

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

<b>THE COMMITTEE OF 100 ON THE</b>	)
<b>FEDERAL CITY</b>	)
	)
<b>Plaintiff</b>	)
	)
<b>v.</b>	)
	)
<b>ANTHONY FOXX, Secretary of</b>	)
<b>Transportation, et al.</b>	)
	)
<b>Defendants</b>	)
<hr/>	)

**PLAINTIFF’S MOTION FOR A PRELIMINARY INJUNCTION**

**EXHIBIT 16**

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<b>THE COMMITTEE OF 100 ON THE</b>	)
<b>FEDERAL CITY</b>	)
<b>Plaintiff</b>	)
<b>v.</b>	)
	)
<b>ANTHONY FOXX, Secretary of</b>	)
<b>Transportation, et al.</b>	)
	)
<b>Defendants</b>	)
	)

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**DECLARATION OF MAUREEN COHEN HARRINGTON**

I, Maureen Cohen Harrington declare as follows:

- 1) I am over the age of 18 and have the capacity to make this statement.
- 2) I am a resident of Washington, D.C.
- 3) I am a member of The Committee of 100 On The Federal City, which is one of the District of Columbia’s oldest community-based advocacy organizations, with standing subcommittees devoted to, among other things, parks and environmental issues, historic preservation and city planning.
- 4) I reside in the immediate vicinity of the Virginia Avenue Tunnel. In fact, due to the proximity of my home to the Virginia Avenue Tunnel, I am described as a so-called “front row” resident in the Final Environmental Impact Statement and Record of Decision. *See* Exhibit 21, at 5-14.
- 5) As a front row resident, I will be directly affected by the noise, vibrations, air pollutants, traffic and parking problems, utility disruptions, and other environmental impacts and “inconveniences” from the construction to enlarge the Virginia Avenue Tunnel into two new, larger freight rail tunnels.

- 6) In light of the “inconvenience” to me, one of the mitigation measures included in the FEIS will be a monetary payment to me for each month that the construction is ongoing and the possibility of a separate monetary payment in the event that I am forced to sell my residence during the construction period. Exhibit 6 at S-32 and Exhibit 21 at 5-14.
- 7) In addition to the so called “inconveniences resulting from major construction activities” (Exhibit 6, S-11), I fear that I will suffer injury to my person and/or property as a result of environmental impacts associated with the operation of the newly expanded Virginia Avenue Tunnels, resulting from the vastly increased volume of freight rail traveling through the tunnels, at potentially much greater speeds than the speed that is currently allowed. *See, e.g.* Exhibit 2 at 2-4 to 2-5.
- 8) I also fear the potentially severe and catastrophic consequences of a rail disaster or a terrorist attack targeting trains traveling through the tunnels, and believe that the enlarged tunnels will make a more attractive target for a terrorist attack.
- 9) My fear of an environmental disaster is supported by findings made in the 2007 Railroad Realignment Feasibility Study (RRFS) issued by the National Capital Planning Commission. That study indicates that “The line’s location raises security concerns because railroads carry hazardous materials. Railroads are a safe method of transport, but hazardous materials on this rail line would be a tempting target for attack because the line is in the Monumental Core. An attack here could have dramatic effects[.]” Exhibit 23.

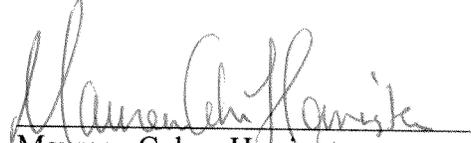
- 10) I appeared and testified at public meetings in opposition to the Virginia Avenue tunnel expansion on 11/30/2011, 5/21/2012, 7/31/2013, 7/1/2014, and 7/31/2014, and filed written comments on 10/14/2011, 7/30/2012, 9/25/2013, and 8/14/2014. My opposition was premised on my concerns regarding the environmental impacts of the new tunnels and the risk of catastrophic consequences of a major rail spill incident or terrorist attack involving trains passing through the future Virginia Avenue Tunnels and throughout this route along the monument core.
- 11) I have agreed to permit the Committee of 100 on the Federal City to advance my interests by pursuing legal action to have the Environmental Impact Statement, and the FHWA Record of Decision that followed, declared unlawful and to stop any and all federal and District of Columbia permits and approvals that rely on the Environmental Impact Statement that was issued for the Virginia Avenue Tunnel expansion project.

[Signature Appears on the Following Page]

I declare, under the penalty of perjury that the foregoing is true and correct:

Signed

Date: 11/12/2014

  
Maureen Cohen Harrington