

September 8, 2024

Dear Members of the Ways and Means Committee,

I'm writing to express strong opposition to Bills 24-0562, 24-0563, 24-0564, 24-0565 and 24-0566. The passage of these bills will mean that the City Council is approving the illegal sale of land to further the unlawful B&P Tunnel Replacement Program, also known as the Frederick Douglass Replacement Program by the National Railroad Passenger Corporation ("Amtrak").

While infrastructure investments are critical, this project, as currently designed, raises serious economic, legal, and environmental concerns that disproportionately harm Baltimore's Black community and endanger the wellbeing of its residents. Specifically, the project will create devastating consequences for the predominantly Black community of Reservoir Hill, an area that has made considerable strides in revitalization.

The construction of this tunnel has already resulted in the unlawful destruction of historic property in Reservoir Hill while undermining the community's historic homes. Residents have poured time, money, and resources into restoring the neighborhood, only for it to face potential demolition and long-term damage. Additionally, the failure to incorporate local stakeholders into a more equitable, community-oriented partnership strips this project of the financial and social benefits it could generate for Baltimore's historically marginalized communities. Instead of providing an economic uplift to the community, the project threatens to create long-term instability, reduce property values, and displace many of the very residents who have worked tirelessly to rejuvenate the area.

The decision to route the tunnel through Reservoir Hill and adjacent communities, all while selecting predominantly Black neighborhoods over wealthier and predominantly White ones like Bolton Hill, appears to violate federal civil rights protections. This raises significant legal concerns under Title VI of the Civil Rights Act, which prohibits recipients of federal funding from engaging in racially discriminatory practices. By choosing to subject a predominantly Black neighborhood to structural damage, noise pollution, and the health risks associated with air emissions, the project perpetuates the legacy of infrastructure projects that disproportionately harm Black communities.

Residents have already filed a civil rights complaint with the U.S. Department of Transportation (DOT) over the disparate harm this tunnel project will cause to Reservoir Hill's Black population. Amtrak had alternatives, including less harmful and discriminatory options, but instead chose to proceed with a plan that will disrupt the neighborhood's progress and stability.

Further, Amtrak has not fulfilled their obligations to Section 106 and Section 110 of the National Historic Preservation Act of 1966. Thus, selling land to Amtrak before they have fulfilled their obligations is not only waving the rights of citizens and the city to preserve the historic character

of our communities, but also failing to protect one of the oldest buildings along the alignment, which is also city owned, 2001 Park Avenue.

The environmental hazards posed by the ventilation facility near the Dorothy I. Height Elementary School are alarming. Though Amtrak claims that the facility's emissions will meet national air quality standards, the high rates of asthma and respiratory issues among Black children in Baltimore, who already suffer from severe health disparities, render this project even more harmful. The planned placement of a ventilation facility, which will release rail emissions into the community and threaten the air quality near the school, is unacceptable. It will further expose children to harmful pollutants, exacerbating already dire public health concerns.

Throughout this process, Amtrak has failed to adequately engage with the community. While the company has held public meetings, residents have voiced frustration over a lack of transparency, evasive answers, and lack of coordination for emergency planning. This neglect of community concerns exacerbates mistrust and reinforces the spirit that Amtrak is prioritizing its own interests over the well-being of the neighborhood.

Given these economic, legal, and environmental concerns, I urge the Baltimore City Council to halt or alter the Amtrak tunnel project through disallowing use or transfer of publicly held land until meaningful negotiations with Reservoir Hill residents, local stakeholders, and community leaders can take place. This project, as it stands, will have disproportionately negative impacts on Black residents in Baltimore, further entrenching systemic inequalities that have long plagued the city. The Council has the opportunity to support its residents by advocating for fair, transparent, and just infrastructure development, and I urge the Council to take that stand.

Sincerely,

Darnell Shaffer

Reservoir Hill Resident