



November 20, 2024

Via Electronic Mail

To: Secretary Serena McIlwain, Maryland Department of the Environment
 mde.secretary@maryland.gov
 Secretary Josh Kurtz, Maryland Department of Natural Resources
 josh.kurtz@maryland.gov
 Colonel Francis B. Pera, U.S. Army Corps of Engineers, Baltimore District
 AB-PAO@usace.army.mil

The undersigned organizations, on behalf of their thousands of Maryland-based members and supporters, urge you to adhere to and fully utilize our federal laws requiring a thorough assessment and review of the Maryland Piedmont Reliability Project ("MPRP"). The National Environmental Policy Act ("NEPA") was enacted by Congress as our first modern environmental law to address situations just like this one. Federal agencies are required by NEPA to give a "hard look" at any project with the potential to cause significant adverse impacts to the health and wellbeing of America's waterways, endangered species, and cultural or historic resources and consider whether alternatives might be less harmful and more beneficial. Similar reviews are also required for federally protected wetlands. Based on our extensive knowledge of our watersheds and an initial geospatial analysis of the proposed MPRP route there is no doubt that the impacts of this project would be extensive which should warrant a NEPA review coordinated by the U.S. Army Corps of Engineers as it reviews the numerous and cumulative impacts described below.

After reviewing the selected route for the MPRP provided by the powerline applicant, along with state and federal geospatial data, we found that the powerline will impact nearly 100 rivers and streams in our watersheds. This does not include impacts to another 30 different riparian wetlands around those waterways and more than 70 other federally identified wetlands that Maryland is trying so hard to protect pursuant to its commitment to the Chesapeake Bay Watershed Agreement. These figures do not account for a much larger number of the headwater streams and wetlands or riparian forested buffers that may not show up on some maps as "blue line" streams, but that we know exist because we work to protect them on a daily

basis in conjunction with countless Marylanders who volunteer their time and effort to help us. Additionally, the powerline will cross through a large expanse of biologically sensitive areas of the highest category listed by Maryland's Department of Natural Resources, indicating the presence of habitat for at least one federally-listed endangered or threatened species.¹ Finally, we found that nearly 30 registered historic places in Maryland will be directly crossed or within very close proximity of this project. [See attached map.]

It is thus plainly apparent that this one single project has the potential to harm so many natural and historic resources that Marylanders have been striving to preserve and protect. It may be that the MPRP is a necessity. But let that conclusion be derived only after state and federal agencies undertake the careful planning, review, and assessment processes that our laws mandate for projects such as this. We may have to tolerate the unintended consequences of this powerline, but we cannot tolerate the notion that regulators plowed ahead recklessly and in ignorance of the law, losing more of our waterways, historic properties, cultural resources, and critical habitats than we had to.

We hereby call upon the Maryland Department of the Environment, Maryland Department of Natural Resources, U.S. Army Corps of Engineers, and MPRP developers to immediately begin the process of collaborating with each other and the other relevant state and federal agencies to comply with NEPA. We urge each of these agencies and the project applicant to maximize transparency and proactively engage the public and affected communities, including the members, supporters, and volunteers of our organizations, to supplement their understanding of the environmental and cultural resources being put at risk. The aforementioned data regarding impacted waterways, historic properties, and critical habitat were generated through a desktop analysis that surely represents a significant underestimate of the actual impacts which can only be uncovered by carefully visiting these places and talking to those who live there.

Thank you for your attention to this important matter,

Robin Broder, Deputy Director
Waterkeepers Chesapeake

Evan Isaacson, Senior Attorney, Director of Research
Chesapeake Legal Alliance

Theaux Le Gardeur, Executive Director & Riverkeeper
Gunpowder Riverkeeper, Inc.

David Flores, Senior Legal Counsel
Potomac Riverkeeper Network

¹ See, Maryland Living Resources - Sensitive Species Project Review Areas, MD iMAP Data Catalog. Available at: <https://data.imap.maryland.gov/datasets/maryland::maryland-living-resources-sensitive-species-project-review-areas/about>

