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Senate Bill 631 - Eminent Domain – Agricultural and Conservation Easements – Prohibited Taking

Committee: Economic Matters

MGPA Position: SUPPORT

The Maryland Grain Producers Association (MGPA) serves as the voice of grain farmers growing corn, wheat, barley and sorghum across the state. MGPA supports House Bill 631 which prohibits the taking of land subject to an agricultural or conservation easement via eminent domain by the state, any of its instrumentalities or political subdivisions.

The Maryland Agricultural Land Preservation Foundation was created via legislation in 1977 with the statutory purpose of preserving productive farmland and woodland for the continued production of food and fiber for all of Maryland's citizens; curbing the expansion of random urban development; curbing the spread of urban blight and deterioration; and to protect agricultural and woodland as open space. This first of its kind program has been very successful in meeting those goals through preserving over 350,000 acres of productive agricultural land across the state.

Taking of these preserved agricultural lands via eminent domain for public utilities is contrary to the very purpose of the program and the state funds used to purchase the easements. Eminent domain easements can be very disruptive to the farming operation often taking large swaths of land out of production and easement agreements restricting access from one parcel to the other. The overhead transmission lines, used in many cases to service urban or even out-of-state areas power needs, are in conflict with both the preservation of open space and continued food production. Additionally, the devaluation of farms due to eminent domain and the resulting transmission lines makes it difficult for farmers to meet the existing obligations for loans and secure necessary lines of credit.

There are other properties that state resources have not been expended on preserving available for these eminent domain activities and MGPA urges your favorable report on House Bill 631.

Thank you,

Lindsay Thompson
Executive Director