

COUNTY COUNCIL OF DORCHESTER COUNTY

COUNTY OFFICE BUILDING
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JAY L. NEWCOMB, PRESIDENT
WILLIAM V. NICHOLS, VICE PRESIDENT
EFFIE M. ELZEY
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JANE BAYNARD
COUNTY MANAGER
E. THOMAS MERRYWEATHER
COUNTY ATTORNEY

April 17, 2009

John J. Allen, Jr., Vice President
Delmarva Power Region
Pepco Holdings, Inc.
2530 N. Salisbury Boulevard
P.O. Box 1739
Salisbury, Maryland 21802

Mr. Allen:

I am writing on behalf of the Dorchester County Council regarding your request for recommendations for appointments to a Delmarva Power Citizens Advisory Council. It is the Council's understanding that the Advisory Council will serve as a forum for open and active communication between Delmarva Power, community members, government officials and/or agencies and other key stakeholders to facilitate understanding and to provide recommendations on addressing issues of concern regarding the Mid Atlantic Power Pathway project as it relates to Dorchester County.

The Council acknowledges that your intention is to appoint 15 to 20 members to the Advisory Council, however, we are submitting the attached list of 24 names for consideration in order to include representatives from all key stakeholders affected by the project. It is also recommended that I serve on the Advisory Council as liaison to the County Council. Please provide us with a final list of the individuals that are appointed to this Advisory Council. We must request that all Advisory Council meetings be advertised in advance and open to the general public.

While the Council has agreed to submit these recommendations for the Advisory Council, we ask that you provide to Libby Nagel, Dorchester Citizens for Safe Energy and Mr. Richard Klein, Community & Environmental Defense Services, the information they previously requested from your company but have not received yet. Attached is Ms. Nagel's April 12, 2009 letter to William H. Gausman, Senior Vice President of Pepco Holdings, Inc. defining the nine requests from the Citizens group. Included in that same letter are excerpts from two emails (February 3 and March 8, 2009) to Mr. Gausman from Mr. Klein. The requested information is clearly stated in that correspondence and we believe there has been sufficient time provided to


John J. Allen, Jr., Vice President
Delmarva Power Region
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allow each request to be fully satisfied. Without that information exchange and cooperation we fear the Advisory Council's mission and effectiveness will be severely compromised. These are critical and basic issues that are necessary as a foundation for any long term objectives the group may develop. Therefore we must require that the information be provided prior to scheduling the first meeting of this group.

We thank you for giving the Council the opportunity to submit recommendations for the Delmarva Power Advisory Council relating to the Mid Atlantic Power Pathway project. Please give careful consideration to our recommendations for appointment and provide us a list of approved members in advance of the first meeting. We feel strongly that this Council must allow equal representation to all interested parties that could be affected by the proposed power lines to ensure that all options are considered and appropriately evaluated. If you have any questions, please call the Council's Office at (410) 228-1700.

Sincerely,

DORCHESTER COUNTY COUNCIL


Jay L. Newcomb
President

jln/dl

Enclosure

cc: Libby Nagel
Richard Klein
Senator Richard Colburn
Delegate Adelaide Eckardt
Delegate Rudolph Cane
Delegate Jeannie Haddaway
Congressman Frank Kratovil
Senator Barbara Mikulski
Senator Benjamin Cardin

DORCHESTER COUNTY COUNCIL'S RECOMMENDATIONS FOR
APPOINTMENT TO DELMARVA POWER ADVISORY COUNCIL

Dorchester County Representatives

Councilman Jay Newcomb, liaison for Dorchester County Council
Charles MacLeod, Special Legal Counsel, Funk and Bolton
Rodney Banks, Planning and Zoning
Vernon Hurley, EMS Communications
Amanda Fenstermaker, Tourism Director

Dorchester County Residents

Bill Malkus, Dorchester Citizens for Safe Energy
Fred Pomeroy, Concerned Citizens for Growth for Dorchester County
Robert Herbert, Dorchester County resident

Business Representatives

Mark Hill and Lycurtis Jones, business representatives
Bob Behlke, Choptank Electric Cooperative
Pat Mitchell, Maryland Broadband Cooperative
Allen Nelson, Dorchester County Chamber of Commerce

Agriculture/Aquaculture/Forestry Representatives

Kirk Rogers, Forestry Board
Brinsfield Lowe, President, Dorchester County Farm Bureau
Lin Spicer, Agriculture representative
Dorchester County Watermen's Association
H. Edward Yates, President Forest Industries

Land Preservation/Conservation Representatives

Morgan Ellis, Eastern Shore Land Conservancy
Nick Carter, Environmentalist
Suzanne Baird, Blackwater Wildlife Refuge Manager
Chesapeake Bay Foundation representative-no name supplied
Blacks of the Chesapeake Foundation representative -no name supplied

