

WRITTEN TESTIMONY ON HB1270

DATE: 3/4/2025

TO: Maryland State House of Delegates, Economic Matters Committee

FROM: Judy A. Carbone, Resident of Swanton, Garrett County, MD
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RE: **STRONG OPPOSITION TO HB1270 -- Natural Resources - Wildland Areas - Overhead Transmission Lines**

My name is Judy A. Carbone, and I am a 25+ year resident of Garrett County. I write to you today in strong opposition to HB1270 -- Natural Resources - Wildland Areas - Overhead Transmission Lines, which, if passed, will directly affect the public, environmental, and economic health of my county. Additionally, it is a bill inappropriately filed and one that is against COMAR regulations. It should not proceed forward and should be stopped with a strong vote of opposition from committee members.

There are several reasons I believe my request of a no vote from you is warranted and right. HB1270 proposes to give NextEra Energy a right-of-way to build a transmission line in three designated wildland areas in Garrett County. Basically, the bill asks the General Assembly to cede their right of review to the Public Services Commission in their Certificate of Public Convenience and Necessity process. The Senate version of this bill was submitted by the Senator McKay on January 21, 2025, and the House version by Delegate Hinebaugh on February 7, 2025, with absolutely no public notification nor engagement.

Secondly, the bill contains no information on specific locations or dimensions, other than the stipulation that the lines are to run parallel to existing Potomac Edison lines grandfathered in when the wildland designation was codified by the General Assembly for these three areas. There are no stipulations on how "parallel" is to be determined and no limitations stated on how far from the original power lines "parallel can go". The "certain areas" statement provides far too much leigh way, open to interpretation.

Third, the bills violate current state statutes and COMAR regulations. This includes the Maryland Wildlands Statue (MD Natural Resources Code S. 5-1203) which states that the 38 designated wildlands areas will be left "unimpaired for the future use and enjoyment as wildlands, to provide for their protection, preservation of their wildlands character". Granting an exception to these wildlands is no small matter. It fundamentally changes the nature of these areas in Garrett County and the intent on leaving all such areas as pristine and unimpaired. On top of it, it opens the door as precedent for exceptions "generally relating to wildland areas in the State (page 1, line 6)."

In terms of COMAR, permitted activities for transmission lines (08-01.02.03) specifically states (1a.) that "easements for above ground lines that were present at the time of designation are permitted" and that (2a.) "upgrading or expansion of the lines is permitted if the rights were in effect of the time of designation." Furthermore, under Restricted and Conditional Uses (08.01.02.06) it states that there will be "no temporary roads, no motorized equipment, no cutting of trees or shrubbery", all of which would be required for the construction and operation of transmission lines.

Additionally, COMAR also states (08.01.02.05B) that only the Governor – not the General Assembly – can request exceptions and change boundaries to wildlands and only after a specific public need is identified and public notifications and hearings take place. None of this has happened. SB399/HB1270 would go against these COMAR regulations by putting the proverbial horse before the cart and creating a new pathway for changes to wildlands management and boundaries. This, too, is unacceptable.

Fourth, HB1270 is contrary to the public interest in Garrett County. Our economy is based on nature and outdoor tourism. The wildlands are a huge draw to the visitors that generate income so that many our citizens can have jobs, earn income, buy houses, invest in our community, and so much more. The health of our local environment is an economic investment, as pristine, undisturbed areas provide opportunities for the hiking, hunting, fishing, camping, etc., enjoyed by all the citizens of Maryland. Sensitive habitats and species found in no or few other places are protected by these wildlands in Garrett County. Also, the wildlands protect headwater streams in the Savage River for not only recreational activities but also for health drinking water and Potomac River drinking quality. Protecting our public health as well as our economic and environmental health, must be a consideration in whether to support or oppose this bill.

Which brings me to my final point. Talk about the proverbial cart before the horse! There is so much that we don't know about the transmission line project for which this exception has specifically been designed. It seems to me to be foolish and against the best interests of the citizens of Maryland, especially those of us in Garrett County, to grant such a profoundly consequential exception without having all information about the intended project specifically laid out. Questions that must be answered before an exception to the wildlands statutes can be granted include, but are not limited to, the following:

- Is this transmission line project needed and why?
- What are alternative routes that should be considered before going directly to the option that violates our wildlands? Cost to the project cannot be the most prioritized consideration.
- Exactly how much land will be impacted and what limitations need to be put into place to ensure the minimum impact?
- How will this project impact our farms and our homes and, of course, those who own them?
- How will this project impact our tourism economy?
- What are the impacts on the environmental health and the public health of Garrett County?
- Could the existing right of ways be used, even if it means negotiating with Potomac Edison?
- What exactly are the benefits to Garrett County and are they worth the negative impacts that will be done to the wildlands, our economy, our environmental health, and the health of our citizens?

The citizens of Garrett County deserve to have specific, fact-based answers to these and other questions before any exemption to our wildlands statutes is codified into Maryland Law. The citizens of Maryland, current and future, also deserve these answers, and they deserve your protection by voting against this bill.

Thank you in advance for your opposition to HB1270.

Thank you.