

**FAVORABLE NEETMA Testimony SB 399.pdf**

Uploaded by: Kaley Bangston

Position: FAV



FAVORABLE

Natural Resources – Wildland Areas – Overhead Transmission Lines  
Senate Bill 399  
Before The Education, Energy and Environment Committee

February 11, 2025

Mr. Chairman, Madame Vice Chair and Members of the Senate Education, Energy and Environment Committee:

Thank you for the opportunity to testify today on Senate Bill 399. I am here today with my colleagues, Kaitlin McCormick and Brad Rolfes, representing NextEra Energy Transmission MidAtlantic (“NEETMA”). NextEra Energy Transmission, LLC, (“NEET”) a subsidiary of NextEra Energy, Inc., is the leading competitive electric transmission company in North America. NEET develops, finances, constructs, operates and maintains transmission assets across North America. We currently have 10 operating projects across North America with a total capex of \$3.3 billion.

NEETMA is currently in the process of developing the MidAtlantic Resiliency Link (“MARL”) transmission line. The project consists of building a new approximately 105-mile 500 kV transmission line from Fredrick County, Virginia to Greene County, Pennsylvania including a section in Allegany and Garrett Counties in Maryland. The line was selected by the regional electric grid operator, called PJM, to ensure that the region has reliable electric power for decades to come and is part of a broader initiative to enhance PJM’s electric grid. The project will help serve the region’s electricity demand and will help keep the power on during extreme weather events.

Approval by the General Assembly is required to exempt or withdraw any property from a Maryland designated Wildlands area. Senate Bill 399 proposes the exemption of a small portion of land to allow for the MARL line to route adjacent to an existing transmission line owned and operated by FirstEnergy which also routes through Wildlands. While we believe this routing option provides the least impact to the region, we are actively performing a routing study and taking feedback from local stakeholders as we make these routing decisions. Senate Bill 399 provides the option to route adjacent to the existing transmission infrastructure in the area.

The ultimate siting power of the transmission line sits with the Public Service Commission (PSC) during the Certificate of Public Convenience and Necessity (CPCN) process. The passage of Senate Bill 399 does not approve the MARL transmission line or any other transmission line in Maryland. It simply allows for the exemption of a small portion of Wildlands to provide an option for the MARL line to route in an efficient manner. If NEETMA determines that an alternative route is preferred after receiving additional stakeholder feedback or the PSC directs NEETMA to adopt an alternative route, MARL will not cross the Wildlands and the designation on the land will remain.

While we are in the initial stages of project development, our team has held over 50 meetings with stakeholders in Maryland to seek their feedback. We will also be hosting public meetings to obtain additional feedback on the potential routing alternatives. The project will generate an estimated \$450 million to be paid

and benefit the local communities in Maryland over the 40-year life of the project. The project will provide reliable electricity for hospitals, fire departments and other essential services. We look forward to being a community partner and successfully completing this project.

I welcome any questions or comments at this time.

Thank you,

Kaley Bangston  
Director, Regulatory and Political Affairs  
[Kaley.bangston@nexteraenergy.com](mailto:Kaley.bangston@nexteraenergy.com)

# **SB399.pdf**

Uploaded by: Mike McKay

Position: FAV

**MIKE MCKAY**  
*Legislative District 1*  
Garrett, Allegany, and Washington Counties



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Judicial Proceedings Committee  
Executive Nominations Committee

**THE SENATE OF MARYLAND**  
**ANNAPOLIS, MARYLAND 21401**

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100N Mechanic Street  
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*Joint Committees*  
Administrative, Executive,  
and Legislative Review  
Children, Youth, and Families  
Program Open Space and Agricultural  
Land Preservation

*Williamsport Office*  
2N Conococheque Street  
Williamsport Town Hall  
Williamsport, Maryland

Senate Bill 399 – Natural Resources – Wildlands – Overhead Transmission Lines

January 22, 2025

Dear Chairman Feldman, Vice Chair Kagan, and Members of the Committee,

This particular Session, we have an important topic of concern that affects many Marylanders, particularly our farmers. The Piedmont power line proposal was brought forth in the interim (between last year's legislative Session and this one) and caused a lot of controversy as it would cut through farms that were mainly owned by family farmers and would stretch from Harford into Frederick Counties.

This bill takes precautions to avoid that at all costs. This would clear a path for another transmission line through Garrett and Allegany Counties. At no point will this line go through farmland as it instead would go through wildlands that are not protected by the state or the federal government. It would not be as big an issue for our counties' residents. I believe this is the most effective way of going forward that will benefit everyone involved.

I thank you for your time and I urge a favorable report.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Mike McKay'.

Senator Mike McKay  
Representing the Appalachia Region of Maryland  
Serving Garrett, Allegany, and Washington Counties

# **Opposition to SB0399.pdf**

Uploaded by: Ash Miller

Position: UNF

Ash Miller  
14 Lakeside Dr.  
Greenbelt, MD 20770  
demyx1118@gmail.com  
2/7/2025

## **Written Testimony in Opposition of SB0399**

**To:** Education, Energy, and Environment Committee  
**From:** Ash Miller

Members of the Education, Energy, and Environment Committee,

My name is Ash Miller and I am a resident of Greenbelt, Maryland. I am writing to express my opposition for SB0399, which would remove the wildland designation from areas of Maryland's protected forests in order to construct powerlines.

As an environmental educator and someone who was raised in and cherishes the area impacted by this bill, my priority is to preserve these wildlands for future generations, as removing the forest in these areas is a damaging and irreversable decision.

Forest segmentation is a major contributor to the decline of several Maryland animal species. To paraphrase Maryland's State Wildlife Action Plan, habitat loss is the single greatest threat to biodiversity in the US. From the time of European colonization to 1993, Maryland's forests and wetland habitats have been reduced by half. This trend will continue relentlessly, unless we make decisions to actively protect our wildlands in the present.

The benefits of MPRP lie mostly with our neighbouring states, and do not provide enough of a benefit to Marylanders to outweigh the damage caused to our wildlands. Why should Marylanders pay the price to support Virginia's expanding data centers? I support alternative measures to these powerlines, such as improving current infrastructure and microgrids at data centers. Fine alternatives already exist, and we need to consider them more heavily.

I respectfully urge you to oppose SB0399 in order to protect Maryland's natural history. Thank you for your time and attention. I can be contacted at the email address listed.

