.1.3 SECTION 4(f) COORDINATION

FRA will provide opportunities for coordination and comment to the official(s) with jurisdiction over any Section 4(f) resource that may be affected by the Project as well as to the U.S. Department of the Interior (DOI), and as appropriate, the Department of Agriculture and the Department of Housing and Urban Development. Resources protected under Section 4(f) include public parks, wildlife refuges, and historic resources. Section 4(f) historic sites, parks, and wildlife refuge properties will be identified through the Section 106 process and NEPA process, in consultation with MHT, DC SHPO, and any other relevant Consulting Parties or resource agencies. The public is provided an opportunity to

review and comment on the Project's Section 4(f) evaluation in coordination with the NEPA public review periods.

The NEPA Team conducted the following meetings with NPS:

- Joint meeting with NPS and USFWS on 4/19/17 to discuss agencies goals and concerns and present initial alternatives and early screening results.
- Meeting with NPS on 8/28/17 to discuss NPS questions and concerns related to preliminary alternatives.
- Meeting with NPS on 11/20/17 to discuss NPS questions and concerns related to screening results, alternatives remaining for detailed study, and Section 4(f) requirements and next steps.
- Meeting with NPS on 1/30/2018 as part of continued Section 4(f) coordination to extend through the Alternatives and DEIS periods.
- Meeting with NPS on 3/29/2018 as part of continued Section 4(f) coordination to discuss refinements to the Alternatives Retained for Detailed Study.
- Meeting with NPS on 10/23/2018 as part of continued Section 4(f) coordination to summary Section 4(f) requirements and methodology and to review the list of Section 4(f) properties.
- Meeting with NPS on 12/11/2018 the fresh air and emergency egress facility were explained; NPS to review and comment on lists of Section 4(f) properties; discussion of cut and cover construction along New York Avenue; and,
- Meeting on 2/26/2019 NPS clarified the resources they own/manage; NPS identified potential impacts to existing utilities along New York Avenue as a concern; the absence of flyover ramps over the Baltimore-Washington Parkway in the Build Alternative J/Patapsco Avenue TMF scenario is preferred by NPS to having flyovers.
- Meeting on 5/23/2019 NPS to further discuss potential impacts and mitigation options.

5.14 ENVIRONMENTAL JUSTICE OUTREACH

Executive Order (EO) 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, dated February 11, 1994, requires consideration of whether a proposed action would disproportionately affect minority or low-income groups (59 Fed Reg. 7629 [1994]). FRA will prepare an environmental justice analysis for the Project to identify and address disproportionate adverse impacts to environmental justice populations and to ensure that environmental justice populations are included in public outreach efforts throughout the life of the Project (during and after the NEPA process).

The environmental justice analysis for the SCMAGLEV Project follows the guidance and methodologies recommended in CEQ's Environmental Justice Guidelines under the National Environmental Policy Act (December 1997), the USDOT's Final Order 5610.2(a) on Environmental Justice (April 1997 and updated May 2012), the FTA's Environmental Justice Policy Guidance for Federal Transit Administration Recipients, Circular 4703.1, effective August 15, 2012, and relevant guidance from the State of Maryland and the District of Columbia.

Minority populations covered by the Executive Order include Native American or Alaskan Native, Hawaiian or Pacific Islander, Asian, Black and not of Hispanic origin, Hispanic, and populations of two or more races. Minority populations should be identified where either: 1) the minority population of the affected area exceeds 50 percent, or 2) the minority population percentage of the affected area

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is meaningfully greater than the minority population percentage in the general population or other appropriate unit of geographic analysis.

Low-income populations are any readily identifiable group of low-income persons who live in geographic proximity, and, if circumstances warrant, geographically dispersed/transient persons who will be similarly affected by a proposed FRA program, policy, or activity. Low-income is defined as a person whose median household income is at or below the Department of Health and Human Services poverty guidelines.

It is the intent of the EIS process for this Project to ensure that stakeholders are provided opportunities to be heard and to participate meaningfully from the outset of the Project and throughout all phases of Project development. Preliminary research has identified potential environmental justice communities in the Project's study area. As part of the NEPA process, the local potential environmental justice communities within the Project's study area will be included in the public outreach process, to ensure that they can participate meaningfully in review of the Project and its potential effects on the human environment.

FRA will use demographic data from the U.S. Census Bureau to identify environmental justice communities by analyzing the composition of potentially affected populations and geographic distribution by race, ethnicity, and income. FRA will coordinate with the District of Columbia Office of Planning, Maryland-National Capital Park and Planning Commission, Prince George's Public Works and Transportation, Anne Arundel County Transportation Division, Howard County Office of Transportation, Baltimore City Department of Transportation and other appropriate city and/or county departments (e.g., Health and Human Services) to identify potentially affected minority and low-income populations within their jurisdiction and to identify community facilities and organizations serving those communities. FRA will use the information to connect with individuals and/or groups (e.g., religious organizations, civic associations, business/ trade associations, labor organizations, legal aid providers, community and social service providers, neighborhood associations, tribal governments, educational institutes) to conduct targeted outreach to potentially affected communities. Targeted outreach may consist of small group meetings with targeted communities, media placements regarding public meetings in publications utilized by these communities, making information available in multiple languages, and making translation services available at public meetings upon advance request.

As a general rule, the following principles will be utilized by the NEPA Team to support involvement of the local environmental justice communities in the Project Study Area:

- Documents, notices, and meetings will be made concise, understandable, and readily accessible to the public;
- When appropriate, notices and meeting materials will be provided in both English and Spanish, as Spanish is the second most common language in the study area, and is spoken by many of the members of the environmental justice communities in the study area;
- The Project website is available in multiple languages in addition to English;
- Informational material will be made available through a variety of outlets, such as the Project website, public meetings, and flyers;
- All public events will be scheduled at convenient and accessible locations and times; and
- Various community leaders and groups will be contacted to increase public participation of constituent communities.

5.1.5 LIMITED ENGLISH PROFICIENCY (LEP) OUTREACH

Individuals who do not speak English as their primary language and who have a limited ability to read, speak, write, or understand English are considered “limited English proficient,” or LEP. Federal laws concerning language access rights and obligations include Title VI of the Civil Rights Act of 1964 and Executive Order 13166. Executive Order 13166, “Improving Access to Services for Persons with Limited English Proficiency,” was signed on August 11, 2000 and states that people who are LEP should have meaningful access to Federally conducted and funded programs and activities. The Executive Order requires Federal agencies to examine the services they provide, identify any need for services to those with limited English proficiency, and develop and implement a system to provide those services so LEP persons can have meaningful access to them.

The SCMAGLEV Project is taking steps to provide meaningful access to those LEP individuals expected to be most regularly encountered. This includes providing Project materials and meeting notices in Spanish, advertising accommodation for LEP individuals, including the ability for LEP individuals to have translation services available at public meetings upon advance request. Language interpretation and translation needs in the Project Study Area predominantly involve Spanish speaking individuals. In addition, instantaneous web-translation of the Project website is available on-line in multiple languages.

5.1.6 AMERICANS WITH DISABILITIES ACT COMPLIANCE

Public meetings will be held in locations that comply with the Americans with Disabilities Act (ADA) to accommodate disabled or elderly attendees. Sign language interpreters will be available at public meetings, and other meetings, if requested in advance.

Public notices announcing public meetings will provide instructions for requesting other special accommodations. The Project website has been designed to accommodate people with visual impairments (i.e., adjustable text size, compatibility with screen readers).

5.1.7 PERMITTING AND APPROVALS

The Project Team will identify potential permits, approvals or other actions which may be necessary to implement the Preferred Alternative. Following completion of the NEPA process, BWRR will obtain the required permits for the Project. The approach for permitting is discussed below.

Clean Water Act: A joint federal and state permit for the alteration or occupation of Waters of the U.S. that identifies compensatory mitigation must be obtained for all unavoidable impacts. For the Proposed Action, the U.S. Army Corps of Engineers, the Maryland Department of Environment, and the District of Columbia Department of Energy and Environment have jurisdiction over wetland and waterway resources. There is a public involvement process associated with the Clean Water Act permitting process that involves all adjacent property owners of impacted resources. Those property owners will be a part of the Project’s mailing list.

