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August 14, 2014

The Honorable Barbara Mikulski, U.S. Senate
503 Hart Senate Office Building
Washington, DC, 20510

Senator Mikulski,

We are writing to express our disappointment with the Senate Appropriations Committee report language that you recently added to H.R. 4870, the Department of Defense Appropriations Act of 2015. We ask that you move to strike that language from the bill as soon as possible.

The language in that bill unnecessarily harms a proposed Maryland wind energy project in Somerset County by directing the Department of the Navy to not execute a memorandum of understanding that would allow the project to move forward. This language would kill a specific wind farm even though serious good faith efforts are underway between the wind developer and the military to execute a “win-win” agreement to avoid impacts to the Patuxent River Naval Air Station (PAX River) radar. By doing so, this language sets Maryland back in its efforts to fight climate change, which is threatening the state with sea level rise, increased extreme weather events, prolonged droughts and numerous other threats to our economy, environment and residents. This language also threatens hundreds of millions of dollars of investment in Somerset County, as well as hundreds of new construction jobs and \$44 million in new local tax revenues.

We believe that this language is unnecessary because federal and Maryland state law already provide sufficient opportunities for any specific, localized concerns of the Navy and PAX River to be addressed. In order to ensure that wind energy and other energy infrastructure growth can coexist with America’s national defense system, Congress passed the Ike Skelton National Defense Authorization Act for Fiscal Year 2011. This law establishes a clearinghouse process where energy project developers and the Department of Defense (DOD) engage with each other with the stated purpose to “protect DOD mission capabilities from incompatible development” in order to “prevent, minimize, or mitigate adverse impacts on military operations, readiness, and testing.”

As an added layer of protection, Maryland law provides that any wind farm within 46 miles of PAX River must seek a Certificate of Public Convenience and Necessity in a proceeding before the Maryland Public Service Commission. This proceeding would look beyond national security implications to actual economic impacts within the state. PAX River, as a party to this proceeding, has the full capability under existing law to present any concerns regarding economic impact to the state. These laws provide ample protection for the critical missions at PAX River.

Maryland is a progressive state with a strong environmental record of leadership. Over the years, the State has championed efforts to promote clean energy, reduce greenhouse gas emissions, improve

local air quality, and grow its green economy. Tragically, this appropriations language would be a huge step back in the progress that Maryland has achieved, and the negative impacts of the bill could reverberate across the country for years to come. This bill language sends a signal that wind energy investments are not welcome in Maryland and creates an uncertain business climate that we fear could have ripple effects elsewhere.

This language undermines the federal and state level processes already in place to protect PAX River, it harms Somerset County, it sets a dangerous national precedent, and it would weaken Maryland's standing as a national leader on clean energy. We sincerely hope you move to strike this language so that Maryland and the rest of the country can move forward—confidently and responsibly—towards a clean energy economy.

Sincerely,

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