# **Testimony in Opposition to SB399.docx.pdf**

Uploaded by: Betsy Nicholas

Position: UNF





POTOMAC  
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NETWORK

3070 M Street, NW  
Washington, DC 20007  
202.888.2037 (main)  
www.prknetwork.org

## SB399 Natural Resources - Wildland Areas - Overhead Transmission Lines

Education, Energy, and the Environment

February 7, 2025

### UNFAVORABLE

**Potomac Riverkeeper Network:** *Our mission is to protect the public's right to clean water in the Potomac and Shenandoah Rivers and their tributaries. We stop pollution to enhance the safety of our drinking water, protect healthy river habitats, and enhance public use and enjoyment.*

### Background of MD Wildlands Preservation System

The preservation of Wildlands in Maryland began in 1973. Since the start of the program, the General Assembly has designated 38 separate Wildland areas totaling 65,956 acres. The purpose of preserving a Wildland is stated in COMAR 08.01.02.02:

“A. Purpose. There is a State wildlands preservation system composed of areas in the State designated by the General Assembly as wildlands areas. The wildland areas shall be administered for the use and enjoyment of the people of Maryland in a manner that will leave them unimpaired for future use and enjoyment as wildlands, to provide for their protection, for the preservation of their wildland character, and for gathering and dissemination of information regarding their use and enjoyment. For a description of the boundaries of an individual wildland, see Natural Resources Article, §5-1203, Annotated Code of Maryland.”



Potomac Riverkeeper Network is the trade name of Potomac Riverkeeper, Inc.  
a 501(c)3 tax-exempt nonprofit organization #54-1982624 EarthShare # 87828 \* CFC # 87828  
Recognized as "one of the best small nonprofits" by the Catalogue for Philanthropy



There are two types of Wildlands. Type 1 is a primitive area untouched by urban civilization that protects watersheds that are ecologically vulnerable to human interference. Type 2 Wildland signifies an area of “importance for natural sciences and ecology with outstanding value for education, research and appreciation of natural processes.” Wildlands are separate from watershed management areas and State forests which allow activity such as forestry for lumber. These Wildlands are not only for the use and enjoyment of Maryland residents and tourists, but are key areas that allow protections for endangered species.

These state owned Wildlands have been set aside and placed into preservation to maintain the wildness of these areas, which can only continue to occur by keeping urban infrastructure from fracturing the wildlands and threatening the habitats of aquatic and terrestrial species. Over 57% of the 65,956 acres are in the three western Maryland counties totaling 36,827 acres, much of which are in the Upper Potomac Watershed.

### **SB399 Threatens the Preservation of Wildlands**

SB399 threatens the intent of the Wildland Preservation System that was instituted by the Maryland legislature. The bill claims that there is a public need to run overhead transmission lines through three Wildland areas: Big Savage Mountain, Bear Pen, and Dan’s Mountain. These three Wildland areas preserve 8,443 acres. Big Savage Mountain was the first Wildland designated in 1973 and has maintained its Wildland Preservation Type 1 status for 52 years.

SB399 undermines the intent of the Wildland Preservation System to protect wildlife and habitat of sensitive and endangered species for the public good to experience an untouched natural setting with no urban civilization; which includes the construction of overhead power lines that will cut a 200 foot path through Preserved Wildlands; fracturing the vitality of the three Wildland areas. SB399 proposes to sacrifice one “public good” for another. The overhead transmission lines are claimed to be a necessity for the public good. In actuality, the overhead transmission lines proposed by NextEra are intended to power the growing development of data centers that have their own environmental impacts on natural resources. It is not necessary to fracture preserved Wildlands when alternate routes are available. The only reason this bill is being proposed by NextEra is to reduce the costs associated with the construction of the overhead power lines. NextEra is recommending increasing their profits by sacrificing Maryland's system of preserving Wildlands.

**We ask you to make an Unfavorable Report for SB399.**

Sincerely,

Betsy Nicholas  
Vice President of Programs and Litigation  
Potomac Riverkeeper Network  
[Betsy@prknetwork.org](mailto:Betsy@prknetwork.org)

# **SB399 Unfavorable Walls 2,7.2025.pdf**

Uploaded by: Brent Walls

Position: UNF



POTOMAC RIVERKEEPER NETWORK

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SB399 Natural Resources - Wildland Areas - Overhead Transmission Lines

Education, Energy, and the Environment
February 7, 2025

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UNFAVORABLE

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There are two types of Wildlands. Type 1 is a primitive area untouched by urban civilization that protects watersheds that are ecologically vulnerable to human interference. Type 2 Wildland signifies an area of "importance for natural sciences and ecology with outstanding value for education, research and appreciation of natural processes." Wildlands are separate from watershed management areas and State forests which allow activity such as forestry for lumber. These Wildlands are not only for the use and enjoyment of Maryland residents and tourists, but are key areas that allow protections for endangered species.

These state-owned Wildlands have been set aside and placed into preservation to maintain the wildness of these areas, which can only continue to occur by keeping urban infrastructure from fracturing the wildlands and threatening the habitats of aquatic and terrestrial species. Over 57% of the 65,956 acres are in the three western Maryland counties totaling 36,827 acres, many of which are in the Upper Potomac Watershed.



Potomac Riverkeeper Network is the trade name of Potomac Riverkeeper, Inc. a 501(c)3 tax-exempt nonprofit organization #54-1982624 - EarthShare/CFC # 87828



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### **Unfavorable Report for SB399**

As the Upper Potomac Riverkeeper, my mission is to protect the right for communities to have clean water for drinking, fishing and recreation and protect healthy river habitats. The Wildlands preserved in the State of Maryland have protected thousands of acres from the destruction of urban infrastructure, thereby protecting critical habitat. SB399 will undermine the integrity of legislation that has been in place for 52 years and set a precedent that any for profit company can legislate a taking of Wildlands. I am requesting the Committee return an unfavorable decision.

Brent Walls  
Upper Potomac Riverkeeper  
15307 Dellinger Rd  
Williamsport, MD 21795



**FMD.SB399.Wildlands.Oppose.pdf**

Uploaded by: Carol Bean

Position: UNF





**FOREVER**  
MARYLAND

**Enhancing and Advancing Land Conservation**

Testimony on SB 399

February 7, 2025

Natural Resources – Wildland Areas – Overhead Transmission Lines

Kristen Kirkwood, Chair, Forever Maryland

**Position: Unfavorable**

**Forever Maryland** represents the land trust community and works to promote and enhance land conservation statewide through education, advocacy, and outreach to permanently protect working landscapes and healthy ecosystems for all Marylanders. As written, SB399 would undermine the intent and integrity of Maryland’s designated wildlands which were established by the state with the promise to “leave them unimpaired for future use and enjoyment as wildlands, to provide for their protection, [and] for the preservation of their wildland character.”

