

May 16, 2016

Mr. Zach Fisch
FSH Associates
6339 Howard Lane
Elkridge, Maryland 21075

Re: BGE Notchcliff
Forest Buffer Variance
Fiber Optic Cable Installation
DEPS Tracking Number: 03-16-2223

Dear Mr. Fisch:

Environmental Impact Review (EIR) staff has completed a review of a request for a variance from the Baltimore County Code, Article 33, Title 3: Protection of Water Quality, Streams, Wetlands and Floodplains for the above-referenced project. The subject site is an existing BGE facility, partially located within the forest buffer and adjacent to the Gunpowder Falls, a Use IV stream. A forest buffer variance was approved on June 12, 2014, at this site to construct a new degassing facility, impacting 9,754 square feet (sf) of the forest buffer. A 2nd forest buffer variance, associated with the original project, was approved on July 10, 2015, to impact an additional 560 sf of the buffer. This was necessitated by the required removal of an obstruction of the construction of a proposed building foundation, contiguous to, but outside of the limit of disturbance of the previously approved LOD within the buffer. This forest buffer variance seeks to impact an additional 401 sf of the forest buffer, contiguous with, and outside of the previously approved LOD. The project involves the installation of a fiber optic cable, associated with the ongoing work described above. The cable will extend from upslope and into the forest buffer at the substation. Actual impacts may be minimized to less than 401 sf, as directional drilling will be utilized to install the line.

This Department has reviewed your request, and has determined that a practical difficulty does exist and that the plan shows the most feasible and practical location for the proposed construction activities, where there are no impacts proposed to forest, wetlands or other resources. Therefore, the variance is hereby approved in accordance with Section 33-3-106 of the Baltimore County Code, with the following conditions:

1. The following forest buffer variance note shall appear on all future plans for this project: “A forest buffer variance was approved by the Baltimore County Department of Environmental Protection and Sustainability from the Baltimore County Code, Article 33, Title 3: Protection of Water Quality, Streams, Wetlands and Floodplains. The location of the disturbance for the installation of the fiber optic cable within the forest buffer is reflective of the fact that the variance was approved. Conditions were placed on the approved forest buffer variance to reduce water quality impacts.”

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Page 2