



February 27, 2026

Dear County Council members,

I'm pleased to send these comments on behalf of Sugarloaf Citizens Association (SCA), a not-for-profit environmental and civic group based in Dickerson. A sizable portion of our members live in close proximity to or within 10 miles of the Dickerson industrial property proposed as a site for a data center complex.

We strongly support the concept of a zoning ordinance that defines and sets parameters for the siting and operation of data centers in the county. **ZTA 26-01** is a start. But it is NOT yet the fully developed set of standards and regulations we feel is necessary. We urge the Council to strengthen the proposed ZTA.

SCA on January 30 joined the Montgomery County Climate Coalition and its member groups in commenting on the County Executive's framework for data center zoning. That detailed communication has already been shared with the sponsors of ZTA 26-01 and other council members. See the end of this letter for a synopsis of the issues we hope the Council will pay close attention to.

We don't see a strong rationale for a task force on data centers, as proposed in **Bill 4-26**. However, should the Council make the collective judgment that the task force has utility to its process of evaluating the issues inherent in the data center debate, we have no objections. We concur with the bill's provision that such a task force produce an interim report in 6 months. We would further suggest that the task force, if empaneled, be empowered to analyze and weigh in on technical issues in real time as the Council debates and amends ZTA 26-01.

### **Pause of no pause?**

We support a six to nine month PAUSE on the County's approval of any data center proposal, including the Atmosphere Project in Dickerson. Such a pause could allow Atmosphere's proposal to continue to be *assessed* by the Planning Board and other agencies. But the pause should **not** allow those agencies to approve Atmosphere's plan before the ZTA is enacted.

At that point, Atmosphere's proposal may or may not have to undergo yet another "major modification" to meet the requirements set forth in the ZTA.

We oppose any process by which Atmosphere is exempted from the new regulations, or “grandfathered-in.” The Atmosphere proposal is sufficiently different from the proposal Terra received conditional-use approval for in fall 2024. To cite one profound difference: Terra agreed that no diesel generators would be attached to the project. Atmosphere’s proposal includes diesel generators.

Most importantly, whatever final regulatory framework the Council adopts for data centers will completely supplant the one that existed when the Terra project garnered initial approval in 2024—under the regulatory framework established for “cable communications.”

In short, this process is now altered significantly, and under unusual circumstances; it simply makes no sense to allow Atmosphere to evade pending regulations on such a large-scale project that is the subject of rising public attention and concern. The stakes are too high.

The fact that Terra Innovations (aka Terra Energy), a real estate firm, sought to pave the way for a data center complex through an initial and incomplete land-use oriented regulatory process should be viewed in context. That effort—flawed by the framework of cable communications applied to it—allowed Terra to further its discussion with Atmosphere, and possibly allowed Atmosphere to further its discussion with its “client.” All well and good for all those businesses. But not in any way a process that today would or should allow Atmosphere to claim that it has conditional use approval for what **it plans to do** on the site in Dickerson—actual site plans; actual number and size of buildings; actual specs on energy and water use; actual plans for the surrounding property; and other impacts.

### **Standards and technical points we urge the Council to consider**

- Limit data centers to industrial zones and make sure the ZTA sets guidance or conditional use standards that cover the unique character of this burgeoning industry—with special attention to water and energy requirements
- Prohibit altogether data centers near residential and sensitive areas like houses of worship, hospitals, and schools
- Allow the Planning Board to increase setbacks based on site
- Prohibit the use of groundwater for cooling purposes and prohibit open-loop water cooling systems. Instead, require advanced cooling techniques such as liquid cooling or geothermal systems
- Consider incentives for novel cooling technologies

- Pay close attention to diesel generator standards for noise and pollution, with attention also to noise and pollution from rooftop chillers or fans. Require type 4 generators or emissions equivalent
- Require data centers to have (within a certain timeframe) a primary backup of 50 hours of power capacity via onsite battery storage or other approach, making diesel back-up secondary
- Require data center companies to purchase Renewable Energy Credits (RECs) and/or enter into power purchase agreements for energy from renewable sources.
- Require data centers to develop a plan to achieve net zero greenhouse gas emission by 2035, aligning with MoCo's Climate Action Plan.

Sincerely,

A handwritten signature in black ink that reads "Steven Findlay". The signature is written in a cursive, slightly slanted style.

Steven Findlay

SCA President

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