The designated wildlands referenced in SB399 have a Type 1 designation as primitive areas which by its size and location is in effect untouched by urban civilization and can offer the experience of solitude and self-reliance. Type 1 wildlands are usually lands located at higher elevations that protect watersheds and are ecologically vulnerable to human interferences. Although some wildlands do contain remnant buildings or utility rights-of-way, the very designation of a wildland is to prohibit further expansion — and to retire structures pre-dating designation to be removed after their expected period of usefulness.

This bill sets a dangerous precedence for industrial development in Maryland’s designated wildlands, which by statute are meant to afford the highest level of protection and to remain in a primitive state. At a minimum, such an action requires ample time for study and public engagement which is currently lacking at this time.

**We respectfully urge an unfavorable report on SB399.**

# **Opposition to Senate Bill 399.pdf**

Uploaded by: Clare Buckle

Position: UNF

Subject: Opposition to Senate Bill 399

I am reaching out to discuss Senate Bill 399, which seeks to exempt certain areas within Big Savage Mountain Wildland, Bear Pen Wildland, and Dan's Mountain Wildland from wildland designation. This exemption would allow for the construction of a transmission line and is subject to a certificate of public convenience and necessity being obtained for this transmission line. I believe this proposal warrants careful consideration, considering both the potential benefits and the importance of preserving our natural resources.

I want to express concerns regarding Bear Pen Run, a remote area of our Wildlands. This region currently boasts no facilities and no established trails, and it features valuable old-growth forest that supports the threatened leatherwood species, a rare plant in need of conservation efforts. The leatherwood is classified as likely to become endangered in Maryland in the near future and holds a state rank of S2, which is at high risk of extinction or extirpation due to restricted range, few populations or occurrences, steep declines, severe threats, or other factors. This classification reflects its vulnerability.

I believe it is essential to emphasize the importance of preserving this unique ecosystem for future generations.

The rocky, cool mountain springs and streams that flow into Bear Pen Run and the Savage River provide a habitat for a rich diversity of salamanders and native brook trout. The native brook trout is the only trout species native to Maryland.

What implications and long-lasting ecological impacts does the declassification of our wild lands have for future generations?

The diverse wildlife, flora, and natural beauty of the mountains in Western Maryland deserve strong protection, and this responsibility should not be taken lightly in legislative decisions.

Is there a plan for an independent environmental study that could affect our wildlands? How do you intend to mitigate risks for threatened species? Will there be a GIS map detailing the clear boundary lines outlined in Senate Bill 399?

Thank you for addressing my concerns regarding this matter. I look forward to your response on protecting our lands for future generations.

Sincerely,

Clare Buckle

Resident of Western Maryland



# **Mosher-SB399-Unfavorable-Testimony.pdf**

Uploaded by: David Mosher

Position: UNF

February 7, 2025

Chair Feldman, Education, Energy, and the Environment Committee  
2 West Miller Senate Office Building  
Annapolis, Maryland 21401

Dear Chair Feldman, Vice Chair Kagan, and members of the Education, Energy, and the Environment Committee

I strongly urge you to provide an UNFAVORABLE report on Senate Bill 399 Natural Resources - Wildland Areas - Overhead Transmission Lines for the following reasons:

**Environmental Impact:** These wildlands are home to critical ecosystems, wildlife habitats, and rare plant species. Allowing industrial-scale infrastructure like overhead transmission lines will fragment these areas, disrupt ecosystems, and endanger unique native flora and fauna. This means the permanent loss of critical services such as recreational opportunities, mental health promotion through connection with the natural world, and habitat for diverse forest, grassland, and aquatic plant and animal communities. Healthy forests are the backbone of watersheds that absorb stormwater, replenish and purify groundwater, and provide ecosystem services such as carbon sequestration, oxygen production, and biodiversity protection. We will lose their protection from the impacts of climate change, a loss we can ill afford as we see continually more damaging weather events, wildfires, and the impact of rising temperatures.

**Erosion of Conservation Protections:** By exempting certain areas in the Big Savage Mountain Wildland, Bear Pen Wildland, and Dan's Mountain Wildland from being designated as wildland areas, SB399 undermines decades of conservation efforts. Maryland's wildlands exist to ensure that future generations can enjoy the benefits of untouched natural spaces—a promise that this bill threatens to break. These lands were set aside as Forever Wild by our elected officials. Allowing exemptions to the set-aside now is a break of trust with the people of Maryland.

**Poor management of our State's natural resources:** This legislation will have devastating consequences for Maryland's protected natural areas. Exempting protected wildland areas from their designated protections to accommodate electrical transmission infrastructure is damaging for the reasons I previously stated and a dangerous precedent for future infrastructure projects targeting conservation lands. To think that some of these lands may be taken needlessly without considering other options is heartbreaking, unnecessary, and a poor management of our State's natural resources.

**Revenue loss:** Our Wild Lands are a significant source of revenue to the State. Wildlife are critical to Maryland's tourism industry. Wildlife watching in Maryland generates over \$450 million in economic activity annually in the State each year. This proposal could lead to revenue losses to local businesses and municipalities of millions of dollars.

**Alternatives exist:** While proponents claim this measure is necessary to address electricity reliability issues, better alternatives exist today. There are cleaner, more sustainable ways to address Maryland's energy reliability issues. For instance, distributed energy solutions, burying transmission lines, and optimizing existing transmission infrastructure are all viable options that do not require sacrificing our wildlands. Alternatives to this destructive plan have not been considered, a plan that has not even proposed to the Public Service Commission yet.

**Premature decision:** Exempting certain areas in the Big Savage Mountain Wildland, Bear Pen Wildland, and Dan's Mountain Wildland from being designated as wildland areas by this legislation, SB399, is

premature and unnecessary because no proposal for electrical transmission infrastructure has been proposed to the MD Public Service Commission yet. The decision to exempt these lands from wild land protections must be made in fully transparent public discussions with all of the information about the proposed electrical transmission project and the alternative approaches and routes available to the public.

**Precedent for Further Development:** Passing SB399 could open the floodgates for additional exceptions to wildland protections. If we allow these areas to be exploited for energy infrastructure, what's next? Mining? Commercial development?

The natural beauty of Maryland is not just a resource; it's part of our identity. From hikers on Big Savage Mountain to wildlife enthusiasts at Bear Pen, these wildlands belong to all of us. They deserve to remain protected, untouched by industrial development. Moreover, we cannot allow the chipping away of our protected land.

