



FRIENDS OF
Gwynns Falls/Leakin Park

1920 Eagle Drive, Baltimore, MD 21207
www.friendsofgwynnsfallsleakinpark.org

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February 27, 2019

Dear Members and Supporters,

The City of Baltimore has allowed BGE/Exelon to build a 2 mile natural gas pipeline through the heart of Gwynns Falls/Leakin Park. This pipeline has taken over 12 acres of previously forested parkland and turned it into a grassy clear-cut that will remain so for the life of the pipeline, at least 70 years.

Everyone involved agrees the pipeline is a tremendous loss to the park, once recognized as the 2nd largest urban wilderness in the United States. As the City's own Recreation and Parks Department noted in an Internet posting about the pipeline's impact on the park, "As Gwynns Falls Leakin Park is bisected with a permanent 50' corridor clearing, precise environmental impacts are uncertain, though a decline of overall forest health should be anticipated."

We need your help *now* to ensure that the City gets properly compensated for this loss of public parkland.

When parkland is taken for use as something other than parkland by another organization it is necessary for the City to pass a law known as a Franchise Ordinance. This legislation describes the terms of the use and requires a fee be paid to the City for the land's use.

The Friends of Gwynns Falls Leakin Park ('FOGFLP') found out that the City administration was going to seek approval of a Franchise Ordinance at a City Council committee hearing on November 13, 2018. FOGFLP Board members and a fellow environmentalist attended the hearing. We learned that the City administration was requesting a *fee of \$2.1 million for a term of 25 years* for BGE/Exelon's use of the parkland. FOGFLP does not believe this amount is anywhere near the land's real value – value *lost* when 12.23 acres of wilderness parkland was removed in place of a pipeline clear-cut that will last for generations. To make matters worse regarding the pipeline, we found out that City had agreed with BGE/Exelon to take a single payout of \$1.4 million for the lost parkland instead of their original request of \$2.1 million.

FOGFLP managed to stop the Franchise Ordinance legislation in that City Council committee hearing on November 13, 2018. We then hired an attorney to pursue our claim for a larger fee. Remarkably, our attorney immediately discovered that Baltimore City erred from the very start of the process of granting BGE rights to construct the pipeline. **The City allowed BGE to construct the pipeline without having first granted the franchise rights to BGE as required by the City Charter. To compound the problem, by agreeing to accept \$1.4 million as a fee for use the City again violated its Charter by failing to "fix the compensation at the largest amount it may be able to obtain."** The City's Law Department has acknowledged these deficiencies.

FOGFLP is requesting 2 things to correct this legal mess: 1) The City must rectify its deficiency by adopting a Franchise Ordinance that is acceptable to the citizens and park users of Baltimore. 2) It can only do this by actually performing its 'due diligence,' thus obtaining a fee ("compensation") at the "largest amount it is able to obtain," as required by the City Charter.



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Despite the City agreeing to just \$1.4 million for the 25 year term of the Franchise Ordinance, it was aware that the value of the lost parkland was much more. It is our understanding that *the City's own experts calculated that the fee to use the parkland for a pipeline should be \$14 million.*

Preserving and enhancing Baltimore City's parks is an environmental justice issue. The City Parks Alliance, a national organization dedicated to urban parks has noted, "Parks serve as green engines to help address nearly every critical urban need from health to housing, to education and environmental justice, and countering sprawl to combating crime." Baltimore's parks are not just the path of least resistance for utilities, highways, or any other commercial or industrial conveyance. They are and must always remain a haven not just for people, but for animals, insects, soil, and water, upon which all life depends.

Gwynns Falls/Leakin Park, at 1200 acres, is the largest park in Baltimore City. It has been referred to as, "the lungs of the City." It was first envisioned by the Olmstead Brothers in 1904 because of its remarkable beauty so close to the City's core.

The Friends of Gwynns Falls Leakin Park are done with parkland giveaways and public projects trumped as "environmental improvements" that will actually harm the park more than improve it.

We urge you to join with the Friends of Gwynns Falls Leakin Park in our campaign to obtain a rightful fee for the use of our precious park for a natural gas pipeline. You can do this by signing our on-line petition on Change.org:

<http://chnng.it/ZCrRdpPmXB> (link available on our website).

You may also may also take a few minutes to write to Mayor Pugh. Your letter does not need to be overly detailed, we are simply asking you to ask Mayor Pugh to *set the fee for use of 12.23 acres of Gwynns Falls/Leakin Park at \$14 million*, the amount recommended by her own experts.

*Office of Mayor Catherine Pugh
250 City Hall, 100 N. Holliday Street
Baltimore, Maryland 21202*

The Friends of Gwynns Falls Leakin Park is a nonprofit organization (501(c)(3)). We rely on membership dues and grants to continue our work. Please consider making a tax-deductible gift to 'FOGFLP' to help us continue our work to protect and enhance Gwynns Falls/Leakin Park. Simply write "Granite Pipeline" in the memo line of your check. Thank you!

*Friends of Gwynns Falls/Leakin Park
1920 Eagle Drive
Baltimore, Md. 21207
ATTN: Joy Goodie, Treasurer*

Sincerely,

/s/ Bridget McCusker, President, Friends of Gwynns Falls Leakin Park