



## **MEMORANDUM**

**TO:** Transportation Planning Board  
**FROM:** Lyn Erickson, Plan Development and Coordination Program Director  
**SUBJECT:** Public Comment for the January 2024 TPB Meeting  
**DATE:** January 17, 2024

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The Transportation Planning Board accepts public comment on a rolling basis. Comments can be submitted via email ([tpbcomment@mwkog.org](mailto:tpbcomment@mwkog.org)), online ([mwkog.org/tpbcomment](http://mwkog.org/tpbcomment)), mail, and phone. Comments are collected until noon on the Tuesday before the TPB meeting. These comments are compiled and shared with the board at the meeting the following day.

Between noon at Tuesday, December 19 and noon on Tuesday, January 16, 2023, the TPB received one comment submitted via email, and one person signed up to provide comments in person.

The comments are summarized below. All full comments are attached to this memo.

## **PUBLIC COMMENT**

### **Tad Aburn – Comments and Letters via Email – January 16, 2024**

Tad Aburn, a member of a DC Environmental Justice Coalition, directed his comments to the newly elected TPB leadership. He submitted comments on behalf of that coalition requesting that the new Chairs respond to his comments where he stated that Transportation Related Air Pollution hot-spots in environmental justice communities of color are being created across the DC region by TPB transportation plans and projects. He states that national experts on this issue have called the air pollution levels in some DC EJ communities “alarming”. He is concerned and states that this critical issue is being ignored. He also provides supplemental information on land use and zoning, federal approvals, and additional scientific research.


## Item 1 Virtual Comment Opportunity

George Aburn <tadaburn@gmail.com>

Tue 1/16/2024 8:17 AM

To:TPBcomment <tpbcomment@mwcog.org>;chenderson@dccouncil.gov <chenderson@dccouncil.gov>;callen@dccouncil.gov <callen@dccouncil.gov>;Lyn Erickson <lerickson@mwcog.org>

Cc:Ortiz.adam@epa.gov <Ortiz.adam@epa.gov>;Fernandez.Cristina@epa.gov <fernandez.cristina@epa.gov>;Janet Phoenix <jphoenix@gwu.edu>;Sacoby Wilson <swilson2@umd.edu>;Vivek Ravichandran <vravicha@terpmail.umd.edu>;Parisa Norouzi <parisa@empowerdc.org>;Tene Lewis <MzTLewis616@gmail.com>;William Washburn <william.washburn1@comcast.net>; Jeffrey King <jking@mwcog.org>;tedernoga@co.pg.md.us <tedernoga@co.pg.md.us>; councilmember.mink@montgomerycountymd.gov <councilmember.mink@montgomerycountymd.gov>;Darden, Wesley <Wesley.Darden@montgomerycountymd.gov>

 2 attachments (155 KB)

TPB 01172024 Final Written TPB and rd Comment Tad w DC EJC.pdf; TPB Letter 01172024 Final Supplemts 117 virtual comments.pdf;

Lyn - Please register me to provide virtual comments during the January 17, 2024 TPB meeting. I will not be attending the meeting to provide in-person comments.

My comments are attached.

If you could please confirm receipt, and provide a response consistent with the TPB Public Participation Plan and guidance, it would be greatly appreciated.

I have also attached a letter for your 1/17/24 TPB meeting materials that provides supplemental information.

Thanks again for your help.

Tad Aburn

(443) 829-3652

Comments for the January 17, 2024 TPB Meeting

Tad Aburn<sup>1</sup>

DC Environmental Justice (EJ) Coalition

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Madame Chair, Mr. Chairman, TPB members ... thank you for the opportunity to provide virtual public comment today.

Could you please use the language below (Bold Italics) in the MWCOG staff summary of my comments:

***“My comments today are specifically addressed to the newly elected Chairs of TPB and the MWCOG Board ... the Honorable Chrstitina Henderson and Charles Allen. I am submitting these comments on behalf of leadership at the DC Environmental Justice (EJ) Coalition including Dr. Janet A. Phoenix, MD, MPH, Chair, DC Asthma Coalition, Dr. Sacoby Wilson, University of Maryland Center for Community Engagement, Environmental Justice and Health, Parisa Norouzi, Executive Director, Empower DC, Tene Lewis, Lead Volunteer, Campaign to Reduce Lead Exposure and Asthma, William Washburn, Climate Justice Chair, Washington DC Branch, NAACP and myself. We congratulate you on your election and look forward to your leadership.*”**

***Our comment today is very simple. We respectfully request that the new Chairs respond to our numerous earlier comments on Transportation Related Air Pollution or “TRAP” ... specifically ... the now well documented problem of high-risk air pollution hot-spots being created in environmental justice communities of color across the DC region by TPB transportation plans and projects. As you know, in briefings to MWCOG, recognized national experts on this issue have called the air pollution levels in some DC EJ communities “alarming”.*”**

***We are very concerned that TPB, TPB Tech and TPB CAC are, for reasons that are not clear to us, ignoring this critical issue”***

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<sup>1</sup> As background, my name is Tad Aburn. I have submitted comments at every TPB meeting since November of 2022. I am retired, was a Maryland resident for 68 years and I am now doing volunteer work for overburdened communities in Prince George’s County and the District of Columbia. I am also a member of the DC EJ Coalition. In 2022, I was the Chair of MWAQC TAC. I was an MWAQC member for over 10 years. For almost 20 years I was the Director of the air pollution program in Maryland. I worked for MDE for 40 years.

I have also submitted a short letter to TPB and the MWCOG Board to supplement these comments as the virtual comments allowed by TPB must be less than 375 words.

Thank you again for providing the opportunity to provide public comment. We would be happy to discuss our concerns with you.

