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**Department of
Planning and Land Management**
Carroll County Government
225 North Center Street
Westminster, Maryland 21157

July 23, 2024

Jim Gilroy
Manager State Affairs
PSEG State Government Affairs
244 Chestnut Street
Salem, New Jersey 08079

Dear Mr. Gilroy:

The Department of Planning & Land Management is responsible for the oversight, implementation, and management of programs related to planning and land use, zoning, development review, resource management, and agriculture preservation. Functions include overall program development, code enforcement, environmental compliance, and natural resource management.

The Department has reviewed the proposed alignments of the Maryland Piedmont Reliability Project Transmission Line in Carroll County and has documented physical and legal constraints that must be considered by PSEG in the design process. This was a high-level review and not comprehensive. A more detailed review will occur as part of the County approval process if a final alignment is proposed for construction.

The specific segment to which a comment applies is identified where possible, as shown on the attached map.

Approval Process

While the Maryland Public Service Commission's (PSC) CPCN process allows for County input, the level of input and review is related to the materials that are submitted to the PSC as part of the approval process. The PSC does not require that the detailed engineering and construction plans be prepared or submitted as part of the CPCN process. Therefore, the review of detailed plans at the local level occurs subsequent to the CPCN approval. The Department of Planning & Land Management fully expects PSEG to submit these detailed plans for review as part of the County's development review process at that point.

While this review may not supersede certain approvals given by the PSC through the CPCN, it will include a review for conformance with local development and resource codes, both those mandated by the State as well as local requirements.

Agricultural Land Preservation

Carroll County, Maryland, boasts a rich agricultural heritage. Farming and agribusiness are woven into every aspect of the county – from the rural working landscape, cherished by the public, to their significant contribution to the county’s economy, jobs, and revenues. Carroll County has had a long-standing goal of preserving at least 100,000 acres. Preservation of farmland has been a major tenet of the County Master Plan since the 1964 Master Plan. The Boards of County Commissioners over those many decades have made farmland preservation a priority. Since 1980, these Boards have invested over \$250 million to achieve this goal and the economic, environmental, scenic, and heritage benefits that farmland preservation brings the County, the agricultural community, the environment, and the community at large. Carroll currently boasts having the greatest number of acres preserved in Maryland, being second in the U.S. for acres preserved through easement purchase (as of 2020), ranking in the top 5 in the U.S. for similar programs administered by local governments, and having received the 2021 Maryland Sustainable Growth Award for Preservation and Conservation.

In addition, the State of Maryland also has a goal of preserving farmland. The Maryland Agricultural Land Preservation Foundation (MALPF) was one of the first created in the United States and has become one of the nation's leaders in agricultural land preservation by preserving more agricultural land than any other state in the country. Created by the General Assembly in 1977, MALPF purchases agricultural preservation easements that forever restrict development on prime farmland and woodland and has permanently preserved land in each of Maryland's 23 counties, representing a public investment of over \$900 million. Since 1980, MALPF has purchased easements on over 2,500 properties, permanently preserving over 350,000 acres.

In addition, the 2023 Maryland General Assembly passed the Maryland the Beautiful Act ([CH546](#)) of 2023, which established ambitious land conservation goals: conserve 30% of the state by 2030 (30 by 30) and conserve 40% of the state by 2040 (40 by 40). The Maryland the Beautiful Act requires the Sustainable Growth Subcabinet to develop and publish a five-year [Maryland the Beautiful Plan](#) outlining how to meet the goals in the legislation, provide an annual report on the State’s progress, and update the plan at least every five years through 2040.

Depending on the alignment, between 30 and 45 farms with conservation easements would be negatively impacted by loss of preserved farmland and a loss of rural character and heritage. This would be contrary to State and local preservation goals and programs. Proposed alignments should specifically consider avoidance of these important investments in our critical agricultural community and economy.

Substantial Development Impacts – Existing or Proposed

Several of the alignment segments would impact parcels with notable private development. Consideration should be made to the impacts to the following parcels:

A,B,C,D,F,G,H,I	River Valley Ranch – Acct ID 0706005241
D,E,I,J	Pippin Solar Farm – Acct ID 0708433015
A,B,C,F,G,H	EOTC – Acct ID 0706014089
B,C,G,H	Baughers – Acct ID 0707013612
A,F	Jackson Ridge – Acct ID 0712007698
A,F	Lehigh Cement Company – Acct ID 0712001592

Historic Preservation

The County has approximately 1,697 historic sites that are listed with Maryland Historic Trust. Based on the historic properties that are listed with the National Register or have a historic preservation easement, the properties that have partial overlap with the proposed alignments and their property boundary are listed below. Consideration should be made to avoid these historic locations as cultural resources in the County.