SB399 is not in our public interest. It jeopardizes the values we hold dear. Let's protect our wildlands today and for generations to come.

For the reasons detailed above I respectfully ask you to issue an UNFAVORABLE report on SB399.

Sincerely,

David Mosher

15 Mirrasou Lane

Gaithersburg, MD 20878

# **Opposition to SB399 DBullard.pdf**

Uploaded by: Desiree Bullard

Position: UNF



Subject: Opposition to Senate Bill 399

I am writing to express my opposition to Senate Bill 399.

Bear Pen Wildland is home to the leatherwood, a rare and threatened plant species. It is expected to become endangered soon. This area's streams provide habitat for diverse salamanders and brook trout, the only trout species native to Maryland. These species, and all those in this vulnerable area, deserve to be protected.

There is sound reason behind this area's designation as wildlands. It is nothing short of alarming that the necessary studies have not been completed to ensure this can be done safely, without harm to the species that are meant to be protected in the first place.

Wildlands are defined as "areas of state-owned land or water that have retained their wilderness character or contain rare or vanishing species of plant or animal life or similar features worthy of preservation."

Rare or vanishing species deserve to be protected, not trampled over for transmission lines. I urge you to carefully consider this exemption and the long-lasting impact it could have on our spectacular surroundings here in Western Maryland.

Thank you for your consideration regarding this matter.

Sincerely,

Desiree Bullard  
Resident of Western Maryland

**UNFAV testimony SB 399 2025 .pdf**

Uploaded by: Emily Tarsel

Position: UNF



HealthChoice  
Maryland

[info@healthchoicemaryland](mailto:info@healthchoicemaryland)  
[www.healthchoicemaryland.org](http://www.healthchoicemaryland.org)

**UNFAV SB 399**

**Natural Resources - Wildland Areas - Overhead Transmission Lines**

February 11, 2025

Dear Chairman Feldman and EEE Committee Members,

I am a licensed mental health therapist, a mother and President of Health Choice Maryland. With regard to the latter, our organization advocates for health, informed consent and constitutional rights. I write to ask for an Unfavorable vote for HB 399 for the following reasons.

- While we understand the need to find solutions to increase our energy supply, studies to determine what that need is are ongoing
- Similarly, studies regarding the impact of high voltage overhead transmission lines on wild life, the environment and on humans are still needed.
- Alternatives to high voltage overhead power lines are still being explored and may present better and cheaper options.
- Our protected wild lands are protected for a reason. Invasions into these publically held lands would set a bad precedent for the ability of public-private partnerships to engage in land grabs.
- The public would lose access to these protected sites while gaining nothing.
- Development of wild lands would be costly for electric consumers and a gift to private developers and corporate data centers.

Please vote Unfavorable for SB399. Thank you.

Emily Tarsell  
President, Health Choice Maryland  
2314 Benson Mill Road  
Sparks, MD 21152  
[tarsell@comcast.net](mailto:tarsell@comcast.net)

**SB399 AudubonMidAtlantic\_WildLands\_unfav.pdf**

Uploaded by: Jim Brown

Position: UNF



**Maryland Office**  
2901 E. Baltimore St  
Baltimore, MD 21224

February 11, 2025

**To:** Chairman Brian Feldman and members of the Maryland Senate Committee on Education, Energy and the Environment

**From:** Jim Brown, Policy Director, Audubon Mid-Atlantic

**Subject:** SB 399 Natural Resources - Wildland Areas - Overhead Transmission Lines - Opposed

Audubon Mid-Atlantic submits this testimony in opposition to Senate Bill 399. Audubon Mid-Atlantic is the regional office of the National Audubon Society, representing over 35,000 Marylanders who advocate for the protection of birds, bird habitat, and policies aiming to protect both birds and human communities in the face of increasing environmental challenges, habitat loss, pollution, and climate change.

SB399 threatens some of Maryland's most sensitive and pristine Wildlands, including: the first Wildland designated in 1973 on Big Savage Mountain, Bear Pen Wildland in Savage River State Forest and Dan's Mountain Wildland. The proposed alignment also threatens several Important Bird Areas (IBAs). IBAs are identified by the National Audubon Society as places of critical local and hemispheric importance to the survival of both resident and migrating birds for the habit they provide. In Maryland, IBAs represent the highest quality remaining habitats for vulnerable bird species. IBAs should therefore be given the utmost protection from development pressures. This proposed transmission line threatens the following IBAS: Savage River, The Glades, Allegany-Garrett Grasslands, and Dan's Mountain.

The Avian Science tells us birds are in decline due to habitat loss and habitat fragmentation. 1/3 of eastern forest bird species experienced significant population declines in the past 50 years. That represents almost 3 billion birds lost in that time. Audubon's work therefore focuses on policies and land-use plans that bring bird populations back. Having reviewed the proposed legislation and route mapping currently available, we can confidently say that the proposed alignment and SB 399 is not a project that brings birds back.

The Science also tells us:

- Eastern U.S. habitat is becoming increasingly fragmented
- Fragmentation leads to lower productivity in bird populations

Forests such as those in and adjacent to Savage River State Forest, Dan's Mountain, and Meadow Mountain provide critical landscape diversity for birds to nest, rest, breed, and feed. The benefits to birds and people of the ridges, slopes and riverine valleys will be reduced if continued forest fragmentation is allowed. Some of the most at-risk species for the impacted region and associated IBAs are Blackburnian Warbler, Canada Warbler, Wood Thrush, and Winter Wren, Blue-headed Vireo, Louisiana Waterthrush, Hermit Thrush and Cerulean Warbler.

As noted in Audubon's 2023 report *Birds and Transmission*, Audubon supports the rapid deployment of appropriately sited transmission to update the nation's grid, but these upgrades must place an emphasis on mitigating the impact to birds, and be sited and designed in a way that does not threaten rare, protected and ecologically sensitive areas. SB 399 will accelerate Maryland's habitat loss while removing critical protections to some of the last wild places in Maryland and our special forested Appalachian woodland ridges.

