



AGRICULTURAL ADVISORY COMMITTEE (AAC)

Regular Meeting Agenda August 20, 2024

1. Introductions
2. Approval of the July 16, 2024 AAC minutes
3. Office of Legislative Oversight (OLO) Report on the status of Transferable Development Rights (TDRs) and Building Lot Termination (BLT) programs – *No update since July 2024*

Throughout the course of three work sessions in June, the Planning Department presented to the Planning Board the same recommendations the department had presented to the OAG and agricultural community on how to increase the market for TDRs and BLTs through the Incentive Zoning Update. At the conclusion, the Planning Board voted in favor of presenting these recommendations to the County Council. The Planning Department stated that the recommended changes to the TDR program would require the County Council to introduce a Zoning Text Amendment.

4. [ZTA 24-02, Agricultural and Rural Zones – Campground](#)

The ZTA was adopted by the County Council on July 30, 2024 and became effective on August 19, 2024.

5. Maryland Piedmont Reliability Project

The Maryland Piedmont Reliability Project (MPRP) is a critical system (grid) enhancement (update) that has been awarded to PSEG by PJM, the Regional Transmission Organization (RTO) responsible for operating and planning the regional electric grid in all or parts of thirteen states, including Maryland.

The MPRP is a 500,000-volt (500 kV) transmission line designed to respond to growing electric needs in Maryland and the surrounding region. Transmission reliability is key to supporting Maryland's energy future.

The approximately 70-mile proposed transmission route spans three counties, westward from the connection point within the existing Baltimore Gas & Electric transmission line right-of-way in northern Baltimore County, through Carroll County, and into the existing Doubs 500kV Station in southern Frederick County.

Due to significant system overloads in the region, PJM determined that system reinforcements are necessary and that a new overhead transmission line is required in the Piedmont Plateau region of Maryland. PJM opened the 2023 competitive window seeking solutions to address this need.

In determining the proposed project route and scope to respond to the PJM competitive window, PSEG evaluated paralleling existing rights-of-way (ROW) in the PJM defined area of concern to the



AGRICULTURAL ADVISORY COMMITTEE (AAC)

extent feasible. However, existing ROWs can traverse through populated areas and developed neighborhoods, as well as environmentally sensitive areas (i.e. wetlands, waterways) and established parkland, which PSEG attempted to avoid in its initial proposed routing.

Subsequent to being awarded the project in December 2023, PSEG began an in-depth routing analysis to further define the study area and to determine routing alternatives that would refine a viable route that considers and minimizes potential impacts to the built and natural environment. These alternatives are presented on this MPRP website as an [interactive map](#). A stakeholder survey was available for an initial round of public comment from July 8 – July 26 5:00 p.m. EST. We are in the process of reviewing all comments received to date and further refining the routing analysis. We have added a number of FAQ questions and responses to address comments/feedback received, and are working on providing additional information and forums for public communication as soon as possible. If you have additional questions or concerns in the interim, you can contact us at PSEG-MPRP@pseg.com.

The project will be subject to the Maryland Public Service Commission's Certificate of Public Convenience and Necessity (CPCN) process. PSEG plans to submit the Maryland CPCN application in the fourth quarter of 2024. The project is expected to go into service (when the project delivers power) in June 2027.

6. Solar projects generating over 2 MW in the Agricultural Reserve – *No update since July 2024*

A solar developer, Chaberton Solar, has applied to the MD Public Service Commission (PSC) to build two solar projects that will generate over 2 MW in the Agricultural Reserve. The first one, [Chaberton Sugarloaf](#) (Case No. 9726), is a 4 MW project proposed for approximately 16 acres of the 53 acres on 20507 Darnestown Road, Dickerson. The second, [Chaberton Ramiere](#) (Case No. 9733), is a 3 MW project proposed for approximately 11 acres of the 118 acres on 17600 Whites Ferry Road, Poolesville. These properties have Class 1 or 2 soils on 77.1% and 99.9% of their areas, respectively. The County Code, which allows for solar installations of up to 2 MW, does not allow them on Class 1 or 2 soils. However, because these two projects will generate over 4 MW, they are under the jurisdiction of the PSC, which only needs to give “due consideration” to local ordinance.