Tourism Representatives

Donald Pinder, President, Harriet Tubman Organization

Other Representatives

Third Party Facilitator- Peter Tallie, Executive Director, Mid Shore Mediation

DORCHESTER CITIZENS FOR SAFE ENERGY

Libby Nagel, Chair
4762 Ravenwood Road
Vienna, Maryland 21869

410-221-1325
lnagel1930@hughes.net

April 12, 2009

Honorable Jay L. Newcomb, President
Dorchester County Council
County Office Building
Post Office Box 26
Cambridge, Maryland 21613

Dear Councilman Newcomb:

I understand that the County Council is considering the proposal by Pepco Holdings, Inc. to form a panel to address various issues resulting from the MAPP extra-high voltage transmission line. We believe that conditions for participating in this panel should include that Pepco fully respond to all past requests for further detail on the project.

Specifically, on February 9th I wrote to PHI Senior Vice-President William H. Gausman and requested answers to the following nine questions posed at the February 3rd County Council meeting.

- 1. We remain unconvinced that the 500 kilovolt transmission line must cross the Chesapeake Bay. We understand that more than 30 alternatives were considered for meeting the purpose of MAPP, some of which did not require an impact to the Chesapeake Bay. Please provide a description of these alternatives and why they were rejected in favor of impacting the Bay.*
- 2. We have seen a variety of credible reports showing wide variation in the cost to place a transmission line below ground. Some of these reports show that the cost differential between an above-ground and underground installation may be small for the DC current MAPP would carry on the lower Eastern Shore. Please address these cost differences and the factors affecting cost in detail. Also, please address how the cost difference compares to the far lower, long-term reduction in the costs of the increased harm caused by an overhead line.*
- 3. In addition to addressing installation cost, please present an assessment of the cumulative, long term cost of a 27-mile above-ground transmission line as compared to an underground line. This assessment should address: installation cost, maintenance cost as well as cost in terms of cropfields taken out of production, forests no longer available to support the commercial lumber industry, loss of tourism revenue, decline in property value, etc. With respect to maintenance please*

factor in the increases in sea-level and water table elevations predicted to occur over the next century due to climate change. For example, a recent article in the Choptank Electric Live Wire describes how a mile-long section of transmission line passed over an area that was dry 30 years ago but is now wetland. Choptank Electric had so much difficulty maintaining this section of line that they opted to bury the 5,200 feet of cable.

4. *We believe the cumulative environmental effects of running the line beneath the Nanticoke River will be less than that of an above-ground line slashing across 27-miles of our County. The Nanticoke River option eliminates adverse effects to the County's agriculture, forestry, and tourism industries while protecting people living in a fourth of Dorchester County from viewshed impacts, property value loss, adverse health effects, and other negative consequences. Please present your analysis of the pros and cons of the Nanticoke River alternative.*
5. *The County Council had previously asked Pepco to describe how the MAPP project would benefit Dorchester County. This question was not addressed last on February 3rd which prompted the Council to repeat their request. Please explain how the benefits of the MAPP project will outweigh the many negative effects of a 140-foot tall, above-ground transmission line slashing across 27 miles of Dorchester County.*
6. *On February 3rd Councilmember Elzey asked why Pepco literature says electromagnetic fields do not pose an adverse health effect yet various studies do show a negative effect. For example, the State of Maryland concluded in a study entitled Status Report on Investigations of Potential Human Health Effects Associated with Power Frequency Electric and Magnetic Fields (EMF) that:*

Research on ELF fields has been performed for more than two decades, and the methodology and quality of studies have improved over time. Studies have consistently shown increased risk for childhood leukemia associated with ELF magnetic fields, whereas ELF fields most likely are not a risk factor for breast cancer and cardiovascular disease. There are still inadequate data for other outcomes.

Please explain why the State of Maryland believes children are at risk but Pepco does not.

7. *The project poses some very significant impacts to the Harriet Tubman National Park, the Harriet Tubman Underground Railroad Byway, and the County's many other cultural resources. Please describe in detail how the various alternatives, including the Nanticoke River alignment, would impact these cultural resources.*
8. *The MAPP project poses some very substantial threats to minority and low-income populations in Dorchester County. Please describe in detail the environmental justice implications of the various alternatives, including the Nanticoke River alignment.*

9. *According to the Maryland Department of Natural Resources SmartSiting program, Dorchester County has an unusually high abundance of sensitive environmental areas. Your proposed transmission line clearly bisects one of the most environmentally sensitive and important areas in the State of Maryland yet Pepco has not indicated how this serious set of issues will be addressed.*

Environmentally sensitive forested wetlands, which are the habitat of many endangered species, make up a significant part of the area to be traversed by the transmission line in eastern Dorchester County.