A,B,C,F,G,H	Jacob F. Schaffer Farm (NR-1207)
B,G	Robert and Phyllis Scott House (NR-1393)
A,F	Union Mills Homestead Historic District (NR-46)
A,F	Wilson's Inheritance (NR-885)
D,E,I,J	Taylor-Manning-Leppo House (NR-1483)
D,E,I,J	Taylor-Manning-Leppo House/Bateman Property (easement)

Mineral Resource Planning to Prevent Preemption of Extraction

Section 3-107 of the Maryland Land Use Article - Mineral resources element, requires counties to identify land that can be used to provide a continuous supply of minerals, post-excitation uses, and land use policies to balance mineral resource extraction with other land uses. The Article specifically states:

§ 3-107. Mineral resources element.

(a) The mineral resources element shall identify:

(1) undeveloped land that should be kept in its undeveloped state until the land can be used to assist in providing a continuous supply of minerals, as defined in § 15-801(i) of the Environment Article; and

(2) appropriate post excavation uses for the land that are consistent with the county's land planning process.

(b) A mineral resources element shall incorporate land use policies and recommendations for regulations:

(1) to balance mineral resource extraction with other land uses; and

(2) to the extent feasible, to **prevent the preemption of mineral resources extraction by other uses.**

(c) Before the plan is adopted, the Department of the Environment shall review the mineral resources element to determine whether the proposed plan is consistent with the programs and goals of the Department.

Carroll County identified mineral resources appropriate for extraction and adopted a Mineral Resources Element as part of our master plan and promulgated associated County code changes to comply with the State's requirement to prevent pre-emption of extraction in identified areas. This includes areas specifically identified as Mineral Resource Areas and Viable Resource Areas.

County Code

§ 158.096 MRO MINERAL RESOURCE OVERLAY.

(A) **Purpose.** This subchapter provides for the creation of an overlay designation to be placed on the Zoning Maps, consisting of a **MR wherein any land uses that preempt resource recovery are prohibited, for a VRA where potentially recoverable mineral resources have been identified and will be protected from preemptive development** and for a half-mile MRN surrounding the MR and the VRA in

which any development should be clustered away from the resource and notification of potential resource recovery activity is given.

The following alignments must take into consideration avoidance of these areas.

- C,H** | A significant impact to designated Mineral Resource Areas and Viable Resource Areas. This alignment must be investigated to mitigate that impact and ensure that the proposed transmission line does not preempt the resource recovery use that is protected by local and state law.
- A,F** | Minor impacts to protected areas that must be similarly investigated.
- B,G** | Minor impacts to protected areas that must be similarly investigated.

Public Facilities

The County provides public facilities and services to its citizens and property owners. The proposed alignments could impact multiple existing or planned locations. All of the facilities listed are publicly owned, with the exception of the section on recreation and parks, which includes private facilities impacted.

Airport:

- B,C,G,H** | There are ongoing efforts to expand the Carroll County airport. Further analysis and coordination with Carroll County Department of Public Works and the Federal Aviation Administration will be necessary.

Communications Towers & Public Safety Radio System:

- A,F** | The Carroll County Department of Public Safety has identified the potential for interference of transmission line towers with the public safety radio system.
- B,G** | Specifically, the microwave links between communications tower sites, which rely on a clear line of sight to function effectively. If a transmission line structure/tower were to be placed directly in the path of one/more of these microwave links, it could cause degradation in the operation of the radio system. There are eight locations where
- C,H** | the current microwave pathways cross one of the proposed transmission line
- B,C,G,H** | pathways, and two tower sites where a parcel directly included in one of the
- D,E,I,J** | proposed pathways is adjacent to the parcel upon which the tower is located. These
- D,I** | potential conflicts must be considered in the design of these alignments.
- E,J** |

Recreation & Parks Facilities, Public and Private:

- A,F** | Union Mills Recreation Area
- A,F** | Deep Run Boy Scout Camp (Private)
- A,B,C,F,G,H** | River Valley Ranch (Private)
- D,I and** |
- A,B,C,D,F,G,H,I** |
- B,C,G,H** | Westminster National Golf Course (Private)

Major Planned Streets and Planned Neighborhood Connections:

Since 1964, Carroll County has planned for the future of transportation infrastructure including planned major streets to ensure adequate capacity and safety of our network. The following alignments intersect with planned major streets, and the design of these alignments must allow for the completion of the transportation network.

- A,F** | Mount Pleasant Boulevard (PMS)
- DE,I,J** | Bethel Road Realigned (PNC)
- D,E,I,J** | Boxwood Drive Extended South (PNC)

Planned Public Water Supply Reservoir:

Since the mid-1970s, Carroll County has identified and planned the construction of a reservoir in Union Mills to address increased future water supply demand and water security for the northern part of Carroll County. Significant investment has been made in the acquisition of property for the development of this future need. Alignments A,F and B,C,G,H may conflict with the construction of the dam and proposed reservoir pool. This planned critical infrastructure must be accounted for in the design of any alignment.

System | Project

- A,F and B,C,G,H** | Union Mills Reservoir

Public Water & Sewer Systems:

The following are locations of proposed public infrastructure that are located along the listed alignment. Coordination with the public utility must occur during the design of any of these alignments.

