



Annapolis Office  
191 Main Street  
Annapolis, MD 21401  
(410) 267-9200

Baltimore Office  
6 South Gay Street  
Baltimore, MD 21202  
(443) 759-8360

Washington, D.C. Office  
1212 New York Ave, NW Suite 700  
Washington, D.C. 20005  
(202) 499-7933

October 19, 2023

Ms. Danielle Spendiff, Chief  
Maryland Department of Environment  
Regulatory and Customer Service Division

Re: Agency Interest Number: 170244  
Tracking Number: 202061983  
Water Quality Certification Number: 23-WQC-0007

Dear Ms. Spendiff:

Baltimore-Washington Rapid Rail (BWRR) is in receipt of the Maryland Department of Environment's (MDE) September 8, 2023 comment letter addressing BWRR's Water Quality Certification (WQC) request submitted on February 7, 2023 for a dedicated alignment and structures associated with a high-speed superconducting magnetic levitation (SCMAGLEV) transportation system between Washington, DC and Baltimore, MD. BWRR has reviewed the comments, and appreciated the opportunity to discuss these comments during a September 29, 2023 meeting (virtual) with MDE. Based on review and discussions, the following outlines BWRR's proposed approach, commitment, and schedule for addressing the comments in close coordination and collaboration with MDE.

MDE provided ten specific comments, eight of which fall under the theme of *Compliance with Water Quality Criteria and Designated Uses* and two under *Tier II Review*. MDE also referenced the EJ Screening Tool, which will be reviewed and considered in assessing disproportionate construction or operational impacts. BWRR is committed to working collaboratively with MDE towards addressing comments to demonstrate our commitment to meeting Maryland's water quality standards for this Project. Per MDE's September 8, 2023 letter, MDE requested responses to comments by November 2, 2023; however, MDE granted BWRR an extension of approximately 30 days, until December 4, 2023. Prior to submittal of a final compiled response package on December 4, 2023, and as discussed with MDE, BWRR appreciates MDE's willingness to work with BWRR's team at interim points prior to December 4<sup>th</sup> to discuss and review BWRR's analyses, findings and status of responses, and obtain MDE interim and interactive feedback towards satisfactorily addressing comments. In order to meet the schedule, BWRR anticipates requesting MDE's feedback through in-person or virtual meetings, email/phone correspondence and review of interim draft response-related materials to include, but not limited to, draft written responses, supplemental or revised memos/exhibits/graphics, standard specifications to better clarify construction and operational processes and other similar information or materials.

BWRR will approach addressing each of the comments based on discussions held during the September 29, 2023 meeting/call. BWRR will address each of the comments based on the current level of design, available data and information supplemented by additional analyses, studies, and preparation of new or revised WQC exhibits that can be accomplished within the response timeframe requirement. Additionally, BWRR will strive to address each comment as thoroughly as possible based on the current level of design with the understanding that some



comments cannot be fully addressed until coordination and input with the community, regulatory and resource agencies and other stakeholders has been further advanced. More detail relating to some of these comments will also occur later during advanced NEPA phases (FEIS/ROD), Joint Permit Application phase, and as the design advances.

BWRR appreciates MDE's time and willingness to work with us to successfully complete the Certification process, and we look forward to continued coordination related to the WQC request. I will be in touch as BWRR's efforts towards responding to the comments received have advanced to a point for the need to reengage with MDE towards responding to comments within the required schedule.

Sincerely,

*Neb Sertsu*

Neb Sertsu  
Director of Project Development

Cc:

Pam McNicholas, WSP  
Larry Pesesky, WSP

