



NEWSLETTER

JANUARY 2004

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SUGARLOAF CITIZENS ASSOCIATION

Sugarloaf Wins Concessions From Mirant

After a three year David and Goliath battle, Sugarloaf Citizens Association reached a legal settlement with Mirant, Inc. in connection with our opposition to their proposed expansion of the Dickerson power plant. We are pleased to report that one of several significant achievements was to nail down a commitment from Mirant to place Selective Over-fired Air (SOFA) pollution control equipment on all three existing coal-fired generating units. Mirant's earlier plans called for installing SOFA on only one of the units. This will have a significant impact in cutting nitrogen oxides (NOx) emissions from the Dickerson plant. NOx contributes to our existing regional problem with high ozone levels (Code Red bad air days).

Mirant also agreed to contribute up to \$250,000 to establish the Piedmont Environmental Foundation, a stand alone entity proposed by Sugarloaf. The Foundation will award grants each year for school teachers to conduct environmental education projects with their students. Proposals will be reviewed twice a year from teachers throughout the Montgomery and Frederick County school systems. Other key concessions in the settlement include:

- * Adoption of a security plan for Mirant's entire Dickerson facility based partly on the recommendations of a security study prepared by a Sugarloaf consultant;
- * Adoption of a traffic plan to manage the large number of construction vehicles;
- * Providing pollution data on their wastewater discharges into the Potomac River;
- * Agreement on a plan and schedule to stop transporting diesel fuel by truck and convert to rail transport; and
- * An agreement to implement an Environmental Management System that will help Mirant comply with environmental laws and set targets for environmental improvement. The above agreement was accepted by the Maryland Public Service Commission Judge overseeing the Mirant permit request and is binding on Mirant or any entity purchasing Mirant in the future.

We would like to thank all of the volunteers who helped secure this important and unprecedented agreement.

Sugarloaf Weighs In On Equine Legislation

Almost everyone agrees that existing rules concerning equine activities in the Agriculture Reserve need a major overhaul in the form of a new zoning text amendment (ZTA). In making suggestions regarding the pending Equine ZTA, Sugarloaf salutes the growth of the horse industry as one of the key economic foundations on which rests the viability of the Agriculture Reserve. We recognize horse businesses as agricultural and want them to thrive in the Ag Reserve. The only issues of concern to Sugarloaf involve the size and behavior of the commercial equine operations and what regulations are necessary to protect surrounding homeowners. Therefore Sugarloaf has communicated our concerns regarding the pending Equine Zoning Text Amendment sponsored by Montgomery County Councilman Silverman to our Councilman Mike Knapp. These concerns are:

1. The "equestrian exemption" from the Forest Conservation Law for the horse industry must be dropped. Every other type of farm operation is subject to these regulations and the horse industry should be as well.
2. The lighting proposals are ambiguous and may not provide protection to adjacent landowners.
3. The ZTA exempts noise created between 7 a.m. and 11 p.m. for equine activities. Equine activities should comply with existing County code.
4. It should be clarified that acreage requirements refer to actual pasture and not property area. Other concerns we expressed to the County Council involved traffic control, undefined terms, setbacks, grandfathering existing operations and control of nutrients based on existing state regulations which should be followed.



Sugarloaf Citizens Association

Linden Farm

20900 Martinsburg Road

Dickerson, Maryland 20842

PHONE: (301) 349-4889

EMAIL: jimbrown@sugarloafcitizens.org

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SUGARLOAF NEIGHBOR



Membership Dues::

Please send in your \$25.00 '04 membership dues, please do so as we need your support to continue our efforts to protect and enhance the life and environment in Sugarloaf country. Send to Sugarloaf Citizens Association at 20900 Martinsburg Road, Dickerson, MD

Recycling Failure May Lead to New Landfill

Since SCA's early days, we have tried to address waste generation and disposal problems. Our strategy has always been to push for reduction in the waste stream first, and then extensive recycling, before disposing of the significantly reduced remainder in the least harmful manner possible. Long before the garbage incinerator was constructed in Dickerson, we raised concerns that care and feeding of the incinerator would subsume recycling efforts. Unfortunately, time has proven us correct. A dozen years ago, the County Council promised us a 50% recycling rate by the year 2000. Yet in the waning days of 2003, Montgomery County barely manages a recycling rate of 37%.

Did you know that on April 23, 2002, the Council's own staff, after evaluating solid waste data issued a warning to the Council that, "the County may find itself with insufficient capacity to meet waste disposal demand within five years." A year and a half has passed since that prediction, yet little has been done to forestall its dismal prospect. The worse case scenario could be the creation of a landfill in the Ag Reserve to deal with this problem. SCA would like to more actively pursue solutions to the looming garbage crisis, but we need volunteers to help work on the issue. You don't need prior knowledge of the topic, just an interest in getting involved and making a difference. If you want to help, contact SCA vice president Ellen Gordon at gordonballard@starpower.net or leave a message on the SCA answering machine at 301-349-4889.

Techway Fight Continues

Solutions Not Sprawl, (SNS) is a regional alliance of individuals, civic and environmental organizations who support a coordinated land use and transportation policy that protects existing communities and preserves our remaining farmland and forest. Sugarloaf Citizens Association is a member organization. SNS has successfully defeated a variety of bridge building efforts at the state and local level over the last several years. One proposed bridge alignment cuts right through the Agriculture Reserve near Sugarloaf Mountain. The most recent bridge development is a commitment by Maryland Governor, Bob Ehrlich, and Virginia Governor, Mark Warner, to initiate yet another study on possible routes for the bridge and techway. This new "origin and destination" techway study is underway. Sugarloaf members and the community must be vigilant on this issue. SNS is looking for volunteers to help wage this battle. Contact Sugarloaf Board Member and SNS Campaign Director Tina Brown at tinathiemebrown@comcast.net to join the grassroots effort.

Farm Tour Great Success

Sugarloaf participated in the Farm Tour this past July and registered over 500 visitors to Linden Farm. Free pony rides proved a major draw and the children's crafts activities were also a major hit.