

POINT OF ROCKS POWER PLANT CONCERNS

January 2, 2002

Governor Parris Glendening
Annapolis, Maryland 21401

RE: Commission on Environmental Justice and Sustainable Communities

Governor Glendening,

Under your leadership Maryland has become a leader in the passage of landmark legislation regarding land use. I applaud your statement that: "...there is nothing that will have a greater, more lasting impact on the future of our citizens than to assure that our future growth is smarter and more sensitive to quality of life impacts."

Unfortunately, Frederick County's prime farmland and Potomac River resources including the Chesapeake & Ohio Canal National Historic Park are being threatened. Currently, within a ten mile radius are six proposed electric power plants - five in Maryland - four being within a few miles of each other in Frederick County. Three of these power plants propose to consume close to 1,000 acres of permanently preserved farmland which also protects the magnificent vista views of Sugarloaf and Catocin Mountains.

The Frederick County Board of Commissioners, together with the Adamstown Region citizens, worked for close to three years on the Adamstown Regional Plan. As responsible stewards of the land, environment, and natural resources, we followed Maryland's guidelines embodied within the Planning Act of 1992. Our goal was Maryland's goal - to preserve open space, farmland and natural beauty. Together the local government with the involved public devised a regional plan to meet or exceed Maryland's preservation and environmental standards and goals.

Unfortunately, Subtitle 3, Title 3 of the Natural Resources Article of the Annotated Code of Maryland states that when the Secretary of Natural Resources deems a site suitable for an electric generating facility, local zoning rules can be pre-empted. This could allow power plant companies the opportunity to bypass our protective measures. This law would:

- Appear to be in conflict with the Planning Act of 1992.
- Set Maryland apart from almost all states in the country that require local county zoning approval prior to submitting an application to the state.
- Undermine the very foundation of Article 66B which clearly states that local land use is best determined by local government.
- Negate, rather than reward, the public effort spent for close to three years.

The Frederick County Commissioners, in their continued efforts to preserve farmland, on November 1, 2001 signed a resolution stating their opposition to industrial development of land that is not zoned industrial. The Commissioners also specifically rejected Duke Energy's application to build on 752 acres of Frederick County's farmland.

Maryland, in it's continued effort to enforce Smart Growth Policies, appears to be at odds with the Carroll County Commissioners new zoning law, which could counter the goals of the state's farmland preservation program. In a December 7, 2001 Baltimore Sun article, Secretary

Roy Kienitz was quoted as saying: "This was really such a huge step backward on their part that if we didn't do something here, we wouldn't have any credibility to do anything anywhere else."

Would industrial power plants consuming preserved farmland also jeopardize Maryland's credibility to enforce Smart Growth and Preservation Programs that have set Maryland apart as a leader in this Nation?

Additional impacts of this unplanned industrial growth:

- Historic African American Community - Duke Energy's proposed Frederick County site is adjacent to the Pleasant View Community which is believed to have been settled by former slaves, some from the neighboring Moreland Plantation. The historical significance of Pleasant View is enhanced by seven early residences, as well as a church.
- This same proposal involves the vicinity of Tuscarora Creek, named after the Tuscarora Indians. This area has many Native American Sites.
- This area is planned for Rural Legacy as funding becomes available.
- This hallowed ground was once owned by Charles Carroll of Carrollton, a signer of the Declaration of Independence. The Region has prolific historical sites including Charles Carroll of Carrollton's stone mill, St. Paul's Episcopal Church, numerous Plantation homes with substantial acreage, archaeological sites, and more.
- Maryland has anticipated spending \$7 billion towards cleaning up the existing pollution in the Chesapeake Bay. Current utilities contribute 38% to the nitrogen deposition of the Bay. What additional impact might these proposed power plants within close proximity to the *Potomac River* have on Maryland's efforts to clean up the Chesapeake Bay?

Would these proposed power plants on our valued farmland be:

- An environmental injustice to this region?
- Be a further injustice to the descendants of slaves in Pleasant View as well as to our Native American history?
- Promote industrial sprawl?
- Alter the natural beauty of our landscape?
- Increase pollution in an already polluted environment?
- Change the quality of life we are privileged to enjoy?
- Totally negate the valuable input of the Adamstown Region Citizenry?

Would these proposals threaten Maryland and Frederick County's common sense approach to growth? Where do we grow from here?

Very truly yours,

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