

The Honorable Martin O Malley,
Governor
The State House
Annapolis, Maryland 21403

March 2007

Dear Governor O Malley,

The State of Maryland faces many opportunities and challenges. We respect the need to maintain a sharp sense of what is best for the people of our great State and be prepared to make difficult choices on their behalf. Among the critical challenges that we face is the need to provide a comprehensive, long-term, state-wide transportation plan. While determining the order of priorities to design and implement such a plan, we are acutely aware of the current and forecasted state deficit.

There are numerous projects at some stage of planning or design that provide clear solutions to mobility and access needs, but remain unfunded. Yet *one* project that will offer extremely limited or questionable benefits to very few people in a relatively small geographical area, the Intercounty Connector (ICC), *is* funded. The huge, debt-generating plan for this highway, dependant on an expanding toll network, is cause for great concern. This is the reason we write to you today.

We are now in a new era. You have brought us a new and fresh Administration, though we are saddled with a structural debt that next year could reach \$1.3B. As a result of BRAC, we will shortly be welcoming substantial growth in and around two major defense installations, Ft. Meade and Aberdeen, whose collective infrastructure needs alone may easily reach \$6B in numerous projects that have not yet fully been planned, accounted, or (most notably) funded.

Additionally, Baltimore City's Red Line, MARC improvements, Montgomery-Prince George's Purple Line and the Corridor Cities Transitway, METRO long-term funding, rail on the Woodrow Wilson Bridge, help for the Port, and innumerable Eastern and Western Shore highway and transit priorities are crucial components of the State's transportation system. Operation and maintenance needs are expanding, not contracting.

One example is the Bay Bridge, which continues to deteriorate, though revenue from this and all other toll facilities in the State is to be diverted to support the debt service on the Maryland Transportation Authority's ICC-related debt!

According to the Department of Legislative Services, the State will be at about 93 percent of its debt financing capacity if GARVEE and toll revenue bonds are issued to finance the ICC. According to DLS, as the state gets closer to the debt limit, we become less able to meet capital needs, with volatility in personal income estimates forcing the State to choose between eliminating previously planned capital projects .or loosening decades-old fiscal standards and jeopardizing the AAA bond rating. ”

Regardless of where we stand on the ICC as a project to be evaluated in the future, we believe it is not fiscally possible, or responsible, to say that we can undertake all the crucial transportation projects and programs that are needed now, in the face of limited state and federal budgets. With this letter, we are requesting that, at the very least, the State take a breather on the ICC, until you and we have undertaken a detailed review of and discussion about all our transportation priorities, their timing, costs, and financing.

The timing is precisely right for this time-out. In addition to the rather stark and previously unheralded budget challenges that we currently face, the State now also confronts at least two major federal lawsuits over the ICC which will take some time to move through the courts.

Specifically, we ask that you suspend all activities aimed at acquiring property for the ICC, withdraw State lawsuits aimed at taking homes and real property through eminent domain, postpone the issuance of any debt for the ICC, defer any ICC-related transfers from the Transportation Trust Fund to the Maryland Transportation Authority, and refrain from issuing design or construction contracts.

At the same time, we hope you will engage in discussions with us about these matters as soon as possible, before the State takes any more steps that would be very costly to retrace or retract. The ICC is a highway whose cost may be just too high in light of other urgent State transportation and fiscal priorities.

Sincerely,

Senator PAUL G. PINSKY

Democrat, District 22, Prince George & County

Senator GWENDOLYN T. BRITT

Democrat, District 47, Prince George & County

Senator BRIAN E. FROSH

Democrat, District 16, Montgomery County

Senator JAMIN B. (JAMIE) RASKIN

Democrat, District 20, Montgomery County

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Democrat, District 42, Baltimore County

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Delegate ANNE HEALEY

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Delegate MARVIN E. HOLMES, JR.

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Delegate JAMES W. HUBBARD

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Delegate JOLENE IVEY

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Delegate VICTOR R. RAMIREZ

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Delegate ANA SOL GUTIERREZ

Democrat, District 18, Montgomery County

Delegate HENRY B. (HANK) HELLER

Democrat, District 19, Montgomery County

Delegate TOM HUCKER

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Delegate KAREN S. MONTGOMERY

Democrat, District 14, Montgomery County

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Delegate DAN K. MORHAIM

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Delegate JON S. CARDIN

Democrat, District 11, Baltimore County

Delegate TODD L. SCHULER

Democrat, District 8, Baltimore County

Delegate MELVIN L. STUKES

Democrat, District 44, Baltimore City

Delegate JILL P. CARTER

Democrat, District 41, Baltimore City

Delegate BRIAN K. McHALE

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Delegate FRANK S. TURNER

Democrat, District 13, Howard County