Audubon urges the Committee to consider the following while considering this proposed legislation:

- The passage of SB399 would mean that the Legislature has pre-approved an exemption and an alignment for the development of the transmission line through the State Wildlands if the PSC issues a Certificate. This legislation is unnecessary as a process exists for authorization of a transmission line exemption in a Wildland, but requires public notice and a hearing.
- The ridges of Western Maryland's ridge and valley province are home to some of our best, most contiguous forest habitat - a key feature for breeding and migratory birds.
- Audubon Mid-Atlantic always advocates for avoiding fragmentation and reducing edge effects in these forested flyways as dividing forest parcels has been shown to dramatically reduce habitat quality for our priority forest dwelling birds, including rare and threatened warblers.
- The fragmentation will particularly affect declining species designated as species of greatest conservation need like wood thrush and cerulean warblers because of their reliance on large patches of uninterrupted woodlands. These forested ridgelines of western Maryland are of global significance for the population of cerulean warblers.
- Audubon opposes habitat fragmentation particularly in this sensitive area of Western Maryland which is home to some of the last contiguous forest blocks in the region, particularly when alternative routing and retrofitting existing infrastructure corridors, or exploring a new tunnel are all viable alternative options.

Audubon Mid-Atlantic respectfully urges an unfavorable review of this legislation and this proposed transmission alignment

Thank You,

Jim Brown

Policy Director

Audubon Mid-Atlantic

410.558.2473 x101

[Jim.brown@audubon.org](mailto:Jim.brown@audubon.org)

**SB399 Bill Testimony - J S Welsh 2025-2-7.pdf**

Uploaded by: John Seamus Welsh

Position: UNF

## **SB399 Natural Resources - Wildland Areas - Overhead Transmission Lines**

Education, Energy, and the Environment  
February 7, 2025

UNFAVORABLE

### **Testimony of Private Citizen**

The submission of SB 399, involving overhead transmission lines across protected state forests, is premature. There has been no public engagement, and the handling of the bill seems to have been rushed through the submission process in a way that would make public questions or input nearly impossible.

At the Garrett County Commissioners' meeting on February 3, the Chair, Paul Edwards announced that Senator McKay would be submitting SB 399 the next morning. He said the Garrett Commissioners had no notice, and the commissioners themselves did not have enough information to form an opinion on it. He said that they had not even seen a map of the possible routes at that point. This is the first anyone locally had heard about the bill.

When I wrote Senator McKay (who submitted the bill) to express my feelings about the lack of public engagement, he replied that the public would have an opportunity to share their views during the legislative process. I believe that will be too late for the public to be fully informed. Mr. McKay also seemed to imply that neither the citizens of Garrett County, nor our elected officials needed to be consulted on a bill concerning Maryland State Wildlands in our county.

I disagree.

This bill is proposing to grant perpetual right-of-way to a commercial enterprise for arguably some of the state's most sensitive wilderness. This move will certainly affect abutting Garrett County residents and farmers especially when it comes to their property, property value, and possibly their health. And yet, local people and their elected officials were not given more than a couple of days' notice and were given no chance for input at this phase.

The bill does more than "simply allow[ing] the state the flexibility to consider this route," as Mr. McKay replied to me. It, in fact, removes one hurdle in a strategy to get this done with the least amount of public engagement possible. Simply put, local folks haven't been informed about any details of the plan, and even though he said that the details are not available, it's because they have not been MADE available. We, Garrett County residents and residents of Maryland, deserve to have numerous questions answered before this is considered by the General Assembly. We, as citizens (and therefore the true owners) of this state property, deserve to weigh in on the outcome before the Assembly causes it to be too late.

Since anything that enters public land will certainly have to exit on private land, we want the opportunity to ask questions about alternatives, like using the same right-of-way that is currently in use, or replacing old transmission lines with the more conductive materials we have all been hearing about. We have seen no research, no maps, no pros and cons to alternatives, and we want to weigh in on the project's impact on our properties, our neighbors' farms, not to mention the sensitive wilderness this would trample.



It is for these reasons that I submit to you that the bill has not had adequate consideration by the public to go beyond the committee. I suggest that it be taken up at such a time that it can be fully researched and discussed by those affected, and that those supporting the bill work transparently with Garrett County people and officials to that end.

I am therefore requesting that the committee return an unfavorable decision.

J. Seamus Welsh  
425 Skippers Point Road  
Oakland, MD 21550

240-389-3574

# **SB0399 Natural Resources - Wildlife Areas - Overhe**

Uploaded by: Julia Lawrence

Position: UNF



**SB0399**  
**Natural Resources – Wildland Areas – Overhead Transmission Lines**  
**Testimony before the Education, Energy, and the Environment Committee**  
**Hearing February 11**  
**Position: Unfavorable**

Dear Chair Senator Feldman and Vice-Chair Senator Kagan, and members of the committee, my name is Julia Lawrence, and I represent the 900+ members of Indivisible Howard County. Indivisible Howard County is an active member of the Maryland Legislative Coalition (with 30,000+ members). We are providing written testimony today **opposing SB0399**, which would exempt certain areas in the Big Savage Mountain Wildland, Bear Pen Wildland, and Dan’s Mountain Wildland from being designated as wildland areas. This bill would allow NextEra Energy Transmission MidAtlantic, Inc., through certain affiliates, designated by PJM Interconnection, LLC, to construct an overhead transmission line through the wildlands.

Maryland Wildlands are areas of state-owned land or water that have retained their wilderness character or contain rare or vanishing species of plant or animal life or similar features worthy of preservation. Designated by the Maryland General Assembly, they may include unique ecological, geological, scenic, and contemplative recreational areas. Wildlands are managed for passive recreation only, including hiking, hunting, fishing, bird watching. [1]

**Indivisible HoCoMD is not supporting this bill because studies show that operation and maintenance of transmission lines often result in negative environmental impacts.**

Transmission lines are typically overhead wires at voltages of 110 to 765 kilovolts supported by towers. A transmission line is built within an area known as a right-of-way (ROW). The ROW is often 100 to 2,000 feet or more wide in order to accommodate maintenance of the lines. The ROW maintenance alone often involves the chemical or mechanical control of vegetation that can contribute to the loss of native plant species diversity. Cleared ROWs may be a continuous source of sedimentation into waterways. [2]

Transmission lines can “displace wildlife from their habitat, act as barriers to wildlife movement and affect migration routes. They have the potential to impact sensitive ecosystems such as wetlands, impact high quality fishery resources when waterways are crossed, and create pathways for the spread of invasive species.” [3]

One specific environmental impact is on birds. Studies show that electrical wires are a significant threat to birds: between 8 million and 57 million birds die each year in the United States by colliding with them and from electrocution by contact with them. [4,5] There are over 100 species of birds in Maryland wildlands. The American Bittern, the Least Tern, the Nashville Warbler, and the Red Knot are some threatened bird species in Maryland. [6]

An alternative to routing an overhead transmission line through these sensitive wildlands would be to construct the towers following the major highways that are already built, and which run alongside the wildlands. One example would be along Interstate 68. Interstate highways are more accessible and easier to maintain in the long run. Construction along them would be less disruptive to the wildlands and to the many threatened species of plants and animals we still have.