In addition to approval from the PSC, Chaberton Solar needs to receive Mandatory Referral approval for both projects from the Montgomery County Planning Department. However, this review process cannot deny the application based on non-conformance with the County Zoning Code, but rather other regulations like the Forest Conservation Law. Chaberton's Mandatory Referral application for the Sugarloaf project was accepted by the Planning Department on July 1. The Planning Department will publish a report on this project on August 26, hold a public hearing on September 5, and submit a letter to the County Council, County Executive, and PSC on September 13. A Mandatory Referral application for the Ramiere project has not yet been received.

The PSC is also holding public hearings on these two projects. A virtual public hearing for the Sugarloaf project took place on July 10, 2024 at 7 pm. A second public hearing will take place on October 8 at 6:30 pm at the Upper Montgomery County Volunteer Fire Department, 19801



AGRICULTURAL ADVISORY COMMITTEE (AAC)

Beallsville Road, Beallsville. The public may sign up to speak at the hearing by sending an email to psc.pulj@gmail.com by October 7 at 12:00 pm. The live stream of the hearing will be available on the [Public Utility Law Judge Division's YouTube Channel](#). Written comments on the proposed project may be submitted electronically through the [Commission's Public Comment Dropbox](#) by October 9. All comments must include reference to Case No. 9726.

7. University of Maryland (UMD) Assessment of Agrivoltaics

Two researchers from the UMD Department of Environmental Science and Technology are conducting a study of stakeholder viewpoints on agrivoltaics with the objective of finding ways agrivoltaics could be implemented successfully in Maryland. They are organizing focus group discussions with four stakeholder groups: 1) county government employees, 2) farmers and landowners, 3) advocacy groups, and 4) energy sector representatives.

The government focus group discussion took place on August 2 and included representatives from the County Executive's office, Department of Environmental Protection, Department of General Services, and the Planning Department.

The farmer and landowner focus group discussion will take place on August 21. The invitees include representatives from several agricultural groups (AAC, Agricultural Preservation Advisory Board, Montgomery Agricultural Producers, American Farmland Trust, and Montgomery County Farm Bureau Board of Directors), as well as diverse agricultural industries (commodity crops, livestock, produce, equines, and horticulture).

8. Maryland Department of Agriculture (MDA) Pesticide Recycling

MDA has announced the return of the Pesticide Disposal Program. Open to growers in Maryland, the program allows farmers and agricultural partners to dispose of unusable or unwanted agricultural pesticides in a safe manner.

The Pesticide Disposal Program has been available to Maryland farmers and agricultural commodity producers since 1995. Eleven programs have been conducted, with more than 230,000 pounds of unusable or unwanted pesticides collected from 423 farm sites throughout Maryland. The program is funded through a federal grant as well as with licensing, certification and registration fees collected from pesticide businesses, certified applicators and registered employees and/or pesticide registration fees paid for by pesticide manufacturers and registrants.

The program is available free of charge to all farmers, nurserymen, greenhouse operators and Christmas tree growers. Registration forms to participate in the program are available [here](#). You can also contact MDA or your local UMD Extension office. The deadline for registration forms to be submitted to MDA is January 15, 2025.

For additional information including details on the process of collection, please contact the Pesticide Regulation Section at 410-841-5710.



AGRICULTURAL ADVISORY COMMITTEE (AAC)

9. The next meeting of the AAC will be held on September 17, 2024 at 7:00 pm via Microsoft Teams.

10. Upcoming meetings and events:

Montgomery County Farm Bureau Board of Directors meeting: September 3, 2024

Agricultural Preservation Advisory Board meeting: September 10, 2024

Montgomery Soil Conservation District Board of Supervisors meeting: September 13, 2024

Montgomery Soil Conservation District Cooperator's Dinner: September 18, 2024