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January 17, 2023

Christina Henderson, Chair, MWCOG Transportation Planning Board (TPB)  
Charles Allen, Chair, MWCOG Board  
Members, MWCOG TPB  
777 North Capitol St. N.E.  
Suite 300  
Washington, DC 20002

RE: Transportation Related Air Pollution

Chair Henderson, Chairman Allen, TPB members:

This is the “supplemental information” letter mentioned in my virtual public comments for the January 17, 2024 TPB meeting.

My comments for that meeting are below:

*Madame Chair, Mr. Chairman, TPB members ... thank you for the opportunity to provide virtual public comment today.*

*My comments today are specifically addressed to the newly elected Chairs of TPB and the MWCOG Board ... the Honorable Chrstitina Henderson and Charles Allen. I am submitting these comments on behalf of leadership at the DC Environmental Justice (EJ) Coalition including Dr. Janet A. Phoenix, MD, MPH, Chair, DC Asthma Coalition, Dr. Sacoby Wilson, University of Maryland Center for Community Engagement, Environmental Justice and Health, Parisa Norouzi, Executive Director, Empower DC, Tene Lewis, Lead Volunteer, Campaign to Reduce Lead Exposure and Asthma, William Washburn, Climate Justice Chair, Washington DC Branch, NAACP and myself. We congratulate you on your election and look forward to your leadership.*

*Our comment today is very simple. We respectfully request that the new Chairs respond to our numerous earlier comments on Transportation Related Air Pollution or “TRAP” ... specifically ... the now well documented problem of*

*high-risk air pollution hot-spots being created in environmental justice communities of color across the DC region by TPB transportation plans and projects. As you know, in briefings to MWCOG, recognized national experts on this issue have called the air pollution levels in some DC EJ communities “alarming”.*

*We are very concerned that TPB, TPB Tech and TPB CAC are, for reasons that are not clear to us, ignoring this critical issue*

*I have also submitted a short letter to TPB and the MWCOG Board to supplement these comments as the virtual comments allowed by TPB must be less than 375 words.*

*Thank you again for providing the opportunity for public comment. We would be happy to discuss our concerns with you*

The supplemental Information and input I wanted to provide is below:

### **Federal Approval and Funding**

- Federal rules and guidance are rapidly changing to ensure that EJ is addressed in all federally approved plans and for any state or local transportation projects that use federal funding. TPB should address the issue of TRAP and air pollution hot-spots in EJ communities from transportation plans and projects to ensure that future transportation plans, economic development and the general prosperity of the region are not put in jeopardy.

### **Land-Use and Zoning**

- We recognize that this issue is difficult and links to local and regional land-use and zoning policies. Unfortunately, these well intended, but very old policies are now clearly one of the main drivers of air pollution hot-spots in EJ communities driven primarily by TRAP. Although never intended, these policies are now a classic example of institutionalized systemic environmental racism. We urge TPB to begin to modernize these policies as is being done in other areas like California.

## **The Data, Research and Science Behind Air Quality Hot-Spots in EJ Communities**

- There is now a huge amount of data, research and analysis available on the air pollution and EJ hot-spots issue. Much of this work is included in peer reviewed academic papers. It is not clear why TPB Tech is not looking at this information. We encourage TPB and TPB Tech to do a comprehensive review of all of the information that is available on this issue. We would be happy to work with TPB Tech.

### **Civil Rights Concerns**

- The Initial Title VI (civil rights) complaint that was submitted in June of 2023 is still being revised based upon the input received from MWCOG staff. Because of the Environmental Protection Agencies delay in reviewing the amendment to the MWCOG clean air plan because of public comment on the EJ and air quality hot-spot issue and the legality of the proposed transportation conformity budgets, the Title VI complaint has been slowed down as the federal responses to the issues being raised in the comments on the clean air plan are critical to the updated Title VI complaint.

Earlier comments from the DC EJ Coalition are attached.

Thank you again for allowing public input.

Respectfully,

*Tad Aburn.*

Tad Aburn  
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(443) 829-3652

# **ATTACHMENT 1 - Comments for September 20, 2023 TPB Meeting from Dr. Janet Phoenix, Director Parisa Norouzi, Dr. Sacoby Wilson**

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Dr. Janet Phoenix, Parisa Norouzi, Dr. Sacoby Wilson  
TPB Meeting - September 20, 2023

## **Comments on Transportation Driven Environmental Justice Problems in the Metropolitan Washington Area**

We are commenting today as individuals, but we are also active members of the MidAtlantic Justice Coalition and very concerned about environmental justice in the metropolitan Washington area. We work with many environmental justice communities throughout the region including the Ivy City and Brentwood communities in the District and the Cheverly/Fairmount Heights/Seat Pleasant communities in Prince George's County.

We are very concerned over TPBs failure to address environmental justice.

We have been tracking the efforts by Tad Aburn pushing the Metropolitan Washington Council of Governments and its members to address the issue of high risk air pollution hotspots ... driven by transportation planning and projects ... in environmental justice communities across the Washington region. Many of these communities are communities of color.

As Mr. Aburn's earlier comments show that the data and research now clearly demonstrate that this problem is real and creates very high, inequitable health risks in environmental justice communities of color. During a briefing to the COG air quality committee, Dr. Russ Dickerson, an air pollution expert from the University of Maryland called the air pollution in the hotspot around the Ivy City environmental justice area ... "ALARMING".

We support Mr. Aburn's efforts and urge you to take action. We are now working collaboratively with Mr. Aburn on several projects.

We are also planning to submit comments to the Metropolitan Washington Air Quality Committee (MWAQC) and the Climate, Energy and Environment Committee (CEEPC) for their meetings on the 27th. These comments will be more specific and identify several other key environmental justice policy issues that we are working on.

Thank you for allowing public comment.