Thank you for your time in considering this testimony.

**We respectfully urge an unfavorable report.**

Julia Lawrence  
Columbia, MD 21044

Sources:

[1] [DansMtWMA\\_VisionPlan.pdf](#)

[2] [Electric Transmission Lines | U.S. Fish & Wildlife Service](#)

[3] *Ibid.*

[4] [Bird Safety a Concern in National Push to Build More Power Lines | Audubon](#)

[5] "Bird Strikes and Electrocutions at Power Lines, Communication Towers, and Wind Turbines: State of the Art and State of the Science – Next Steps Toward Mitigation," Albert M. Manville, II, [psw\\_qtr191\\_1051-1064\\_manville.pdf](#)

[6] [Threatened Species of Maryland – Maryland Ornithological Society](#)

# **Opposition to SB399 KRepp.pdf**

Uploaded by: Karen C Repp

Position: UNF

Subject: Opposition to Senate Bill 399

I am writing to express my disgust with and opposition to Senate Bill 399. Particularly concerning to me is the presumptuous and cavalier attitude of Senator McKay, who doesn't "have details including the construction plan for the lines," despite their potentially endangering the following areas; Big Savage Mountain Wildland, Bear Pen Wildland, and Dan's Mountain Wildland, as it "aims to exempt" them from protection.

It appears to me that the cart is ahead of the horse as they have not completed their study of "sensitive habitats and cultural resources." These habitats include old growth forests with the threatened leatherwood plant species and mountain springs and streams which are home to salamanders and native brook trout. They are irreplaceable. Once destroyed, they are gone.

As stewards of these precious natural resources, we citizens have a responsibility to protect these designated wildlands. I urge lawmakers to be consistent. If you want to attract tourists to enjoy our natural wonders, don't place a mustache on the Mona Lisa.

My sincere hope is that the responsibility to protect these natural treasures for future generations is our primary motivation.

I appreciate your consideration regarding this matter.

Sincerely,

Karen Repp  
Resident of Western Maryland

# **MOS SB0399 Wildlands -Overhead Transmission Lines.**

Uploaded by: Kurt Schwarz

Position: UNF



February 7, 2025

Bill: <https://mgaleg.maryland.gov/2025RS/bills/hb/hb0400F.pdf>

**Committees: Education, Energy, and Environment**

**Testimony on: SB0399--Natural Resources—Wildland Areas—Overhead Transmission Lines**

**Position: Unfavorable --SB0399-- Unfavorable**

The Maryland Ornithological Society (MOS) strongly opposes SB0399. This bill would permit construction of overhead transmission lines in three state-designated Wildlands. Wildlands designation is the highest level of protection accorded to state lands. SB0399 would open portions of the Big Savage Mountain, Bear Pen, and Dan's Mountain Wildlands to overhead transmission lines. The State has determined these areas to be critical ecosystems, wildlife habitat, or hold rare plant species. Any sort of development would disrupt or destroy these ecosystems, habitats, or rare plants. Wildland designation preserves the resource unimpaired for future generations.

Dan's Mountain Wildlands is an Important Bird Area<sup>1</sup> (IBA), and Big Savage Mountain Wildland falls within the Savage River IBA.<sup>2</sup> Bear Pen Wildland has a large, unbroken forest, making it valuable to forest interior dwelling bird species (FIDS), which are in steep decline. It also holds native brook trout, and a rare mammal, the fisher, a relative of weasels and otters. Portions of the forest show characteristics of Old Growth.<sup>3</sup>

All three wildlands are Type 1, which means they are virtually untouched by civilization, and ecologically vulnerable to human interference. They are open to passive outdoor recreation, such as hunting, fishing, hiking, birding, horseback riding, and nature interpretation. Overhead transmission lines will fragment the unbroken forest in these Wildlands that FIDS bird species depend on. Trees are felled along the line, and vegetation below the lines is permanently suppressed. Support roads destroy and fragment additional forest.

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<sup>1</sup> Audubon Maryland—DC, Important Bird Areas, Dan's Mountain,

[https://md.audubon.org/sites/default/files/dansmountain2009summary\\_0\\_0.pdf](https://md.audubon.org/sites/default/files/dansmountain2009summary_0_0.pdf)

<sup>2</sup> Audubon Maryland—DC, Important Bird Areas Program, Bird Blitz 2011-2012: Savage River, [https://md.audubon.org/sites/default/files/savageriver\\_2011-2012.pdf](https://md.audubon.org/sites/default/files/savageriver_2011-2012.pdf)

<sup>3</sup> Maryland Department of Natural Resources, Maryland Natural Areas, Bear Pen Run, <https://dnr.maryland.gov/wildlife/Pages/NaturalAreas/Western/Bear-Pen-Run.aspx>

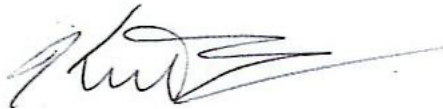


There are 38 Wildlands areas in Maryland, spread among 15 counties. A total of 65,956 acres are protected as Wildlands.<sup>4</sup> The Wildlands Preservation System was established in 1973.<sup>5</sup>

Passage of SB0399 would set a terrible precedent. If these three Wildlands can be opened up for overhead transmission lines, it will be easier to open up all other Wildlands to development, and such things as mining. The strictest standard of protection from development of any kind for Maryland State Wildlands should be preserved, as the General Assembly stipulated in 1973.

Our members visit these Wildlands to admire the birds that live there. Big Savage Mountain, Bear Pen, and Dan's Mountain Wildlands all provide valuable habitat for our declining bird populations. North America has lost almost 30% of its birds since 1970.<sup>6</sup> Loss of habitat is one on the major causes of these declines.

We urge the Committee to issue an unfavorable report for SB0399, to save these Wildlands from development, and avoid setting a precedent that would encourage development in the other Wildlands.



