

BENJAMIN BROOKS
Legislative District 10
Baltimore County

Education, Energy, and the
Environment Committee
Energy Subcommittee

Chair, Joint Electric Universal
Service Program Workgroup



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TESTIMONY IN SUPPORT OF SB 34
Certificate of Public Convenience and Necessity – Overhead Transmission Lines –
Conservation Easements

Education, Energy and the Environment Committee
February 13, 2025

Chair Feldman, Vice Chair Kagan, and Members of the Committee:

Thank you for the opportunity to testify before you on SB34 - Certificate of Public Convenience and Necessity - Overhead Transmission Lines - Conservation Easements. The purpose of this bill is to keep our state's promises to property owners in light of the proposed Maryland Piedmont Reliability Project (MPRP). Specifically, the bill would require:

- 1) The Public Service Commission (PSC) to consider the impact of overhead transmission lines on conservation easements when granting a certificate of public convenience and necessity (CPCN);
- 2) An applicant to minimize the impact on properties that are in the proposed overhead transmission line route and subject to an existing conservation easement; or
- 3) An applicant to change the proposed route to minimize the impact on properties that are in the proposed route and subject to an existing conservation easement.

The MPRP is a new transmission project awarded to the Public Service Enterprise Group (PSEG) by PJM. As the Regional Transmission Organization (RTO), PJM is responsible for operating and planning the regional electric grid that Maryland is a part of. Since PJM is responsible for ensuring the continuous flow of electricity on the grid, in February of 2023, they began commencing the implementation of an elaborate series of projects to improve, enhance and supplement the grid. One of the most controversial of those projects is the MPRP, the construction of a new long-distance 500kv electrical transmission line running 70 miles across central Maryland, from northeastern Baltimore County to southern Frederick County.

With increasing demand, it is no secret that Maryland needs additional generation. Our state is a net importer, thus generating only 60% of the electrons we are consuming. However, we must not compromise on our obligation to reinforce the permanence of agricultural and

conservation easements. This will ensure that lands designated for preservation remain protected from development and/or other uses.

The Maryland Agricultural Land Preservation Program, in existence since 1977, is one of the most successful programs of its kind in the country. Its primary purpose is to preserve sufficient agricultural land to maintain a viable local base of food and fiber production for the present and future citizens of Maryland. The Program purchases perpetual agricultural conservation easements to prevent farmland from being developed for residential, commercial or industrial uses. Further, with the passage of Maryland the Beautiful Act in 2023, the state committed to the preservation of 600,000 additional acres of agricultural and open space land by 2040, with a goal of 40% of Maryland land by 2040.

Utilizing these lands for the construction of transmission lines will decrease the productivity of farmlands and agricultural economic growth for our state. Moreover, the construction and ongoing maintenance of these high-voltage transmission lines will be destructive to natural habitats and ecosystems. While PJM may claim that the Maryland Piedmont Reliability Project is necessary for the grid's reliability, it comes at a dire cost to Marylanders. Our State cannot and should not break its promises to its residents who have invested time, money, and care in conserving our pristine agricultural lands.

Currently, the PSC is already tasked with making careful considerations when issuing a CPCN. SB34 merely adds one additional necessity for added protection of our preserved lands, while holding an applicant to a high level of accountability to confirm all alternative routes and their impacts on our conserved properties have been considered.

For these reasons, I am requesting a favorable report on Senate Bill 34.

With kindest regards,

A handwritten signature in cursive script that reads "Benjamin T. Brooks". The ink is dark and the signature is fluid, with a long, sweeping underline.

Benjamin Brooks