How do you plan to avoid destruction of habitat of the Delmarva Fox Squirrel in these areas?

How do you plan to avoid clearing forested wetlands in Natural Heritage Areas which are mapped and identified by the Maryland Department of Natural Resources? A good example of this is Natural Heritage Area # 23 which is referred to by DNR as "one of the best examples of a complex of tidal freshwater wetlands."

As of this date we have not received a detailed response to the nine questions posed above.

On February 3rd our consultant, Richard Klein of Community & Environmental Defense Services, sent an e-mail to Mr. Gausman which contained the following request:

Thank you for asking Mark Okonowicz to speak with me about the statement made at the Maryland Conservation Council meeting regarding the relative ecological impacts of an overhead and underground transmission line.

Mr. Okonowicz said there is a report containing the data supporting the statement.

Could you forward a copy of this report to me?

As of this date Mr. Klein has not received a response to this request.

On March 8th Mr. Klein sent another e-mail to Mr. Gausman which contained the following request:

I see from the Needs Determination documents that PHI presently plans to run two DC circuits from Calvert Cliffs to the Eastern Shore. One circuit would end at the Vienna substation and the other would continue on to Indian River. The Vienna circuit would deliver up to 1,000 MW of electricity to the substation.

Do you have a feel for how much of this 1,000 MW would be available for new industrial development on the lower Eastern Shore?

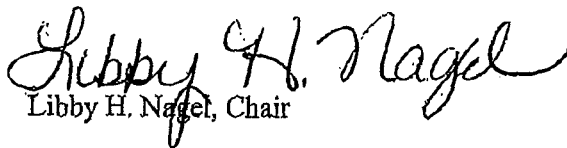
As you can imagine this has piqued the interest of more than a few folks who worry about the future of the lower Eastern Shore economy.

As of this date Mr. Klein has not received a response to this second request.

Again, I respectfully request that the Council insist that PHI satisfy these requests as a demonstration that the applicant intends to be fully responsive and cooperative.

Additionally, PHI has stated that they intend to give full consideration to the Nanticoke River alternative we and others have suggested. However, the Spring 2009 issue of the MAPP *Power Pathway Press* newsletter makes only passing reference to unnamed water-based routes. Instead, the three land-based routes are emphasized. This raises concerns that the applicant is not giving serious consideration to alternatives suggested by others.

Sincerely,


Libby H. Nagel, Chair

cc: Honorable William V. Nichols, Dorchester County Council
Honorable Ricky Travers, Dorchester County Council
Honorable Rick Price, Dorchester County Council
Honorable Effie M. Elzey, Dorchester County Council
Honorable Martin O'Malley
Honorable Richard F. Colburn, Maryland Senate
Honorable Rudolph C. Cane, Maryland House of Delegates
Honorable Adelaide C. Eckardt, Maryland House of Delegates
Honorable Jeanne Haddaway, Maryland House of Delegates
Honorable Barbara Mikulski, U.S. Senate
Honorable Benjamin Cardin, U.S. Senate
Honorable Frank Kratovil, U.S. House of Representatives
Honorable John R. Griffin, Secretary - Maryland Department of Natural Resources
Honorable Roger L. Richardson, Secretary - Maryland Department of Agriculture
Honorable Malcolm D. Woolf, Maryland Energy Administration
Honorable Douglas R.M. Nazarian, Chairman - Maryland Public Service Commission
Honorable Russell Brinsfield, Mayor - Town of Vienna
Honorable Bobby Herbert, Mayor - Town of Church Creek
Honorable Caroline Cline, Mayor - East New Market
Ms. Sandra Patty, Maryland Department of Natural Resources
Ms. Amanda Fenstermaker, Director - Department of Tourism
Mr. Allen Nelson, Dorchester Chamber of Commerce
Mr. John W.S. Foster, President - Maryland Forests Association
Mr. Bill Miles, Association of Forest Industries
Mr. Jeff Crane, President - Congressional Sportsmen's Foundation
Mr. William R. Miles, Vice-Chair - Maryland Legislative Sportsmen's Foundation
Ms. Kim Coble, Chesapeake Bay Foundation
Mr. Rob Etgen, Eastern Shore Land Conservancy

Mr. N. Wesley Messick, Dorchester County Soil Conservation District
Mr. Vincent O. Leggett, African-American Land Trust
Ms. Diana Y. Thompson, Harriett Tubman Underground Railroad Byway
Ms. Paulette Hammond, Maryland Conservation Council
Mr. Fred Pomeroy, Dorchester Citizens for Planned Growth
Mr. David O'Leary, Maryland Chapter Sierra Club
Ms. Susan Baird, Manager - Blackwater National Wildlife Refuge
Mr. William H. Gausman, Pepco Holdings, Inc.