September 19, 2016

Mr. John F. Wilson
Associate Director, Stewardship & Trails Manager
Department of Natural Resources
Operations
Tawes State Office Building E4
580 Taylor Ave
Annapolis, MD 21401-2397

Mr. Wilson,

This is a request under the Maryland Public Information Act, General Provisions Article (GP)§ 4-101*et seq.* of the Annotated Code of Maryland.

This request is for the actual documentation used to formulate the answers to the questions that were submitted on the Department of Transportation Grant Application for the funding of the Bike/Pedestrian Trail, located 100% on DNR property, along North Point Road between the North Point State Park and the Fort Howard Veterans Park. After reading your answers to the questions, and finding factual inaccuracies, it is necessary to request the following additional information.

The 2012 Concept Plan booklet appears to be the source document that MDOT used to verify and validate the accuracy of the information that led to the approval of the grant. The fact is that the entire trail in the 2012 Concept Plan brochure is 100% on DNR Park property, and in no way facilitates any current or future public transportation purposes, because it serves solely as a recreation trail since it is only opened to the public during park hours. It does not accommodate public transportation to any of the claimed places. At a public meeting held in February 2015, when Mr. Carr and you were asked the purpose of the trail; the response was to provide parking for "Todd's Inheritance". To provide parking was not found as an answer to any question in the application, and is not a purpose that is included as a qualification in the guidance of this transportation grant. Most of the questions asked that evening have been ignored and gone without legitimate response.

There is a major safety issue on this stretch of North Point Road. Just feet away from the first planned crossing is a "Cross" memorializing three young men that were killed in an automobile accident in 1991? Besides other accidents throughout the years, on Mother's Day this year alone, there were two accidents along this stretch of road, taking out 2 telephone poles on the side of the road. In one of those accidents, the car went through the fence at "Todd's Inheritance" landing on its roof in the back yard. This is not a safe road.

Other than the factual documentation used to formulate the answers to the grant application questions, I am also requesting the following:

A. Copies of the Baltimore County Traffic Planning giving permission to put in two road crossings.

B. A copy of the traffic study used to formulate the decision.
C. A copy of the safety study that was used to formulate the decision.
D. Was there a recommendation for the crossings to be illuminated? .

Please respond and supply requested documentation and proof for the following application questions:

1.2 This Bike Trail is not within a Sustainable Community, but 100% in a State Park, and nowhere near a town, therefore: **(Keep in mind that there is no transportation or connection available when the park is closed)**

A. Name the Sustainable Community in which the Bike access is improved. **(The definition of sustainable community is at the end of this request).**
B. Name the major institution (University or Major Hospital) whose access is being enhanced by this bike trail.
C. Name the Central Business District that is enhanced by bicycle circulation. **(Keep in mind that there is no transportation or connection available when the park is closed)**
D. Since this is 100% on DNR property, and is part of the North Point State Park, explain how access to any of the above is enhanced when the park is closed?

1.3 The scale map of the project area was missing therefore it is impossible to determine what was submitted as documentation for this question. Please provide a copy of the map that was submitted with the application showing the project location and extents, the existing bicycle facilities within the project area, and the key destinations (e.g. transit stations, schools, libraries, major employers, shopping, etc.). **(Keep in mind that the entire trail is 100% on DNR park property and does not facilitate public transportation when the park is closed).**

1.4 Provide the proof and documentation that Baltimore County will be providing bathroom facilities at the Fort Howard Veterans Park. Provide the proof and documentation that the streetscape sidewalk connection actually exists between Sparrows Point Road and North Point State Park, which connects the Community of Edgemere to the North Point State Park.

1.5 Explain how Governor O'Malley figures into this Grant. He is not in office. Since Edgemere is 3-4 miles north of Todd's Farm and Fort Howard, explain and document how this trail will link the three communities, especially when the park is closed. The only identifiable farm field at the location is a fully functional field which is currently being used by a farmer to produce a product for the market. Identify the location of the old farm field.

1.8 Fort Howard Park is not a State Park; it is a Baltimore County Park. Document and prove the DNR participation in any trail at Fort Howard Park.

1.10 Provide proof and documentation of Baltimore County DPW approval for the two road crossings that will cross the County Road System. Provide a copy of the safety study and traffic study and crossing plan provided by Baltimore County which allows for the approval of this bike trail.

2.1 List the public and private facilities referenced in the response to this question. This trail is 100% on DNR Park property and is located 3 miles from Edgemere with no other public bike trail connections. Identify the connection route to all of these private facilities that will be available for use when the park is closed.

2.1. Since the communities of Fort Howard, Todd's Farm and Penwood Terrace have no sidewalks or shoulders on their roads, identify exactly where the referenced safe off-street walkways exist? What source documents did you use to prove or verify the response to this application question?