Protected Species and Habitats: Multiple regulations including the Endangered Species Act, Fish and Wildlife Coordination Act, Magnuson-Stevens Conservation and Management Act, and Maryland Forest Conversation Act provide for the conservation and management of protected species and habitats including rare, threatened and endangered species, and Essential Fish Habitats. FRA will coordinate with all environmental regulatory agencies, including the U.S. Fish and Wildlife Service, National Marine Fisheries, Maryland Department of Natural Resources, Maryland Department of the

Environment, and the District of Columbia Department of Energy and Environment.

National Park Service Lands: Segments of the Proposed Action that would affect National Park Service (NPS) property would require coordination with NPS. The SCMAGLEV study area includes Anacostia Park, the Baltimore-Washington Parkway, and many other parcels under the National Park Service jurisdiction. As such, the National Park Service is a NEPA Cooperating Agency and will most likely be a NHPA Consulting Party. Therefore, FRA will coordinate closely with NPS to ensure that NEPA compliance will meet the policies set forth in NPS's Director's Order 12: Conservation, Planning, Environmental Impact Analysis, and Decision Making (DO 12) and the NPS Compliance Handbook (2015).

National Capital Planning Act of 1952: Pursuant to the National Capital Planning Act of 1952, federal property transfers in the District require National Capital Planning Commission (NCPC) approval.

All property transfers require submission of an official legal plat with a signature line for the NCPC's Chair, and all property transfers will be addressed in the Draft and Final EIS/ ROD. If necessary, the FEIS/ROD will include a separate section for each land transfer along with a signature line for NCPC's Executive Director. FRA will submit changes to Federal property for NCPC review with appropriate supporting documentation.

5.1.8 AGENCY INVOLVEMENT ACTIVITIES

The following meetings will be held to engage agency participation in the Project.

- Interagency Meetings
- Joint Evaluation Meetings
- Field Meetings
- One-on-one Meetings

FRA will meet regularly with agencies via Interagency Meetings and Joint Environmental Committee (JE) meetings. These meetings will be held at NEPA milestones and will be held in both Maryland and DC. Locations and format (in-person and webinar) will vary depending on agency availability and preference. FRA, in coordination with the Project Team, will send the meeting invitations to Lead Agencies, Cooperating Agencies, and Participating Agencies. For those who cannot attend, the meetings will be conducted via a webinar, when possible. The presentation and meeting summary will be emailed following the meeting.

The purpose of Interagency meetings is to provide agencies an opportunity to:

- Provide comments, responses, or insight on those areas within the special expertise or jurisdiction of the agency;
- Provide meaningful input at Project milestones;
- Keep abreast of the Project's progress and schedule; and
- Provide timely review and comment on environmental documentation.

Cooperating and participating agencies will be provided an opportunity to comment on and/or concur upon the following Project documents:

- The Draft Purpose and Need (Comment and Concur*);
- Preliminary Alternatives Screening Report (Comment during Interagency Meeting);
- Alternatives Report (Comment and Concur*);

Cooperating agencies, DDOT and Federal agencies with direct impacts to their property will also be provided an opportunity to comment on Admin DEIS and Admin Final EIS and ROD.

*Concurring Agencies listed in **Table 1** are required to comment and/or concur (or not concur).

5.2 PUBLIC INVOLVEMENT

5.2.1 PUBLIC INVOLVEMENT ACTIVITIES

The SCMAGLEV Project will include an open, participatory environmental review process. FRA will inform and solicit early and continued feedback from the public; encourage open discussion of Project details and issues; and provide opportunities for comments and questions.

The goals of the public involvement plan for the Project are as follows:

- To provide an opportunity and a mechanism for public participants to engage in the development of the EIS and give relevant input to the Project.
- To focus public input in a structured manner that will allow decisions to be made with the maximum benefit from public involvement.
- To ensure that elected officials, agencies, stakeholders, and the general public are adequately informed about the Project and its implications for their communities, and to identify potential issues so that they can be addressed and resolved before the completion of the EIS process.

5.2.2 COVID-19 RESPONSE

As detailed below, the project team will engage and communicate with members of the public, with special attention given to the safety and health of all parties involved by adhering to and/or exceeding CDC guidelines and safe practices mandated by local jurisdictions related to the COVID-19 Pandemic. It has become even more pressing to consider alternative means of consulting with members of the public during the current Coronavirus pandemic, where it is more difficult to hold outreach events in public venues.

The project team will utilize their resources to identify and utilize virtual tools and platforms that provide an opportunity to engage and consult a wide public audience from their computer or mobile device at any time during the project outreach and consultation period.

The virtual platform could provide project informational materials through a variety of potential interfaces, such as: pop up banners, table plans, drawings, videos, sound demonstrations and interactive mapping. These elements will seek to add to the users experience while providing the opportunity to access all the materials and documentation required to ensure a robust outreach and comment response interaction.

Should the health and safety concerns and corresponding regulations related to the pandemic relax and subside during this project, the project team will work to determine if in-person outreach meetings would be appropriate.

5.2.3 COMMUNICATING WITH THE PUBLIC

The public involvement plan includes a number of different outreach tools and activities to involve the public. These include the following:

- **Permitting Dashboard:** The SCMAGLEV Project has been added to the Permitting Dashboard for Federal Infrastructure Projects (<https://www.permits.performance.gov/>), an online tool for Federal agencies, project developers and interested members of the public to track the

Federal government's permitting and review process for large or complex infrastructure projects.

- **Project Website:** The SCMAGLEV Project website was launched on November 25, 2016 and can be found at www.bwmaglev.info. The website includes an overview of the Project and access to information on superconducting magnetic levitation technology, the NEPA process, Project documents, past and upcoming public meeting dates and locations, and public meeting displays and materials. The Project website allows interested parties to become involved in the NEPA process by joining the mailing list and locating contact information to reach out to Project Team members. The Project website will be the main source of Project information for the public and will be updated regularly. Project information developed for the website and social media platforms will be formatted for optimized viewing on mobile devices. All public meeting advertisements and additional public outreach materials will contain the website address and will encourage readers to visit the site.

In addition to the Project website, other federal, regional, and local jurisdictions and transportation agencies' websites, including websites for MDOT, FRA, MTA, Washington Metropolitan Area Transit Administration, and District Department of Transportation, may be used to periodically post Project information such as meeting dates and locations for upcoming Project milestones.

- **Social Media:** The use of social media platforms is an effective way to disperse information quickly to a large audience. The Project Team will use social media platforms to increase Project and superconducting magnetic levitation technology awareness, as well as provide information such as important dates, documents, and Project milestones. The Project Team utilized social media to advertise for the scoping meeting, and currently posts on the MTA's Facebook, Twitter, and Instagram social media outlets. Going forward, the FRA will continue to refine its social media strategy to expand the use of social media for the Project given that many of the cooperating and participating agencies, as well as the local jurisdictions, have a social media presence.
- **Mailing List:** The Project Team had developed and is in the process of developing a new mailing list that includes stakeholders such as community groups, chambers of commerce, neighborhood associations, and elected officials. The initial list was used to send postcards announcing the scoping meetings in December 2016 and preliminary alternatives meetings in October 2017. The Project Team is continuing to refine our process for additional interested parties such as the general public and businesses by developing an updated electronic mailing list using buffer areas surrounding the proposed alternatives for bulk mailings instead of using zone areas for bulk mail. The mailing lists will be used to inform interested parties about the Project status and meeting notifications. Stakeholders may request to be added to the mailing lists at public meetings, via the website, email, reaching out to Project Team members, or during public and interagency meetings. The Project Team will continue to add stakeholders to these lists throughout the Project.

