



Bill No.: HB631 – Eminent Domain – Agricultural and Conservation Easements – Prohibited Taking

Committee: Economic Matters

Sponsors: Delegates Guyton, Grammer, Griffith, A. Johnson, S. Johnson, Kerr, Kipke, Lehman, Mangione, McComas, Miller, Nawrocki, Pasteur, Patterson, Phillips, Rose, Ruth, Stonko, Szeliga, Tomlinson, White Holland, and Wims

Hearing Date: March 6, 2025

Position: Favorable

Chair, Vice Chair, and Members of the Committee,

I respectfully submit this testimony in **strong support** of **House Bill 631**, which **prohibits the use of eminent domain to seize private property that is protected under a perpetual agricultural or conservation easement**. This bill reinforces Maryland's commitment to **preserving farmland, safeguarding our rural communities, and protecting vital waterways that contribute to the health of the Chesapeake Bay**. I urge a **favorable report** on this crucial legislation.

Maryland's Investment in Agricultural and Conservation Easements

Maryland has been a national leader in **land conservation and farmland protection** through programs such as:

- The **Maryland Agricultural Land Preservation Foundation (MALPF)**
- The **Rural Legacy Program**
- The **Maryland Environmental Trust**
- County and municipal land preservation programs

Through these efforts, Maryland has **safeguarded thousands of acres of farmland, forests, and waterways**, preventing unchecked development and ensuring the long-term viability of agriculture and environmental conservation.

However, the **Maryland Piedmont Reliability Project (MPRP)** and similar transmission projects threaten to undermine these efforts by using **eminent domain to seize lands that have been legally protected for conservation and farming**.



The Scope of What's at Risk

If eminent domain is permitted on conserved and preserved lands, **the impact will be devastating** to Maryland's agricultural economy, rural communities, and environment. The **MPRP alone** is projected to impact:

- **245.8 acres of conservation easements**, including **224.6 acres protected under MALPF**
- **1,801.7 additional acres of conserved land within 500 feet of the proposed right-of-way**
- **394.2 acres of forested lands**, leading to significant habitat fragmentation
- **101 stream and waterbody crossings**, increasing pollution and sedimentation risks
- **51.1 acres of total wetlands, including 10.1 acres of forested wetlands**
- **522.6 acres of cultivated cropland**, reducing agricultural production and economic output

Beyond the direct right-of-way impacts, the **303 access roads required for construction** will further **destroy an additional 140 acres of land**. These access roads will cause:

- **Significant erosion**, which will degrade soil health and **increase runoff pollution into the Chesapeake Bay**
- **Soil compaction and damage**, reducing farm productivity and **limiting the ability of land to recover**
- **Long-term environmental degradation**, including the loss of prime farmland that cannot be easily restored

Protecting Multi-Generational Family Farms and Rural Maryland

For centuries, Maryland's family farms have been at the heart of our rural communities. Many of these farms have been passed down for generations, **sustaining Maryland's agricultural economy** while providing **local food production, jobs, and environmental benefits**.

By protecting lands under conservation and agricultural easements, Maryland has made a commitment to its farmers—a **commitment that should not be broken**. If projects like the MPRP are allowed to seize and disrupt these lands, Maryland's **multi-generational farms will suffer irreparable harm, threatening our state's agricultural future**.



Safeguarding the Chesapeake Bay and Maryland's Waterways

Maryland's conserved lands play a **critical role in protecting the health of the Chesapeake Bay and its tributaries**. These lands:

- **Prevent stormwater runoff and erosion** that lead to pollution in the Bay
- **Provide natural filtration** to protect drinking water supplies
- **Support wildlife habitats and biodiversity**, preserving Maryland's ecological balance

The construction and maintenance of high-voltage transmission lines across these protected lands will **reverse decades of progress** in reducing nitrogen and phosphorus pollution in the Chesapeake Bay. The **destruction of forested wetlands and stream crossings** will **increase erosion and sediment runoff**, further degrading water quality and harming marine life.

Conclusion

The passage of **HB631 is essential** to uphold Maryland's **commitment to land conservation, rural preservation, and environmental stewardship**. This bill ensures that **agricultural and conservation easements remain protected from corporate and governmental overreach, securing the future of Maryland's farms and natural resources**.

- By prohibiting the use of eminent domain on lands protected for conservation and agriculture, HB631:
 - Protects multi-generational family farms** from forced land seizures
 - Upholds Maryland's significant investments in conservation and agricultural preservation**
 - Prevents environmental degradation and protects the Chesapeake Bay**
 - Ensures that Maryland's promise to landowners remains intact**

I strongly urge the committee to **issue a favorable report on HB631**.

Respectfully submitted,

Joanne Frederick

President

Stop MPRP, Inc.

joanne.frederick@stopmprp.org

443.789.1382