Kurt R. Schwarz  
Conservation Chair Emeritus  
Maryland Ornithological Society  
[www.mdbirds.org](http://www.mdbirds.org)

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<sup>4</sup> Maryland Division of State Documents, .02 State Wildlands System,  
<https://dsd.maryland.gov/regulations/Pages/08.01.02.02.aspx>

<sup>5</sup> Maryland Department of Natural Resource, The Maryland Wildlands Preservation System, <https://dnr.maryland.gov/land/Pages/Stewardship/Wildlands-Preservation-System.aspx>

<sup>6</sup> Rosenberg, Kenneth V. et al, Decline of the North American avifauna, Science, VOL 366, NO. 6451, 19 September 2019,  
[https://www.science.org/doi/10.1126/science.aaw1313?adobe\\_mc=MCORGID%3D242B6472541199F70A4C98A6%2540AdobeOrg%7CTS%3D1707754028](https://www.science.org/doi/10.1126/science.aaw1313?adobe_mc=MCORGID%3D242B6472541199F70A4C98A6%2540AdobeOrg%7CTS%3D1707754028)

# **SB 399 Natural Resources - Wildland Areas -Overhea**

Uploaded by: Mariana Rosales

Position: UNF

**Tuesday, February 11, 2025**

**TO:** Brian Feldman, Chair of the Senate Education, Energy, and the Environment Committee;  
and Committee Members

**FROM:** Mariana Rosales, The Nature Conservancy, Director of Climate; Cait Kerr, The Nature  
Conservancy, State Policy Manager

**POSITION:** Oppose SB 399 Natural Resources – Wildland Areas – Overhead Transmission Lines

The Nature Conservancy (TNC) opposes SB 399, offered by Senator McKay. This bill proposes to exempt portions of the Big Savage Mountain Wildland, Bear Pen Wildland, and Dan’s Mountain Wildland from their current designation as protected wildland areas to facilitate constructing overhead transmission lines.

TNC is a global conservation organization working to conserve the lands and waters on which all life depends. In Maryland, our work focuses on delivering science-based, on-the-ground solutions that secure clean water and healthy living environments for our communities, reducing greenhouse gas emissions, and increasing resilience in the face of a changing climate. We understand the need to deploy clean energy and build new transmission lines that will secure resilient energy resources in our state, but our approach must minimize harmful impacts on communities and the environment.

Preserving Maryland’s Wildland areas is incredibly important—not only for protecting biodiversity and ecological health, but also for providing unique recreational opportunities and climate resilience for current and future generations. SB 399 weakens protections for Maryland’s Wildlands setting precedent for allowing infrastructure projects on these protected lands without study or community input.

TNC recognizes the importance of addressing energy transmission needs; however, enacting a precedent-setting exemption to Wildlands protections prior to community or other stakeholder engagement should not be the path forward. There should be an exhaustive process to find alternative pathways and technological solutions before compromising protected areas. While it might be possible that a project running parallel (and contiguous) to existing transmission lines may be found to have a reduced impact on local communities, in comparison to new routes, there is currently insufficient evidence to confirm this as the best alternative. Therefore, we consider that at this stage these exemptions should not be granted. These types of exemptions should follow collecting strong evidence that current scientific knowledge, new environmental justice perspectives, and present-day conservation and mitigation strategies align with them.

While we have been informed by NextEra Energy that the Public Service Commission (PSC) cannot consider or analyze alternative routes without legislative action, it is important to first engage with communities before enacting a change to Wildlands. Including this route as an option within an open and transparent review process, rather than preemptively carving out protected lands, ensures that conservation and community priorities are maintained. Setting this

precedent would diminish the incentive to explore innovative transmission solutions that better align with the state's long-term environmental protection goals.

TNC urges the committee to reject SB 399 and instead promote solutions that align with Maryland's commitment to environmental stewardship and climate action. Let us work together to find alternatives that meet energy transmission needs without sacrificing our cherished natural landscapes.

**Therefore, we urge an unfavorable report on SB 399.**

**SB 399 letter power lines (1).pdf**

Uploaded by: Mark Bowling

Position: UNF



## ***Mountain Maryland Trails***

*"Where the passage begins and the connections are endless"*

P.O. Box 28 Cumberland Md 21501-0028

On Facebook @ Mountain Maryland Trails

[www.mountainmdtrails.org](http://www.mountainmdtrails.org)

February 7, 2025

The Honorable Michael W. McKay

The Honorable Jason C. Buckel

The Honorable James C. Hinebaugh

The Honorable Terry L. Baker

Dear Senator and Delegates,

We, the Board of Directors of Mountain Maryland Trails, are voicing our opposition to SB0399 titled "Natural Resources – Wildlife Areas – Overland Transmission Lines".

Our Wildlife Areas are the lifeblood of our area providing recreational activities and a vibrant tourist economy. Removing the restrictions and allowing development in these areas has the potential to gut our economy and destroy our natural resources.

Until this project has been properly vetted by the public and government agencies Mountain Maryland trails cannot support this legislation.

Respectfully,

Mark Bowling

Allegany County Tourism

Mountain Maryland Trails Board Member

Member of Western MD Climbing Coalition, Western MD Grotto, Access Fund, and American Alpine Club

**SB0399 - UNFAVORABLE testimony - MPatton.pdf**

Uploaded by: Mary Patton

Position: UNF

Mary Patton  
5772 Catocin Vista Dr  
Mount Airy, MD  
February 7, 2025

Re: Testimony Against SB0399 – Natural Resources – Wildland Areas – Overhead Transmission Lines

Dear Senator McKay:

I am writing to express UNFAVORABLE support for SB0399. I am a community advocate, parent, and resident that has the potential to be impacted by the Maryland Piedmont Reliability Project. I also am an environmental scientist who has studied the value our natural ecosystems provide.

Overhead transmission lines have no place in protected wildlands, which are becoming increasingly fragmented, smaller, and impacted by development. By removing wildland protections, SB0399 will undermine decades of conservation efforts. Maryland's wildlands exist to ensure that future generations can enjoy the benefits of untouched natural areas. Further, as we have seen with the recent tragedy of California wildfires, transmission lines near natural areas can create a recipe for disaster. As an alternative, burying transmission lines or optimizing existing infrastructure should be prioritized over continuing to degrade our environment.

I implore you to oppose this bill and prevent a dangerous precedent from being set that could impact wildlife protections on many levels.

Thank you for your time and consideration.

Sincerely,

A handwritten signature in black ink that reads "Mary Patton". The signature is written in a cursive style with a large, stylized initial "M".

Mary Patton



# **Wildlands testimony SB399.pdf**

Uploaded by: Nita Settina

Position: UNF

February 7, 2025

The Honorable Brian Feldman and Members of the Senate  
Education, Energy and the Environment Committee

**Re: Testimony - Unfavorable - Senate Bill 399 - Natural Resources - Wildland Areas -  
Transmission Lines**

Dear Mr. Chairman and Members of the Senate Education, Energy and the Environment  
Committee,

I am respectfully submitting this testimony in opposition to Senate Bill 399 - Natural Resources -  
Wildland Areas - Transmission Lines. This bill will provide an exemption for a new transmission  
line by NextEra Energy through three sensitive State Wildlands in Western Maryland in advance  
of a Public Service Commission (PSC) Public Certificate of Convenience and Necessity.

