



Maryland

Energy Administration

TO: Chair Feldman, Vice Chair Kagan, and Members of the Education, Energy, and the Environment Committee

FROM: MEA

SUBJECT: SB 34 - Certificate of Public Convenience and Necessity - Overhead Transmission Lines - Conservation Easements

DATE: February 13, 2025

MEA Position: LETTER OF CONCERN

This bill would require applicants to minimize the impact of an overhead transmission line on real property subject to a conservation easement or change the route to minimize the impact of affected properties. The bill would also require the applicant to analyze the impact of a new overhead transmission line on real property in the alternate routes the applicant considered but did not select.

The bill has the potential to decrease administrative efficiencies and increase costs to ratepayers. There is a need to optimize energy infrastructure siting to minimize the impact on sensitive environmental areas while also maximizing efficiency, given pressing grid reliability and resilience needs within the state. Requiring the additional analysis—and review by the Public Service Commission thereof—could prolong permit review times, particularly given the potentially significant extent of conservation easements in the state. Delays can create uncertainty and raise costs for applicants that may be passed on to electricity consumers.

The Maryland Protected Lands Dashboard, produced by the Maryland Department of Planning (MDP) in coordination with the Maryland Department of Natural Resources (DNR) and the Maryland Department of Agriculture (MDA), estimates total preserved acres to be 1,871,462 acres. In addition, the Protected Lands layer included on [FINDER Online](#) covers a considerable amount of the State.¹ The sheer magnitude and random dispersion of these lands would significantly complicate the siting of energy assets in the state under this legislation.

Our sincere thanks for your consideration of this testimony. For questions or additional information, please contact Landon Fahrig, Legislative Liaison, directly (landon.fahrig@maryland.gov, 410.931.1537).

¹ Note, these tools may include protected lands additional to the definition of “conservation easement,” as defined under the Real Property Article, to mean an easement, covenant, restriction, or condition on real property, including an amendment to an easement, covenant, restriction, or condition, that is (1) owned by the Maryland Environmental Trust, the Maryland Historical Trust, the Maryland Agricultural Land Preservation Foundation, DNR, or a land trust; owned by a county or municipal corporation and is funded by DNR, the Rural Legacy Program, or a local agricultural preservation program; or (3) required by a permit issued by the Maryland Department of the Environment (MDE). They are referenced here to illustrate the extent of this type of real property.