2.2 It is a known fact that there is no connection at all to Edgemere, the Shopping Center, the Senior Center, Schools, or Daycare, so list in detail the documentation used to verify and prove the connectivity of the 5 locations listed in this response. Explain and identify how these connections will be available when the park is closed?

2.3 Since there is no known existing bike trail along the Star Spangled Banner National Historic Trail, The Patapsco River Neck Trail, or the North Point Heritage Greenway Trail, in the North Point Peninsula area, identify the location of the existing bike trails to which this trail connects, how far they are from this trail, and the location of the connections that will be made. Document how this will facilitate public transportation to any of these trails especially when the park is closed.

2.4 This is a major safety issue since North Point Road is the main and only access road to the Todd's Farm and Fort Howard Communities. Just feet away from the first planned trail crossing is a "Cross" memorializing three young men that were killed in an automobile accident? On Mother's Day this year alone, there were two accidents along this stretch of road, taking out 2 telephone poles on the side of the road. In one of these accidents, the car went through the fence at Todd's Inheritance landing on its roof in the back yard. List the reasons for drawing the conclusion, and document the sources used that led you to determine this road is safe for Children and Casual Cyclists. Document and identify what road or connection will be used by cyclists when the park is closed? What steps will be taken to ensure the safety of this trail segment at night? Will the crossings be illuminated at night after the park is closed? Will the entire Park Trail be opened after park hours to accommodate the connection for public transportation?

3.1 Most of the residents in Fort Howard have no recollection of the survey referenced in this answer. There are approximately 10,000 residents in 12-13 individually identifiable communities on the entire North Point Peninsula. Provide the date of the said survey, and the number of responses both for and against this trail, sorted by community. This schematic and its backup should be readily available without having to reinvent the wheel. Provide these statistics.

3.2 Provide documentation supporting the approval of this trail segment (the Haul Road) by "The Nature Conservancy" as required by the deed, for the sensitive area of Black Marsh and the surrounding buffer area (schedule A & B)of the deed dated December 15, 1987. Identify the referenced water trails, schools, businesses and government facilities to which this trail connects.

Identify the connection route to these facilities after the park closes. Identify the connection route to the VA Property and provide a copy of the developer's and the Veterans Administration approval for this trail to continue through this proposed private gated community development.

3.3 The streetscape referenced, runs only on one side of North Point Road through Edgemere. It starts across the street from the Senior Center, which affords no safe visibility for traffic entering Edgemere from North Point Blvd, to the intersection of North Point Road and Sparrows Point Road. The fact is that there is no streetscape (sidewalks) at all from Sparrows Point Road to Lodge Forest Drive as indicated in the answer to this question on the application. Provide how it was that you answered this question indicating that a streetscape on North point road was completed from the Senior Center to Lodge Forest Drive when in fact it has not been completed.

3.4 A previous MDOT FOIA visit did not clearly define or detail the required matching funds. It is vague what the matching funds are and from where they come. The Todd's Inheritance is a Private Non-Profit Organization and is not governed by the MD COMAR regulations; therefore expenditures from their organization do not qualify as DNR matching funds. Provide a list of the DNR matching funds that have been expended, or are to be expended, which will qualify as matching funds. Provide the State of Maryland standards and policy under which these matching funds are governed and regulated.

Under "Project Cost for Landscaping", it is unclear as to when the delineation of the trees occurred. The Ranger in fact sprayed vegetation killer without adherence to COMAR regulation 15.05.01.12 J & K. Provide the documents recording the date and delineation of the trees.

If all or any part of this request is denied, I request that I be provided with a written statement of the grounds for the denial. If you determine that some portions of the requested records are exempt from disclosure, please provide me with the portions that can be disclosed.

At this time I would like to request a waiver of the costs associated with this request as this request is not for commercial purposes. I am a private citizen exercising my democratic rights. This request is being made to help determine the overall effect on the safety and quality of life in my community. Should you choose to deny this waiver of cost request, please advise me as to the cost, if any, for inspecting the records described above. Copies will not be necessary because I have a personal scanner, and I will want review and scan some or all of the records requested in your offices.

Please let me know when the requested documents will be available for my review. I will be looking forward to a decision about all of the requested records within 30 days. Thank you for your cooperation. If you have any questions regarding this request, please telephone me at 410-477-2040.

Respectfully,

Kathleen M. Labuda
9202 Howard Ave.
PO Box 156
Fort Howard, MD 21052

CC: Eugene Deems, PIA Coordinator

The term "**sustainable communities**" has various definitions, but in essence refers to **communities** planned, built, or modified to promote **sustainable** living. **Sustainable communities** tend to focus on environmental and economic **sustainability**, urban infrastructure, social equity, and municipal government.