	<u>System Project</u>	<u>Project Impacted</u>
C,D,E,H,I,J	New Windsor	Raw water line
	B,G New Windsor	Future <i>Well 14</i> (0711002854)
A,F	Union Bridge	Future <i>Well 6</i> (0712001916)
A,F	Union Bridge	Priority Storage Tank (Bark Hill Road Tank): on the opposite side of a proposed line path from the Town (0712007698)
A,F	Union Bridge	Sewer main to FSK: crosses a proposed line path
A,F	Union Bridge	Existing pumping station (MD Rt. 75 and Phillips Prop Sewer Pump Station) and existing well (Phillips 1) (0712007698)
D,E,I,J	Westminster	Future <i>Well 33</i> (0704065352)
D,E,I,J	Westminster	Future <i>Well 35</i> : on the opposite side of a proposed line path from the City

Water supply for fire suppression:

Carroll County has locations across the County that are used as water sources for fire suppression. These include dry hydrants at ponds and streams as well as underground storage tanks. The following alignments should be evaluated to ensure that they will not interfere with emergency service operations.

	<u>Hydrant</u>
A,B,C,F,G,H	Hydrant ID # 2275
A,B,C,D,F,G,H,I	Hydrant ID # 2133
C,H	Hydrant ID #2171

High-Priority Industrial and Employment Campus Zoning:

As a predominantly rural county, Carroll has a lack of industrially and commercially zoned property that the County relies on as a critical component of our existing and future tax base. Several of the proposed alignments would impact these important properties and would negatively impact the County's economy and the ability to provide services to our citizens. Efforts should be made to avoid these valuable properties.

A,B,C,F,G,H	Melrose	Crosses C-2 zoning
A,F	Union Bridge	Intersects property with Restricted Industrial, General Business, and Local Business zones. Crosses I-1 and I-2 zoning southeast of Union Bridge
B,C,G,H	Westminster	Crosses I-1 zone north of Westminster
D,E,I,J	Westminster	Crosses small portions of C-2 and I-1 zoning southeast of Westminster, along MD 140
D,E,I,J	Hampstead	Crosses I-1, I-2, C-2, Restricted Industrial, and General Business zones
E,J	Hampstead	Crosses I-2 zone

Environment & Natural Resources

As development occurs, the County Code requires protective easements to ensure protection of natural resources. The Forest Conservation Code requires forest conservation easements to be created for certain forested areas to meet state Forest Conservation Act requirements. The Floodplain Management Code requires floodplain easements to be created for any areas that would fall within protected floodplain areas to protect life and property. The Water Resource Management Code requires the creation of water resource easements to protect surface water quality within the county.

Not only do these easements provide valuable protection to these resources, the easements provide credit towards compliance with the County's NPDES MS4 permit restoration requirements, which also helps to save the County money on future stormwater projects. The Floodplain Easements contribute to discounted flood insurance for Carroll property owners. The Water Resources Easements help to secure higher quality drinking water for the county's residents and businesses and support future planned water supply sources. It is critical for the protection of these resources and the valuable economic benefit they provide that the design of the alignment avoids them.

Floodplain Easements

At a minimum, the Floodplain Easements include FEMA designated floodplains and restrict construction and land use change within the easement. Additional easements represent the County legal interest in existing non-FEMA floodplains that must be accounted for and avoided in any proposed design to protect adjoining property owners from potential flood impacts.

	<u>Easements Impacted</u>
D,E,I,J	1
A,B,D,F,G,H	3
D,I	1

Forest Conservation Easements

The purpose of the Forest Conservation program is to preserve established tracts of forested areas and protect land use change from occurring there. These easements represent a legal county interest in these areas that must be accounted for and avoided in any proposed alignment.

	<u>Easements Impacted</u>
D,E,I,J	8
C,D,E,H,I,J	1
A,F	2
B,C,G,H	4
A,B,D,F,G,H	1
D,I	1

Water Resource Easements

Water resource easements are a legal county interest in the preservation of riparian buffers. These easements must be accounted for and avoided in any proposed alignment.

	<u>Easements Impacted</u>
D,E,I,J	3
A,F	1
A,B,D,F,G,H	2
D,I	4

Thank you for the opportunity to provide comments on these initial proposed alignments. We anticipate further feedback as the process continues. A more detailed review will occur as part of the County approval process if a final alignment is proposed for construction. If you have any questions, please feel free to reach me at cheyn@carrollcountymd.gov or 410-386-2639.

Sincerely,



Christopher Heyn, PE
Director
Carroll County Department of Planning & Land Management

- C: Board of Carroll County Commissioners
- Carroll County Planning and Zoning Commission
- Carroll County Administrative Management
- Jonas A. Jacobson, Perry | White | Ross | Jacobson

Attachment: *PSEG's Alternative Corridors & Carroll County's Master Plan*

Attachment:

