

A G E N D A

Advisory Commission on Environmental Quality (CEQ)

January 25, 2017, 7 PM

Jefferson Building, Chesapeake Room, **105** W. Chesapeake Avenue, Towson, MD 21204

CEQ meeting dates, membership information, and reports are available online

Here: www.baltimorecountymd.gov/Agencies/ceq/index.html

In attendance: Dan Doerfer, Linda Davis, Valerie Androutsopoulos, Keeve Brine (representing Qui Zhao), Brian Fath, Rex Wright, Brian Lindley, Lois Jacobs, Rona Kabell, Glenn Elseroad

Open Meeting

I. Welcome and Introductions – Lois Jacobs, Acting Chair

Dan Doefer – appointed as new member from District 6 by Cathy Bevins, runs Clear Creeks Project sponsored by Gunpowder Valley Conservancy

Karen Wynn, Exec Director for Back River Association, District 7.

II. Discuss, correct and approve minutes of November 30, 2016 meeting.

Minutes approved as submitted.

III. Update on Solar Bill, fallout, and the future

We were asked by Councilman Kach to put together a report to help in approval of the solar farms bill. This has gone several rounds including an emergency meeting before the session with many participants from multiple interest groups; then the date for presentation of the bill was pushed back. The work session was Dec. 10 followed by the Council meeting on Jan. 17 but the bill was pulled because the Council could not agree on acreage limits. The bill is not dead however because other council members are likely to reintroduce it after reworking it. It will be introduced on Feb. 6 and the work session will be on Feb. 14 and the bill will be brought up for a vote at the following council meeting. We have heard that they would be willing to meet with members of the commission prior to that vote. Lois will send out a message once any information comes in.

There is also a community pilot project mentioned by Councilman Kach. Rex describes it as community solar – a neighborhood can build a solar power producing facility and can share in the cost and in the income, which gets around the obligation to work only through a utility. In July 2019 the state will review pilot projects and in July 2018 he may ask EPS, Planning and CEQ to meet to review the projects in advance of the state's review.

One of the arguments with regard to the bill was a question as to whether we might have somewhat fewer but larger farms that could become solar. According to Rex there is a limit of 10 MW above which a facility has to go through Federal Energy Regulatory Commission approval – this is a federal/regional review which is the same that all new power point

proposals have to go through. The county does not want to cross that border because the county loses control and the entire proposal goes through eminent domain and there is no local jurisdiction. Also Public Service Commission regulation kicks in particularly when you are a net exporter of power. The biggest issue is access to the power grid and the capacity of the grid but most people don't understand that there is an infrastructure limit because the distribution system can't handle the load. So the "larger but fewer" option would be subject to concern about passing the 10 MW threshold. Locational choice is also limited by proximity to the lines needed to transmit the energy. The revised bill has an upper limit of 2 MW. The upper limit of the Howard County bill is 75 acres. There are only two districts in Baltimore County that don't have RC zones; so this is really pretty much countywide.

Q: what about putting solar panels on impervious surface, e.g. roof of Towson Mall? A: If it's an owner-occupied building then you don't have an issue as long as you are within zoning and architectural requirements. But something with a large footprint like a mall with 100 tenants doesn't work so well because every tenant has a different meter and you can't necessarily distribute the power well unless you build it and send it straight to the grid. Expense of building over parking lots is also high. Retrofitting for solar is much more expensive than building it into the design of a new structure. The work is different if you put them on a roof and more difficult the older the building gets. Towson University put solar panels on some new buildings but did it without much problem.

In the amended bill there is language that redefines what is allowed. Language about commercial activity kicks in new requirements. Two categories of commercial are listed – two kinds of zones (commercial and industrial?) and everything else in all the RC zones is under special exemption which applies to farms. We don't yet have explanations for all of the changes in the bill. Lois is trying to get together with legal counsel to find out more.

Opened the floor for any other questions about the bill. Rex suggests that it is pretty thorough and should not raise much objection from the industry. It's more comprehensive than many but there is nothing in the bill that he hasn't seen in other legislation before.

One of our recommendations was that the county create a vision for an energy plan that explains how these solar farms fit into the plan. This is balancing clean energy against other concerns from owners of adjacent properties. There is a plan at the state level for total quantity but not for locations. We hope to see the revised version of the bill go through the next time.

IV. Speaker – Rona Kobell, Chesapeake Bay Journal

Was reporter at Baltimore Sun for 9 years writing about Chesapeake Bay, now doing the same for Bay Journal. Also working on a report on hemp for the Abell Foundation. She thinks Baltimore County is not doing enough on open space and does not ask enough of developers and we should demand open space and stormwater controls, porous pavement, green roofs, etc. She writes stories about other locations in the Chesapeake Bay watershed. Lancaster County in Lilitz PA is an example of a place with much more progressive policies even though it is in a highly conservative county. They are putting in buffers, taking action to bring back trout streams, holding developers to rules. Interesting work is being done in

places you might not expect like Lilitz PA or Winchester Kentucky and it is mind-boggling that we can't do it here. She also argued that there should not be impediments to allowing farmers to install solar panels and she wonder whether the fossil fuel industry is influencing the outcomes. People in local government should care about local issues and should be willing to do their part.

Question – what about Towson Row and 101 York? There were some density issues with their parking, they agreed to give the GTCCA some funding for open space, but the Caves Project did nothing but pay 45K in open-space fees. EPS has been trying to push for more progressive policies but has been finding that it is not a priority of the executive.

V. Chairperson status

Lois was nominated and approved unanimously as chairperson of CEQ through the remainder of the current year. Brian will take care of the official notifications and updates to the web site. Lois is also looking to update other information including the membership list.

The 10-year update on the solid waste plan will be coming up a year from now. CEQ was not in on the formation of the last plan but did respond to it. At that time we did not have single-stream recycling but this has happened since that plan. Valerie reported that there is a meeting on the next plan scheduled for Monday Jan. 30 at 6:30 pm at the Arbutus library. Lois will try to get dates for various phases of planning from the county so that we can be more proactive about participating in the process. We want the report to be placed on the CEQ website.

VI. Legislative Updates

See above.

VII. Website - Annual reports

The website does not have the 2014 or 2015 annual report posted. Vince has both of them so hopefully they will be finalized and posted after going through the executive office. When do we do the 2016 report? As soon as possible at this point. Brian has the template that has been used for the past 5 or 6 years in either Word or PDF format.

- Membership

Brian Lindley will update the website on membership.

What about Don Outen's forest management report? It would be worthwhile for us to discuss the status of initiatives that have occurred in the past and what is going to happen going forward – urban trees and street trees are an example. It is easier to use higher-acreage plots to make up large numbers of trees against the target. Lois will review the street trees report. The department is still looking for ways to find places to plant trees. Don's report provides a list of items that have to be checked off under the agreement with the Arbor Day foundation. The staff that worked with Don are now working with Dave Leggins who is Deputy Director and is overseeing that group until they are able to replace Don's position.

Lois will also try to review, update and then get the handbook reproduced for distribution; we haven't given anything to new members in some time.

Russell Donnelly was working on an update of the road salt report but we could ask him to come back and brief us.

VIII. Future Topics/Issues/Speakers

- Comments on Forestry Report and new contact(s)
- Membership Handbook – should be reviewed and updated.
Projects list reviewed – changes and/or additions.
- Meeting with Council?
What do we think about meeting with the Council? Is that something that could be arranged? We might have an opening to do that given recent engagement on the solar bill. Tom Quirk is the current chair.
- Farm Walking Tour?
- Re-check on Council's District Tours (Lois)
Lois will check on this.
- Summer Social – Home, Farm, Park, Restaurant
Recommend we try to schedule something – ask members to come up with recommendations.

IX. Adjourn

Adjourned at 8:51 pm.

Next Meetings: 7:00 PM, regular meetings

- February 22, 2017
- March 22, 2017
- April 26, 2017
- May 24, 2017