Alice Volpitta, Baltimore Harbor Waterkeeper
Blue Water Baltimore

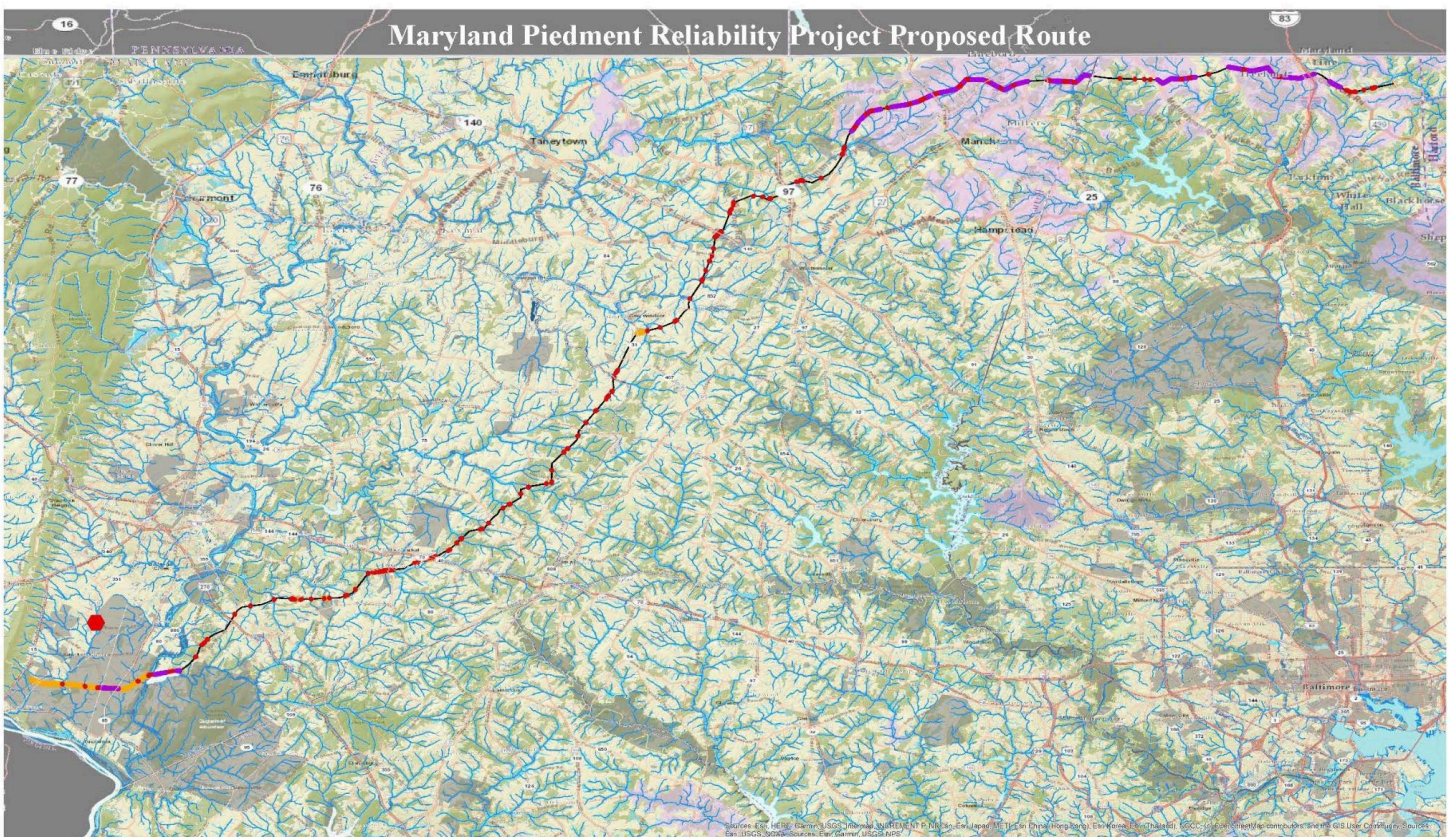
Ted Evgeniadis, Executive Director & Riverkeeper
Lower Susquehanna Riverkeeper, Inc.

CC via Electronic Mail Only:

State Historic Preservation Officer Elizabeth Hughes, Maryland Historical Trust,
elizabeth.hughes@maryland.gov
Regional Administrator Adam Ortiz, EPA, Ortiz.Adam@epa.gov
Chesapeake Bay Program Director, Martha Shimkin, Shimkin.Martha@epa.gov
Public Service Commission, piedmontcomments.psc@maryland.gov

ATTACHMENT

This map shows that the MPRP powerline will impact nearly 100 rivers and streams in our watershed, and 30 different riparian wetlands around those waterways and more than 70 other federally identified wetlands. These figures do not account for a much larger number of the headwater streams and wetlands or riparian forested buffers that may not show up on some maps as “blue line” streams. Additionally, the powerline will cross through a large expanse of biologically sensitive areas of the highest category listed by Maryland’s Department of Natural Resources, indicating the presence of habitat for at least one federally-listed endangered or threatened species. Finally, there are nearly 30 registered historic places in Maryland that will be directly crossed or within very close proximity of this project.



Note: This map depicts the proposed route of the Maryland Piedmont Reliability Project (MPRP) power line (black line), which connects with the vicinity of a proposed data center complex (red hexagon) in Southern Frederick County. The gray shading represents Maryland Historical Trust properties. Purple shading depict Group 1 sensitive species habitat areas worthy of the highest category of protection for a threatened species according to the Maryland Department of Natural Resources (DNR). Blue lines and areas are perennial streams and wetlands. Power line crossings of historical properties are in orange; crossings of sensitive species areas are purple; and crossings of mapped waters (blue) are in red. Light green shading are intact healthy forest designated by DNR and light blue-gray shading are flood prone areas according to data from the First Street Foundation, which also are indicative of unmapped headwaters and connected floodplains that are protected under state law. These forests and flood prone areas were not included in the analysis, but shown for context. The Maryland-Pennsylvania border is at the top of the map; Baltimore City is in the bottom-right corner; and Virginia is in the bottom-left corner. (Created by Chesapeake Legal Alliance, November 2024)