- **Project Fact Sheets:** Project fact sheets (in both English and Spanish) were developed at key milestones for the Project, for the purpose of educating the general public about the EIS process, providing information on the Project as it progresses, announcing public participation opportunities, and providing Project Team contact information.
- **Mass Email:** Email blasts have been used to inform the public about upcoming meetings and significant stages in the EIS development. Future email blasts will be used for future meeting updates and Project activities, and to disseminate newsletters electronically.
- **Local government and stakeholder briefings:** The lead agencies will brief the appropriate local government entities and stakeholders to provide information, answer questions, and receive feedback.
- **Public comment periods at specific NEPA milestones:** NEPA requires public comment periods to provide an opportunity for public input at critical points during the environmental review. The public will be provided an opportunity to comment on the project at any time via the project website and project email. Formal public comment periods are also provided during scoping, alternatives development, DEIS, and FEIS reviews. During these periods, public meetings will be held, and the public will have an opportunity to provide comments orally or in writing.
- **News and Print Media:** In addition to social media and the Project website, the Project Team will use additional media outlets to advertise for upcoming meetings. The Project Team advertised the public scoping process and scoping meetings in a variety of local media sources. Advertisements were featured on afro.com, patch.com, desktop and mobile pages for Anne Arundel County and Takoma Park, the Prince George's County Sentinel, Baltimore Sun desktop and touchscreen pages, the Transportation Research Board (TRB) iPad and mobile applications, and The Washington Post desktop and mobile pages. Additional media platforms, including print, internet, radio, television, and billboards will be considered as the Project progresses.
- **Meeting flyers:** The flyers will be in English and Spanish, and will be mailed or emailed to the Project mailing list. Flyers will also be distributed to libraries and community centers.
- **Mass Transit Advertisements:** As appropriate, the Project Team will develop Project advertisements for use with regional and local mass transit agencies that operate within the study area. The ads will be featured in bus and train stations, at stops, airports, and on vehicles and trains. The ads will be used to inform current transit users about the Project and direct the public to the Project website.
- **ADA and Section 508 Compliance:** As noted previously in Section 5.1.6 of this document, public outreach materials have been generated to comply with ADA and Section 508 requirements to accommodate disabled or elderly citizens. In addition, all meeting materials and communications have been designed with the intent to fully accommodate people with hearing and/or visual impairments (i.e., written transcripts, closed captioning, adjustable text size, and compatibility with computer automated screen readers). MDOT MTA also offers additional assistance through the Office of Customer and Community Relations at 410-767-3999 or 866-743-3682 or TTY 410-539-3497, through which sign language interpreters, foreign language interpreters, and assistance for the visually impaired are available upon request.
- **Other stakeholder outreach:** Project staff members are available to meet with any interested parties. The communications detailed above will indicate staff availability for meetings.

5.2.4 PUBLIC MEETINGS

Opportunities for public input throughout the Project will include the following (See **Section 5.2.2** for details on how the COVID-19 Pandemic may affect Public Meetings):

- **Public Scoping Meetings:** Although NEPA does not explicitly require that a scoping meeting be held, scoping meetings were held for this Project between December 10 and December 15, 2016. The purpose of the meetings was to gather input and feedback from members of the public and elected officials on the draft purpose and need statement; goals and objectives; scope for potential alternatives for consideration; issues to be addressed in the environmental review; and methodologies to be used to evaluate impacts. Outreach and notification were conducted via the NOI; the Project website; local newspapers; social media; postcard mailings to community groups, chambers of commerce, and neighborhood associations; letters and phone calls to elected officials; and flyer distribution at community centers, recreation centers, libraries, and community organizations. The five scoping meetings included an open house where Project staff were available to talk informally about the Project with interested members of the public.
- **Public Information Meetings:** The Project Team held two rounds of public informational meetings via open houses to present initial alternatives and to highlight the findings of the preliminary alternatives screening analysis. Open houses for both initial alternatives and preliminary alternatives screening results were held in April 2017 and October 2017 respectively, and included informal discussions between Project Team staff and meeting attendees at five locations throughout the study area. An open house for the new Baltimore area station and trainset maintenance facility concepts/preliminary alternatives and facilities being considered in the Baltimore area was held on December 13, 2018.
- **Public Hearings:** Following publication of the Draft EIS, there will be public hearings. The public hearing will include an open house, a presentation, and an opportunity for oral testimony. The oral testimony will be recorded by a stenographer. FRA will not respond to the oral testimony at the meeting, and conversations with Project staff during the open house portion of the meeting will not be reflected in the Project record.

The public meetings and information open houses will be accessible to persons with disabilities and persons with LEP. Translation will be provided in Spanish. Special services, such as an interpreter or sign language services, will also be available upon request. Public notices announcing these meetings will provide instructions for requesting these services.

5.2.5 STAKEHOLDER INVOLVEMENT ACTIVITIES

FRA will seek out the involvement of community leaders, elected officials, and other stakeholders in the Project Study Area. These individuals and organizations will assist FRA in understanding and addressing local concerns, including those of the environmental justice communities that could be affected by the Project. Stakeholder involvement activities will include:

- **Elected Officials Briefings:** Briefings will be held with elected officials and other key stakeholders before such events as the public scoping meetings and DEIS publication. These will be informal meetings where discussions can be held.
- **Section 106 Consulting Party Participation:** See discussion above (Section 5.1).
- **Environmental Justice Outreach:** The Project will include outreach efforts specifically

targeted to reach environmental justice communities located in the Project Study Area in Project development.

- **Stakeholder Meetings:** Meetings may be held with individuals or small groups to discuss specific Project considerations.

Table 4: Public Involvement by NEPA Milestone

	Milestone						
	NOI	Scoping	Initial Alternatives	Preliminary Alternatives	Retained Alternatives	DEIS	Final EIS & ROD
Website	✓	✓	✓	✓	✓	✓	✓
Social Media	✓	✓	✓	✓	✓	✓	✓
Mailing List	✓	✓	✓	✓	✓	✓	✓
News and Print Media	✓	✓	✓	✓	✓	✓	✓
Public Meetings (PM) and Hearings (H)		✓ (PM)	✓ (PM)	✓ (PM)		✓ (H)	
Advertisement using MTA Outreach Tools			✓	✓		✓	✓

5.2.6 PROJECT DOCUMENT REPOSITORIES

Local document repositories enable members of the public to examine Project documents, including EIS documents, and other informational materials. The document repositories include agency and municipal offices and public libraries.

5.2.7 COMMENTS FROM THE PUBLIC

Comment periods are required as part of the NEPA process at specific times during the life of a project. Agencies must allow comments during the NEPA Scoping phase and after the publication of the DEIS. A formal public hearing is also conducted after the publication of the DEIS. These comment periods must be advertised prior to the beginning of the commenting period and extend 45 days after they are announced. Comments received during the required comment periods are subsequently addressed in corresponding documents.

In addition to these required commenting periods, the Project Team will encourage feedback and comments from the public throughout the Project. The Project website includes a comment form and contact information for Project Team staff. During all scheduled public meetings and during all Project meetings with citizens, businesses, advocacy groups, and other stakeholders, feedback and comments will be actively solicited from participants via onsite paper and electronic comment cards. For comments received outside of the comment periods, the Project Team will collect and file the comments in a database. Comments will be filed by category based on subject matter. Comments seeking response from the Project Team will be filed as “response needed” and will be forwarded to the correct Project Team discipline lead for a response.

6 REVISION HISTORY

1. Table 1: Lead Agencies and Invited Cooperating and Participating Agencies, was updated; National Oceanic and Atmospheric Administration National Marine Fisheries Service (NOAA NMFS)'s response for Participating Agency changed from No to Yes based on their recent correspondence. (Jan 25, 2018)
2. Table 2: Primary Point of Contact – Contact information for Prince George's Public Works and Transportation was updated based on their recent correspondence. (Jan 25, 2018)
3. Section 1.2 Coordination Plan Updates and Revisions, was added as per FRA's request. (Jan 25, 2018).
4. Table 1: Lead Agencies and Invited Cooperating and Participating Agencies, was updated; National Aeronautics and Space Administration, Goddard Space Flight Center (NASA/GSFC), National Security Agency (NSA), and U.S. Fish and Wildlife Service (USFWS) were elevated to the status of Cooperating Agency based on their invitation acceptances. (June 20, 2018)
5. Table 2: Primary Point of Contact – Contact information for agencies was updated based on their recent correspondences. (November 29, 2018)
6. Table 3: Schedule of Key Milestone Dates for Baltimore Washington SCMAGLEV NEPA Study – Revised Anticipated Completion Dates was added per FRA's direction. (November 29, 2018)
7. Agency contact information updated. (April 03, 2020)
8. Project Schedule updated (May 15, 2020)
9. Section 106 section modified and updated (May 15, 2020)
10. General updates and modifications to make text current with latest project developments (May 15, 2020)
11. Updates to text made in accordance with comments provided by Agency Partners (July 24, 2020)
12. Additional general updates and modifications to make text current with the latest project developments (September 16, 2020)
13. Added US Department of Labor as a Participating Agency and updated select point of contact (October 15, 2020)

City Council Agenda Item Report

Meeting Date: December 14, 2020

Submitted by: Bonita Anderson

Submitting Department: Administration

Item Type: OTHER BUSINESS

Agenda Section: OTHER BUSINESS

Subject:

SCMAGLEV Action Request: Writing Campaign to Request Extended DEIS Commenting Period

Suggested Action:

Ms. Davis requested this item to be added to the agenda to send letters requesting an extension to the Maglev Draft Environmental Impact Statement commenting period to appropriate agencies and elected officials.

Attachments:

[Individual Letter-Request for Extended SCMaglev DEIS Review \(1\).pdf](#)

[Organization Letter Request for Extended SCMaglev DEIS Review.pdf](#)

[Email/Letter Template for Individual Citizen Use]

Subject: Request 180-day Extension for Review of BWRR's SCMagLev DEIS

Addressees (See contact information for email and street addresses):

Maryland Transportation Administration

Maryland Transportation Administration Mass Transit Administration

Federal Railroad Administration

Your elected officials

I am writing with respect to the anticipated January 2021 release of the Baltimore-Washington Rapid Rail (BWRR) Draft Environmental Impact Statement (DEIS) on the building of the Baltimore-to-Washington (BW) Superconducting Magnetic Levitation (SCMagLev) train. For reasons similar to those cited in the letter of July 9, 2020 requesting an extension to the Managed Lanes I-495 & I-270 Public-Private Partnership (P3) Program (Project) for which an extension of time was granted, I'm asking that you, the Maryland Department of Transportation (MDOT), as well as the Federal Railroad Administration (FRA), grant an extension of the currently planned public review and comment period of 45 days to 180 days. I'm also asking you, our elected representatives, to also ask the Maryland Department of Transportation (MDOT) and the Federal Railroad Administration (FRA) to grant an extension.

The SCMagLev project is an enormous undertaking in both complexity, cost, and scope, and its DEIS is likely to be at least as large in terms of number of pages requiring review as the P3 project note above. In addition, the difficulties presented to the public review process by the COVID-19 epidemic persist and likely will throughout the first and second quarters of 2021.

Additionally, we can anticipate the following issues arising in reviewing the BWRR SCMagLev DEIS:

- Current SCMagLev design presents safety problems, including the potential for accidents due to the nature of the guideways. This technology is currently being tested in one location in Japan. The nature of the technology, as well as results from Japan, as described in the DEIS, must be closely scrutinized, and the safety concerns documented.
- Detailed ridership study data have not been provided and the ridership figures provided by BWRR thus far appear to be inflated. Substantiating data has been requested by Citizens Against the SCMagLev (CATS) and affected communities but have not been provided. Therefore, any additional detailed ridership data provided in the DEIS will take longer to analyze and verify.
- Recent inclusion of the Beltsville Agricultural Research Center (BARC) as a potential Train Maintenance Facility and the public-to-private transfer of land that will result in irreparable damage to research studies and precious wildlife will need to be studied and addressed by the public.
- Homeowners and property owners must evaluate all potential safety, environmental, and structural impacts to private and community property. Because SCMagLev remains an experimental transportation technology with only one non-operational prototype in Japan, the extent of this analysis will be problematic and will take sufficient time to complete.
- Potential lifecycle cost versus revenue will need to be verified once substantiated ridership data are provided to confirm BWRR's assertions that the project will be financially self-sustaining both in construction and operation.

- The aforementioned issue is particularly important considering the cost overruns and contractor problems with the Purple Line, all other high-speed and maglev worldwide projects, and the legitimate skepticism Maryland citizens may have with BWRR's financial claims, especially in light of the U.S. and international experience with high-speed rail and maglev technology-based train systems.
- I will need additional time to fully research and compare the current and planned enhancements being developed and implemented by AMTRAK, in contrast with the promises made by BWRR in seeking to gain approval for building the SCMagLev. This will include the need to gain an understanding of how the SCMagLev would benefit my community and my neighbors more than AMTRAK currently does, particularly once AMTRAK's current slate of improvements are implemented to further expand the services already provided.

[insert any other issues you want to call out here]

For all the above reasons, I am asking both MDOT and the FRA to extend the public comment period by 180 days in order to ensure genuine public access, broad awareness of the process, and clarification of current questions and missing data, as well as to promote and encourage serious public engagement with the issues raised.

Thank you for your attention to my request. I look forward to your response about this serious community, counties-wide, and state matter.

Sincerely,

Your Full Name

Street address

City, State & ZIP code

Email address

Phone Number

[Email/Letter Template for Community Organization Use]

[Place Your Organization's Letterhead-Logo Here]

Addressees (See contact information for email and street addresses):

Maryland Transportation Administration

Maryland Transportation Administration Mass Transit Administration

Federal Railroad Administration

Your elected officials

Subject: Request 180-day Extension for Review of BWRR's SCMagLev DEIS

We the leadership of [Your Organization's Name] are writing with respect to the anticipated January 2021 release of the Baltimore-Washington Rapid Rail (BWRR) Draft Environmental Impact Statement (DEIS) on the building of the Baltimore-to-Washington (BW) Superconducting Magnetic Levitation (SCMagLev) train. For reasons similar to those cited in the letter of July 9, 2020 requesting an extension to the Managed Lanes I-495 & I-270 Public-Private Partnership (P3) Program (Project) for which an extension of time was granted, we are asking that you, the Maryland Department of Transportation (MDOT), as well as the Federal Railroad Administration (FRA), grant an extension of the currently planned public review and comment period of 45 days to 180 days. We are also asking you, our elected representatives, to also ask the Maryland Department of Transportation (MDOT) and the Federal Railroad Administration (FRA) to grant an extension.

The SCMagLev project is an enormous undertaking in both complexity, cost, and scope, and its DEIS is likely to be at least as large in terms of number of pages requiring review as the P3 project note above. In addition, the difficulties presented to the public review process by the COVID-19 epidemic persist and likely will throughout the first and second quarters of 2021.

Additionally, we anticipate the following issues arising in reviewing the BWRR SCMagLev DEIS:

- Current SCMagLev design presents safety problems, including the potential for accidents due to the nature of the guideways. This technology is currently being tested in one location in Japan. The nature of the technology, as well as results from Japan, as described in the DEIS, must be closely scrutinized, and the safety concerns documented.
- Detailed ridership study data have not been provided and ridership figures provided by BWRR thus far appear to be inflated. Substantiating data have been requested by Citizens Against the SCMagLev (CATS) and affected communities but have not been provided. Therefore, any additional detailed ridership data provided in the DEIS will take longer to analyze and verify.
- Recent inclusion of the Beltsville Agricultural Research Center (BARC) as a potential Train Maintenance Facility and the public-to-private transfer of land that will result in irreparable damage to research studies and precious wildlife will need to be studied and addressed by the public.
- Homeowners and property owners must evaluate all potential safety, environmental, and structural impacts to private and community property. Because SCMagLev remains an experimental transportation technology with only one non-operational prototype in Japan, the extent of this analysis will be problematic and will take sufficient time to complete.

- Potential life cycle cost versus revenue will need to be verified once substantiated ridership data are provided to confirm BWRR's assertions that the project will be financially self-sustaining both in construction and operation.
- The aforementioned issue is particularly important considering the cost overruns and contractor problems with the Purple Line, all other high-speed and maglev worldwide projects, and the legitimate skepticism Maryland citizens may have with BWRR's financial claims, especially in light of the U.S. and international experience with high-speed rail and maglev technology-based train systems.
- We also need additional time to fully research and compare the current and planned enhancements being developed and implemented by AMTRAK in contrast to the promises made by BWRR in seeking to gain approval for building the SCMagLev.

[insert any other issues your organization wants to call out here]

For all the above reasons, MDOT and FRA should extend the public comment period in order to ensure genuine public access, broad awareness of the process, and clarification of current questions and missing data, as well as to promote and encourage serious public engagement with the issues raised.

We therefore respectfully request MDOT and FRA extend the review and comment period of the BWRR DEIS by 180 days. We look forward to your response and thank you for your serious attention to this matter.

Sincerely,

[Add you organization's contact(s) name(s) here - Please include Your Organization's Mailing address, including P.O. Box or Street Address, City, State & ZIP code. Email address. Phone Number]

City Council Agenda Item Report

Meeting Date: December 14, 2020

Submitted by: David Moran

Submitting Department: Administration

Item Type: OTHER BUSINESS

Agenda Section: OTHER BUSINESS

Subject:

PG 406–21: Prince George’s County – Land Use – Magnetic Levitation Transportation System Siting (Prince George’s County Stop the Maglev Act of 2021)

Suggested Action:

Reference:

PG-406-21

PG 406 Delegation Letter

This bill would prohibit a person from constructing a magnetic levitation transportation system within a certain distance of certain property in Prince George’s County and prohibit units of State and local government from taking certain actions related to the construction of a magnetic levitation transportation system within a certain distance of certain property in the county.

Included in Council's packet is a draft letter of support for PG 406-21. The same letter can also be sent to the City's Delegation.

Attachments:

[PG 406-21.pdf](#)

[PG 406 Delegation Letter.pdf](#)

Bill No.: _____

Requested: _____

Committee: _____

Drafted by: Mickler

Typed by: Lynn

Stored – 10/26/20

Proofread by _____

Checked by _____

By: Prince George's County Delegation

A BILL ENTITLED

1 AN ACT concerning

2 **Prince George's County – Land Use – Magnetic Levitation Transportation**
3 **System Siting**
4 **(Prince George's County Stop the Maglev Act of 2021)**

5 **PG 406–21**

6 FOR the purpose of prohibiting a person from constructing a magnetic levitation
7 transportation system within a certain distance of certain property in Prince
8 George's County; prohibiting units of State and local government from taking certain
9 actions related to the construction of a magnetic levitation transportation system
10 within a certain distance of certain property in the county; establishing that the
11 prohibitions under this Act do not apply under certain circumstances; authorizing
12 the Prince George's County Council to adopt local laws for the use of certain land
13 consistent with certain law; defining certain terms; making this Act an emergency
14 measure; and generally relating to land use related to magnetic levitation
15 transportation systems in Prince George's County.

16 BY repealing and reenacting, without amendments,
17 Article – Land Use
18 Section 25–101
19 Annotated Code of Maryland
20 (2012 Volume and 2020 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 BY adding to
2 Article – Land Use
3 Section 25–214
4 Annotated Code of Maryland
5 (2012 Volume and 2020 Supplement)

6 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
7 That the Laws of Maryland read as follows:

8 **Article – Land Use**

9 25–101.

10 This title applies only in Prince George’s County.

11 **25–214.**

12 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
13 INDICATED.

14 (2) “MAGNETIC LEVITATION TRANSPORTATION SYSTEM” INCLUDES A
15 FACILITY OR STRUCTURE INCIDENT TO THE CONSTRUCTION OR OPERATION OF A
16 MAGNETIC LEVITATION TRANSPORTATION SYSTEM.

17 (3) “PROTECTED PROPERTY” MEANS:

18 (I) A LOT WHERE A RESIDENCE IS LOCATED;

19 (II) A WATERFRONT PARK;

20 (III) PROPERTY OWNED BY THE FEDERAL GOVERNMENT;

21 (IV) A NATIONAL PARK; OR

22 (V) A FOREST PRESERVE.

1 **(4) "WATERFRONT PARK" MEANS THE BLADENSBURG WATERFRONT**
2 **PARK, THE PATUXENT RIVER PARK, OR ANY OTHER PARK DESIGNATED AS SUCH IN**
3 **THE COUNTY.**

4 **(B) EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION:**

5 **(1) A PERSON MAY NOT CONSTRUCT A MAGNETIC LEVITATION**
6 **TRANSPORTATION SYSTEM THAT IS LOCATED WITHIN 2 MILES OF A PROTECTED**
7 **PROPERTY LOCATED IN THE REGIONAL DISTRICT IN THE COUNTY; AND**

8 **(2) A STATE, REGIONAL, OR LOCAL GOVERNMENTAL UNIT MAY NOT**
9 **APPROVE A PROPOSAL FOR THE CONSTRUCTION, OR APPROVE CONDEMNATION OF**
10 **PROPERTY FOR THE CONSTRUCTION, OF A MAGNETIC LEVITATION**
11 **TRANSPORTATION SYSTEM THAT IS LOCATED WITHIN 2 MILES OF A PROTECTED**
12 **PROPERTY LOCATED IN THE REGIONAL DISTRICT IN THE COUNTY.**

13 **(C) SUBSECTION (B) OF THIS SECTION DOES NOT APPLY TO PROPERTY THAT**
14 **IS NOT PROTECTED PROPERTY BEFORE THE DATE THAT A PERSON OBTAINS ALL**
15 **REQUIRED APPROVALS UNDER FEDERAL, STATE, AND LOCAL LAW TO BEGIN**
16 **CONSTRUCTION OF A MAGNETIC LEVITATION TRANSPORTATION SYSTEM IN THE**
17 **REGIONAL DISTRICT IN THE COUNTY.**

18 **(D) THE COUNTY COUNCIL MAY ADOPT LOCAL LAWS FOR THE USE OF LAND**
19 **WITHIN 2 MILES OF A MAGNETIC LEVITATION TRANSPORTATION SYSTEM THAT IS**
20 **UNDER CONSTRUCTION OR IN OPERATION, CONSISTENT WITH THE AUTHORITY**
21 **GRANTED TO THE COUNTY COUNCIL IN THIS DIVISION.**

22 **SECTION 2. AND BE IT FURTHER ENACTED,** That this Act is an emergency
23 **measure, is necessary for the immediate preservation of the public health or safety, has**
24 **been passed by a yea and nay vote supported by three-fifths of all the members elected to**
25 **each of the two Houses of the General Assembly, and shall take effect from the date it is**
26 **enacted.**

December 14, 2020

The Honorable Erek L. Barron, Chair
Prince George's House Delegation
House Office Building, Room 207
Annapolis, Maryland 21401

RE: PG 406-21

Dear Chair Barron and Members of the Delegation:

The Greenbelt City Council would like to express its **strong support for PG 406-21**. The City opposes the MAGLEV project and believes it is not necessary. There are other important transportation priorities and needs where public/private funding would be better spent, such as improving existing rail and transit services.

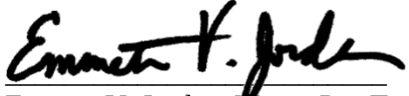
The communities and neighborhoods along the proposed routes, including Greenbelt, would endure both short and long term disruption without *any* benefits to Prince George's County residents. Greenbelt is a National Historic Landmark and planned community with parks, open spaces and recreational amenities. The project could have a destructive impact on valuable and environmentally sensitive resources. The environmental concerns include noise pollution, destruction of natural habitats, and harmful health impacts.

It is not clear if indeed the MAGLEV will bring jobs to the area. It may create *temporary* highly specialized jobs in engineering and construction that would go to individuals and companies that already have those skills and expertise and which may not necessarily be located within the area. Or, it may facilitate high-speed access to jobs elsewhere with no positive impact for the communities it will pass through. Maryland already has a high speed train to Baltimore and on to the north, the Acela line, which is convenient but also comes at a high price. It is likely that the cost for a seat on the MAGLEV will be prohibitive and out of reach for many people.

We urge the Delegation's favorable support on PG 406-21!

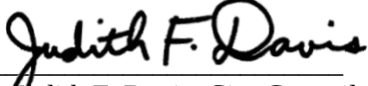
Sincerely,

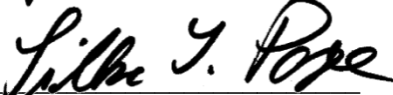

Colin A. Byrd, Mayor

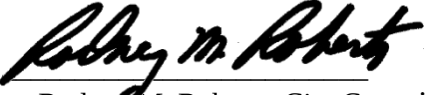

Emmett V. Jordan, Mayor Pro-Tem


Leta M. Mach, City Council


Edward V.J. Putens, City Council


Judith F. Davis, City Council


Silke I. Pope, City Council


Rodney M. Roberts, City Council

City Council Agenda Item Report

Meeting Date: December 14, 2020

Submitted by: Bonita Anderson

Submitting Department: Administration

Item Type: OTHER BUSINESS

Agenda Section: OTHER BUSINESS

Subject:

Appointment of Council Members to Metropolitan Washington Council of Governments Board and Policy Committees

Suggested Action:

Reference:

Greenbelt Appointments

COG Boards and Committees Descriptions

The Metropolitan Washington Council of Governments (COG) is soliciting appointments to COG's policy boards and committees for 2021. Attached is a list of the current appointments, COG has requested the appointments by January 5, 2021.

Attachments:

[Greenbelt Appointments.pdf](#)

[COG Boards and Committees Descriptions.pdf](#)

METROPOLITAN WASHINGTON COUNCIL OF GOVERNMENTS
Solicitation for Appointments: City of Greenbelt

INDEPENDENT POLICY BOARDS	Current Appointment	2021 Appointment
COG Board of Directors (1) Meets monthly from 12 noon to 2:00 p.m.	Colin Byrd <i>Emmett V. Jordan</i>	
National Capital Region Transportation Planning Board (1) Meets monthly 12 noon to 2:00 p.m.	Emmett V. Jordan <i>Rodney M. Roberts</i>	
Metropolitan Washington Air Quality Committee (1) Meets monthly 12 noon to 2:00 p.m.	Leta Mach <i>Emmett V. Jordan</i>	
POLICY COMMITTEES		
Region Forward Coalition (1) Meets quarterly dates TBD	Judith Davis <i>Emmett Jordan</i>	
Human Services Policy Committee (1) Meets bi-monthly 12 noon to 2:00 p.m.	Edward V.J. Putens <i>Silke Pope</i>	
Climate Energy and Environment Policy Committee (1) Meets bi-monthly 10:00 a.m. to 12:00 p.m.	Leta Mach <i>Judith Davis</i>	
Chesapeake Bay and Water Resources Policy Committee (1) Meets bi-monthly 10:00 a.m. to 12:00 p.m.	Judith Davis <i>Edward V.J. Putens</i>	

Notes: Alternates are shown in italics.

Instructions:

1. Review current appointments.
2. Refer to the attached description of each policy board and committee for each appointment.
3. Appoint or reappoint an elected official for each policy board and committee. Please consider the individual's interest/experience with the committee subject matter, and his/her availability to participate given the noted committee schedule.
4. Please submit your completed COG 2021 Board and Committee appointments to mbeyrouti@mwkog.org by January 5, 2021. For Virginia jurisdictions, please submit your appointments following your jurisdiction's 2021 organizational meeting.

COG POLICY BOARDS AND COMMITTEES

COG is comprised of three independent policy boards and various supporting advisory and technical committees.

INDEPENDENT POLICY BOARDS

COG Board of Directors

The Board of Directors is COG's governing body and is responsible for its overall policies, functions, and funds. The board acts on committee or staff recommendations, discusses current and emerging multi-jurisdictional problems, and receives briefings on issues facing the region as a whole. Policy items on the agenda are normally generated from COG's policy and technical committees; business or administrative items are usually generated from staff.

Transportation Planning Board

The National Capital Region Transportation Planning Board (TPB) is the federally designated Metropolitan Planning Organization (MPO) for the region, and plays an important role as the regional forum for transportation planning. With participation from the District of Columbia and State Departments of Transportation and the region's local governments, the TPB prepares intermediate-range and long-range plans and programs that permit federal transportation funds to flow to the metropolitan Washington region.

Metropolitan Washington Air Quality Committee

The Metropolitan Washington Air Quality Committee (MWAQC) is the entity certified by the mayor of the District of Columbia and the governors of Maryland and Virginia to prepare an air quality plan for the region and insure compliance with the Federal Clean Air Act. MWAQC coordinates air quality planning activities among COG and other entities, including the Transportation Planning Board; reviews policies; resolves policy differences; and forges a regional air quality plan for transmittal to the District of Columbia, Maryland, and Virginia and, ultimately, to the Environmental Protection Agency.

POLICY COMMITTEES

Policy committees are advisory committees of the COG Board.

Chesapeake Bay and Water Resources Policy Committee

Chesapeake Bay and Water Resources Policy Committee (CBPC) advises the COG Board on Bay-related policies and tracks developments under the federal-state Chesapeake Bay Program for implications to local governments. It also considers questions of potable water supply and waste water treatment. CBPC regularly prepares position statements in response to state and federal legislation affecting the Bay.

Climate, Energy, and Environment Policy Committee

The Climate, Energy, and Environment Policy Committee (CEEPC) advises the COG Board on climate change, energy, green building, alternate fuels, solid waste and recycling policy issues, and other environmental issues as necessary. CEEPC is responsible for managing implementation of the COG Climate Change Report adopted by the COG Board on November 12, 2008. This responsibility includes development of a regional climate change strategy to meet the regional greenhouse gas reduction goals adopted by the board.

Human Services Policy Committee

The Human Services Policy Committee (HSPC) advises the COG Board on a variety of issues including housing, homelessness, public health, foster care, child welfare, mental health, and substance abuse. Recent actions have included reports on homelessness in the region. HSPC is composed of elected officials, department managers, and directors from the local and state levels.

Region Forward Coalition

The Region Forward Coalition oversees the next steps recommended in Region Forward and advises the COG Board on future comprehensive regional planning and implementation activities. The Coalition's primary responsibilities include overseeing the Region Forward performance baseline analysis and future regional progress reports; use Region Forward as a guide to update the Regional Activity Centers; and create clear strategies and initiatives to support the transformation of regional centers into Complete Communities. The Coalition will provide cross-cutting regional policy capacity and long-range regional planning recommendations to the COG Board. The Coalition includes members from public, private, and nonprofit sectors which all have a role in helping the region meet its goals.

City Council Agenda Item Report

Meeting Date: December 14, 2020

Submitted by: Bonita Anderson

Submitting Department: Administration

Item Type: OTHER BUSINESS

Agenda Section: OTHER BUSINESS

Subject:

* Community Center – News Review Lease

Suggested Action:

Reference: Draft License Agreement

The Greenbelt Community Center has a number of tenants with which the City holds Leases with as a condition of their use of space at the facility. The Lease Agreement the City holds with The Greenbelt News Review located in room 100 on the main floor of the facility is due for renewal on January 1, 2021. Included in Council's packet is a copy of the Lease Agreement for review.

It is recommended Council approve this agreement for signature. Approval of this item on the consent agenda will indicate Council's approval of the Greenbelt News Review Lease Agreement.

Attachments:

[Draft License Agreement.pdf](#)

Greenbelt Recreation Department
City of Greenbelt, Maryland

GREENBELT COMMUNITY CENTER

GREENBELT NEWS REVIEW LEASE AGREEMENT

THIS AGREEMENT, is hereby made this ____ day of _____ 2020, by and between the City of Greenbelt, Maryland, a municipal corporation of the State of Maryland, hereinafter referred to as the "City", and Greenbelt Cooperative Publishing Association, Inc., hereinafter known as the "Tenant".

WHEREAS, the City is the owner of the building known as the Greenbelt Community Center (hereinafter the "Center"), located at 15 Crescent Road, in the City of Greenbelt, Prince George's County, Maryland; and

WHEREAS, the City leases space in the Center to a variety of users; and

WHEREAS, Greenbelt Cooperative Publishing Association, Inc. has leased space in the Center for several years and desires to continue to lease space in the Center; and

WHEREAS, the City desires to lease space in the Center to Tenant under the terms and conditions set forth herein and the Tenant desires to lease space from the City under the terms and conditions set forth herein.

1. Term. The term of this Agreement shall be for three years commencing at 12:01 a.m. on January 1, 2021 and terminating at 11:59 p.m. on December 31, 2023.

2. Payment. The Tenant shall pay to the City the sum of \$472.00 per month payable monthly in advance at the Center Office by the 1st of each month. A late fee of 10% shall be assessed if payment is received five days or more after the due date. If payment is not received on or before ten days after the due date, the City may, at its option, terminate this Agreement.

3. Security deposit. Tenant hereby agrees that the City will hold its previously paid one month security deposit in the amount of \$350.00 through the term of this Agreement.

4. Payment Increase. The Tenant shall be subject to a yearly rent increase equal to the previous year's Consumer Price Index rate for the Washington Metropolitan Area. However, Tenant may request a waiver of the increase, if financial circumstances dictate, with documented proof. A waiver request must be submitted in writing within 30 days of notice of increase.

5. Space. Upon execution of this Agreement, the City shall designate Room 100 consisting of 930 square feet at the Center known as the "News Review Room" as the rented space. The room shall be for the exclusive use of the Tenant with 24-hour access.

6. Obligations of the Tenant. The Tenant shall comply with the following obligations and requirements:

- (a) utilize such space allocated to it in the Center by the City;
- (b) keep the premises and fixtures in good order and condition and, at the expiration or other termination of this Agreement, surrender same in like good order and condition, ordinary wear and tear excepted. The Tenant is responsible for providing their trash removal from the building to the garbage area located outside;
- (c) maintain the floor which includes an annual stripping and waxing of entire floor at the Tenants expense. Tenant shall complete the annual floor maintenance by the last day of March each calendar year. If said work is not complete, the City shall perform the maintenance and the cost thereof will be charged to the Tenant. The charge will include fee from contractor to perform work and an additional fee for the City staff time. The City staff time will not exceed \$225 which is equivalent to six hours of staff salary. The total fee may be paid in full or in incremental payments across of the remainder of said calendar year. The City will notify the Tenant should action be required of the City pursuant to this clause;
- (d) indemnify and save harmless the City from and against any and all claims, suits, damages, costs, losses and expenses arising from the Tenant's negligence or use of the subject premises;
- (e) observe and comply with the regulations of the City as may be prescribed from time-to-time on written notice to the Tenant for the safety, care and cleanliness of the Center and the comfort and convenience of other Tenants;
- (f) obtain all insurance coverage for all personal property, materials and tools, if desired, located at the Center;
- (g) to describe all chemicals, equipment and tools that are to be stored and/or utilized at the Center in Attachment One of this Agreement, which is attached hereto, as necessary, and incorporated herein by reference. The Tenant shall update Attachment One during the course of this Agreement as needed. At no time shall Tenant store any materials that will contravene the City's insurance policy on the Center; and
- (h) apply for and obtain all required County and State permits or licenses and provide the City with copies, if applicable.

7. Insurance. The Tenant shall furnish a Certificate of Insurance verifying the existence of \$100,000.00 in liability insurance coverage required by the City. The Certificate shall name the City as an additional insured and require sixty (60) days advance written notice in the event of modification or termination.

8. Waiver. The City's failure to enforce any provision of this Agreement, any regulation required pursuant to this Agreement, or a breach by the Tenant, shall not be deemed a waiver of any such provision, regulation or breach.

9. Non-liability. The City shall not be responsible for any liability, loss or damage to any personal property of the Tenant located in the Center with the exception of any damage caused solely by city employees or City contractual personnel.

10. Termination. Should either party fail to fulfill the terms of this Agreement the other party may terminate the lease with ninety (90) days written notice. If the City decides to close or needs to stop operating the facility, this Agreement may also be terminated by the City upon notice that is appropriate under the circumstances; however, in no event will such notice be more than ninety (90) days written notice. A fee for the entire month shall be assessed in the event that the Tenant holds over beyond the termination date.

11. Assignments. The Tenant is prohibited from assigning this Agreement or any rights hereunder without the prior written approval of the City.

12. Space Alteration. The Tenant shall not make any structural or substantive alterations or additions to the work space without the prior written consent of the City. The Tenant may attach items to the walls, e.g. photographs or plaques and bookcases or cabinets, and may repaint. Alterations, improvements and changes made by the Tenant shall be performed at the Tenant's sole expense. The cost incurred by the City in fixing any damage to the walls as a result of Tenant attaching items to the walls shall be deducted from Tenant's security deposit.

13. Utilities. The City shall furnish water, gas, sewer, electricity, light, heat and power. The Tenant upon written approval by the City may install telephone, cable television, and other utility service to its work space. The Tenant shall be responsible for any costs associated with the installation and the provision of any additional utility services and for monthly telephone charges.

14. Lost Key Charge. Tenant will be charged for replacement of lost or stolen keys according to the facility key agreement. Tenant must report to City that the key has been lost or stolen.

IN WITNESS WHEREOF, the parties herein have affixed their signatures on the day and year first written above.

WITNESS:

TENANT

Name:
Title:

CITY OF GREENBELT

Name:
Title:

ADDENDUM

The Tenant shall comply with the following obligations and requirements as necessary due to the COVID-19 pandemic:

- (a) Tenant staff, volunteers and visitors are required to complete a health screening upon entering the Tenant space;
- (b) the maximum capacity of Tenant space is determined by Tenant using CDC guidelines;
- (c) Tenant staff, volunteers and visitors are required to wear a face mask covering mouth and nose when traversing in the public spaces of the Center. Masks are required to comply with CDC guidelines;
- (d) Tenant is responsible for sanitation processes in space following CDC guidelines;
- (e) Tenant is responsible for providing personal protective equipment (PPE) to Tenant staff, volunteers and visitors.

COVID-19 obligations and requirements will remain in place as long as the County and State mandates are in effect.

City Council Agenda Item Report

Meeting Date: December 14, 2020

Submitted by: Richard Bowers

Submitting Department: Greenbelt Police

Item Type: OTHER BUSINESS

Agenda Section: OTHER BUSINESS

Subject:

* Contract Renewal for Red Light Camera System

Suggested Action:

Reference: Agreement

The Greenbelt Police Department proposes to renew the annual agreement with American Traffic Solutions, Inc., doing business as Verra Mobility for the purpose of providing Red Light Traffic Cameras in the City. The Department has been in an ongoing partnership with the Howard County Police Department, and this is a cooperative agreement.

Approval of this item on the consent agenda will indicate Council's to renew the annual agreement.

Attachments:

[Agreement.pdf](#)

**FIFTH AMENDMENT TO AGREEMENT
BETWEEN CITY OF GREENBELT, MARYLAND
AND AMERICAN TRAFFIC SOLUTIONS, INC.
d/b/a VERRA MOBILITY**

This Fifth Amendment ("Amendment") is effective as of the date of final execution hereof and entered into between the City of Greenbelt, a municipal corporation of the State of Maryland ("Municipality") and American Traffic Solutions, Inc., doing business as Verra Mobility, a Kansas corporation (herein "VERRA MOBILITY").

WHEREAS, VERRA MOBILITY entered into an agreement with Howard County, Maryland as of January 5, 2016 (hereinafter the "Howard County Agreement"); and

WHEREAS, the Municipality and VERRA MOBILITY entered into an Agreement, subject to the terms and conditions of the Howard County Agreement, effective January 5, 2016, which was amended by the First Amendment to Agreement dated as of November 30, 2016, the Second Amendment dated as of December 12, 2017, the Third Amendment dated as of January 11, 2019 and the Fourth Amendment dated as of December 18, 2019 (together the "Agreement"); and

WHEREAS, the Municipality and VERRA MOBILITY wish to modify and amend certain terms and conditions of the Agreement; and

WHEREAS, Section 3.2 of the Howard County Agreement allows seven (7) one-year renewal options; and

NOW, THEREFORE, in consideration of the mutual covenants, warranties, representations, and conditions contained in the Agreement, the parties hereto agree as follows:

1. The Agreement is hereby extended for a one-year period beginning January 1, 2021, and ending December 31, 2021.
2. Except as expressly amended or modified by the terms of this Amendment, all terms of the Agreement shall remain in full force and effect. In the event of a conflict between the terms of this Amendment and the Agreement, the terms of this Amendment shall prevail and control.
3. This Amendment may be executed in one or more counterparts, each of which shall constitute an original, but all of which taken together shall constitute one and the same instrument. Each party represents and warrants that the representative signing this Amendment on its behalf has all right and authority to bind and commit that party to the terms and conditions of this Amendment.

IN WITNESS WHEREOF, authorized representatives of the parties have set forth their signatures below, intending to be legally bound.

AMERICAN TRAFFIC SOLUTIONS, INC.

GREENBELT, MARYLAND

By: _____
Garrett Miller Date
EVP, Government Solutions

By: _____
Date

City Council Agenda Item Report

Meeting Date: December 14, 2020

Submitted by: Bonita Anderson

Submitting Department: Administration

Item Type: OTHER BUSINESS

Agenda Section: OTHER BUSINESS

Subject:

* Employee Special Holiday

Suggested Action:

Since December 1969, the City Council has granted an extra holiday to classified employees during the holiday season. In some years, when Christmas has fallen on a Tuesday or Thursday, Council has assigned the holiday to create a four-day weekend. This year, Christmas Day is Friday, December 25. Otherwise, the holiday has been granted as a "floating day" that employees may use whenever they wish during the remainder of the fiscal year. Approving the Special Holiday as a floating day does not increase overtime costs. If Council decides to provide a holiday and designate one specific date for that holiday, the estimated cost for related overtime would be \$25,000. Should Council desire to grant this benefit and on one day, as in past years, General funds are available and a budget adjustment will be made. It is recommended that Council grant the FY 2021 Special Holiday as a floating holiday to employees. A floating holiday allows employees with other faith traditions to use this holiday at other times of the year, if desired.

Approval of this item on the consent agenda will indicate Council's approval to grant an extra floating holiday to classified City employees.

Attachments:

City Council Agenda Item Report

Meeting Date: December 14, 2020

Submitted by: Bonita Anderson

Submitting Department: Administration

Item Type: OTHER BUSINESS

Agenda Section: OTHER BUSINESS

Subject:

* Appointments to Advisory Boards

Suggested Action:

Reference: Applications and Signed Code of Conduct

Council interviewed Mary Ann Canter on July 13, 2020, for appointment to the Forest Preserve Advisory Board, Peggy Higgins on September 9, 2020, for appointment to the Public Safety Advisory Committee, and Mary (Kathy) Sciannella on November 4, 2020, for appointment to the Employee Relations Board.

Approval of this item on the consent agenda will indicate Council's intent to appoint Ms. Canter to FPAB, Ms. Higgins to PSAC, and Ms. Sciannella to ERB.

Attachments:

City Council Agenda Item Report

Meeting Date: December 14, 2020

Submitted by: Bonita Anderson

Submitting Department: Administration

Item Type: OTHER BUSINESS

Agenda Section: OTHER BUSINESS

Subject:

* Resignations from Advisory Group

Suggested Action:

Reference:

Email, V. Elliott, October 18, 2020

Email, S. Burks, December 10, 2020

Valerie Elliott has submitted her resignation from the Forest Preserve Advisory Board and Sherry Burks submitted her resignation from the Community Relations Advisory Board.

Approval of this item on the consent agenda will indicate Council's intent to accept their resignation with regret.

Attachments:

City Council Agenda Item Report

Meeting Date: December 14, 2020

Submitted by: Bonita Anderson

Submitting Department: Administration

Item Type: MEETINGS

Agenda Section: MEETINGS

Subject:

Meetings

Suggested Action:

Closed Session: A Closed Session has been requested by Council to discuss a personnel matter – City Manager compensation. It is recommended this meeting be scheduled for Wednesday, December 23, 2020, at 8:00 pm. via Zoom.

The following motion is required to schedule the Closed Session: I move that Council schedule a Closed Session on Wednesday, December 23, 2020, at 8:00 pm. via Zoom. Council will hold this closed meeting in accordance with the General Provisions Article 3-305(b)(1) of the Annotated Code of the Public General Laws of Maryland to discuss a personnel matter – City Manager compensation.

Closed Session: A Closed Session has been requested by Council to discuss a personnel matter – City Manager evaluation process. It is recommended this meeting be scheduled for Monday, January 4, 2021, at 7:30 pm. via Zoom.

The following motion is required to schedule the Closed Session: I move that Council schedule a Closed Session on Monday, January 4, 2021, at 7:30 pm. via Zoom. Council will hold this closed meeting in accordance with the General Provisions Article 3-305(b)(1) of the Annotated Code of the Public General Laws of Maryland to discuss a personnel matter – City Manager evaluation process.

Attachments:

CITY OF GREENBELT, MARYLAND
25 Crescent Road, Greenbelt, MD 20770-1891

12/11/2020 12:45 PM



**City Council Meetings & Work Sessions
December**

Hanukkah	Fri. – Fri.	12/11 -12/18	
Regular Meeting	Mon.	12/14	8:00 pm
Work Session – Franklin Park at Greenbelt Station, (stakeholder), (Virtual)	Wed.	12/16	7:00 pm
Work Session – Public Education on Collective Bargaining Process, (tentatively), (Virtual)	Mon.	12/21	8:00 pm
Special Meeting/Closed Session – (City Manager compensation), (Virtual)	Wed.	12/23	8:00 pm
Christmas Eve	Thurs.	12/24	
Christmas	Fri.	12/25	
Kwanzaa	Sat. – Fri.	12/26-01/01	
Work Session – Budget Update and Maglev Strategy Update, (Virtual)	Mon.	12/28	8:00 pm
Work Session – TBD	Wed.	12/30	8:00 pm
New Year's Eve	Thurs	12/31	

- Councilmembers will present reports on conferences, meetings and events as the last item of business at Monday Work Sessions.

This schedule is subject to change. For confirmation, call 301-474-8000. Regular and Special meetings and Work Sessions are open to the public. If special accommodations are required for any disabled person, please call 301-474-8000 or 301-474-3870 no later than 10 a.m. on the meeting day. Deaf individuals are advised to use MD RELAY at 711 or e-mail banderson@greenbeltmd.gov to reach the City Clerk. Due to the COVID-19 precautions, the Council Meetings will be held online and is planned to be cablecast on Verizon 21, Comcast 71, and 996 and streamed to www.greenbeltmd.gov/municipaltv. Unless otherwise noted, Council meetings will be virtually by zoom. Zoom meeting information for public participation is posted on the City's website at www.greenbeltmd.gov on the meetings calendar.

Bonita Anderson, City Clerk

A NATIONAL HISTORIC LANDMARK

(301) 474-8000

fax (301) 441-8248
www.greenbeltmd.gov

MD RELAY 711

CITY OF GREENBELT, MARYLAND

25 Crescent Road, Greenbelt, MD 20770-1891

12/11/2020 12:45 PM

Ready to be scheduled:

BARC/BEP Meeting (*include: Beltsville & Vansville Associations, FAR-B, Congressman Hoyer, etc.*)

MARC Train Service/ MDOT

NCOZ/Arts & Entertainment District

Potential Bond Referendum/Capital Financing Cemetery Plans

Forest Preserve/Community Gardens (Jan. 4, 21)

WSSC

Pepco

University of Maryland (*UMD President is scheduled to attend the Four Cities Meeting in College Park*)

Bernard Penney (*Memorial Donation in honor of Leonie Penney*)

Greenbelt Fair and Just Policing Act of 2020 Juneteenth

Parke Crescent Apartment Complex

MNCPPC (*to discuss zoning*)

Budget Updates (*Dec. 28.*)

Department of Public Works and Transportation (*Bikeshare*)

SCMaglev

Comcast (*Jan. 6, 21*)

For later scheduling:

Zoning Enforcement

Parkway Apartment Owners/GHI (*parking*)

Northway Fields Master Plan

City Manager Updates (Jan, Pre-budget; July & Sept/Oct)

Meeting with County on Transportation Plan Hotels

Department of Permitting, Inspections & Enforcement (DPIE)

Museum Plan

Apartments

City Council Agenda Item Report

Meeting Date: December 14, 2020

Submitted by: Bonita Anderson

Submitting Department: Administration

Item Type: MEETINGS

Agenda Section: MEETINGS

Subject:

Stakeholders

Suggested Action:

Attachments:

[Stakeholder Schedule.pdf](#)

Annual														
Advisory Group Chairs	3/16	2/17	7/18	7/19	6/20									
Franklin Park at Greenbelt Station Mgmt.	8/16	11/17	12/18	12/19										
Greenbelt East Advisory Coalition	3/16	7/17	3/19	6/20										
Greenbelt Homes, Inc.	6/16	7/17	7/18	7/19	10/20									
Greenbelt Station	8/19	12/19	8/20											
County Executive/ County Council	12/13	9/16	1/19	8/20	11/20									
Biennial														
Roosevelt Center Merchants	11/16	1/18	1/20											
Beltsville Ag. Research Center/ NPS Greenbelt Park	03/14	7/16	8/18											
	7/15	1/18	1/20											
Beltway Plaza	9/14	3/17	9/20											
Greenway Center	7/14	12/16	2/19	12/20										
Civic Associations	8/14	2/18	8/20											
NASA/GSFC	3/15	3/17	9/19	11/20										
PG Co. Economic Development Corp.	8/14	4/17	7/19											
School Board	2/16	5/17	10/18	3/19	9/20									
State Highway Administration	6/15	10/17	11/20											
Every Three Years														
Apartments	2/18													
Religious/Spiritual Organizations	3/13	6/15	6/19											
Greenbelt Watershed Groups	8/14	10/16	10/19											
Hotels														
University of Maryland	3/13	4/15												
Every Three Years or Major Issue														
Comcast	9/13	11/17												
Verizon	2/20													
PEPCO	9/14	1/17												
WSSC	12/12	9/16												
WGL	12/17													
Capital Office Park	12/12	1/16	9/19											
Other Business Parks:														
Maryland Trade Center														
Golden Triangle														
Hanover Parkway														
Belle Point														
Edmonston Road														
WMATA/PGDPW&T (Semi-Annual)	11/16	9/17	11/18	1/20										

Other/As Needed														
M-NCPPC/Planning Board (Major Issue)	6/06	7/14	10/19											
Business Coffee (Every Four Months)	10/17	2/18	8/18	11/18	2/19	5/19	8/19	12/19	3/20	8/20	11/20			
State's Attorney (4 years)	2/11	4/15	9/19											
Roosevelt Center Owner	9/15	8/20												

(Rev. November 5, 2020)