The proposed exemption in SB399 threatens some of Maryland's most sensitive and pristine  
public lands, including: the first Wildland designated in 1973 on Big Savage Mountain, the Bear  
Pen Wildland in Savage River State Forest, which supports a native brook trout stream, and the  
Dan's Mountain Wildland, an Audubon State Significant Bird Area. A NextEra transmission line  
would result in the disturbance and loss of forest and wildlife habitat in Maryland's most  
important ecological areas protected by the Maryland General Assembly.

The passage of SB399 would mean that the Legislature has pre-approved an exemption for a  
future, yet-to-be determined alignment for the development of a NextEra transmission line  
through the State's Wildlands if the PSC issues a Certificate in the future. This legislation is  
unnecessary as the Wildlands regulations provide for a process to authorize a transmission line  
exemption in a Wildland, but the regulations include an important requirement for public notice  
and a hearing (COMAR 08.01.02.05).

The Maryland Wildlands Preservation System is the equivalent of the federal Wilderness  
system, preserving the most pristine and ecologically sensitive state lands remaining in  
Maryland. As a 28-year employee and retiree of the Maryland Department of Natural  
Resources, I believe that our work with the citizens of Maryland and the Maryland General  
Assembly to designate and preserve Maryland's Wildlands for today and future generations was  
some of the most important conservation work of our careers. Please protect this natural  
resource legacy, and the requirement for public involvement in the decision making process, by  
voting against SB399. Thank you for your consideration.

Sincerely,



Nita Settina

1255 Crummell Avenue, Annapolis, MD 21403

**Written Testimony SB 399 2025 Patti Hankins 1-31-2**

Uploaded by: Patti Hankins

Position: UNF

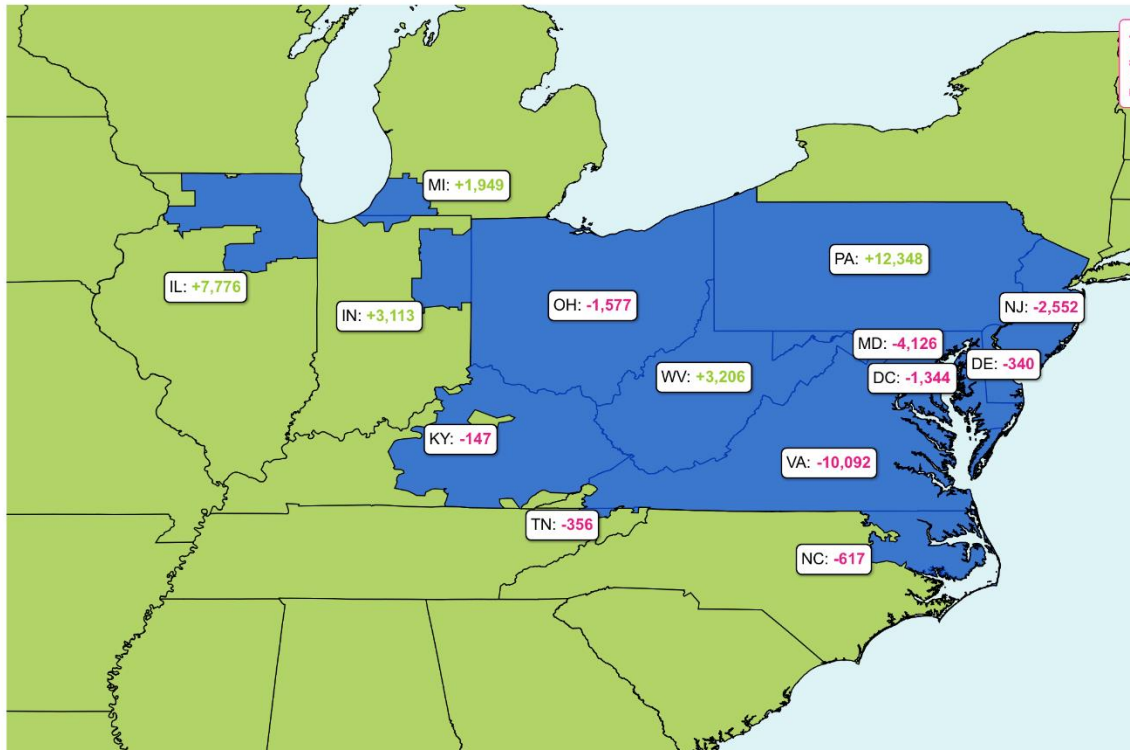
Senate Bill 399 Natural Resources – Wildland Areas – Overhead Transmission Lines seeks to permanently remove 400’ (200’ new ROW for NextEra Energy on both sides of the existing Potomac Edison ROW) in the Big Savage, Bear Pen and Dan’s Mountain Wildland Preserved areas for NextEra Energy to build a new high voltage transmission line. The NextEra MARL project is for the specific purpose of moving coal generated electricity through four states (PA, WV, MD, VA) to power data centers in Loudoun County, Virginia.

The MARL - Mid-Atlantic Resiliency Link, is a 145-mile greenfield 500kV high voltage transmission line from the 502 Junction substation in Pennsylvania that connects with multiple West Virginia coal generating plants to move electricity through Western Maryland to Loudoun County, Virginia. Virginia’s Clean Economy Act 2020 prohibits fossil fuel generation to replace retiring plants. However, Virginia imports massive amounts of “dirty” electricity to power their data centers.

Tracking of Virginia’s imports of electricity is done by PJM hourly. Virginia typically imports between 3,000+ to 10,000+ MWs of electricity every hour. PJM expects Virginia’s data center needs to explode by 7,500 MWs by 2027/2028 and has ordered numerous transmission projects that impact Maryland landowners and preserved/conserved areas. These extension cords will increase the importation of electricity into Virginia instead of solving Virginia’s generation problem. PJM has yet to follow the recommendations by their Independent Market Monitor, Monitoring Analytics to compare the cost of building generation to building transmission. Instead, PJM just moves electricity generation around their RTO region via high voltage extension cords never really solving the problem of sufficient generation to power the grid. During the 2022 Window 3 RTEP, PJM ordered \$5.1 Billion in transmission projects in MD, VA, PA, and WV for the stated purpose of powering data centers. Presently PJM is looking to approve another \$6+ Billion in transmission projects again in MD, VA, and WV in the 2024 Window 1 process for even more data center electricity.

State Net Import/Export Map (Hourly)

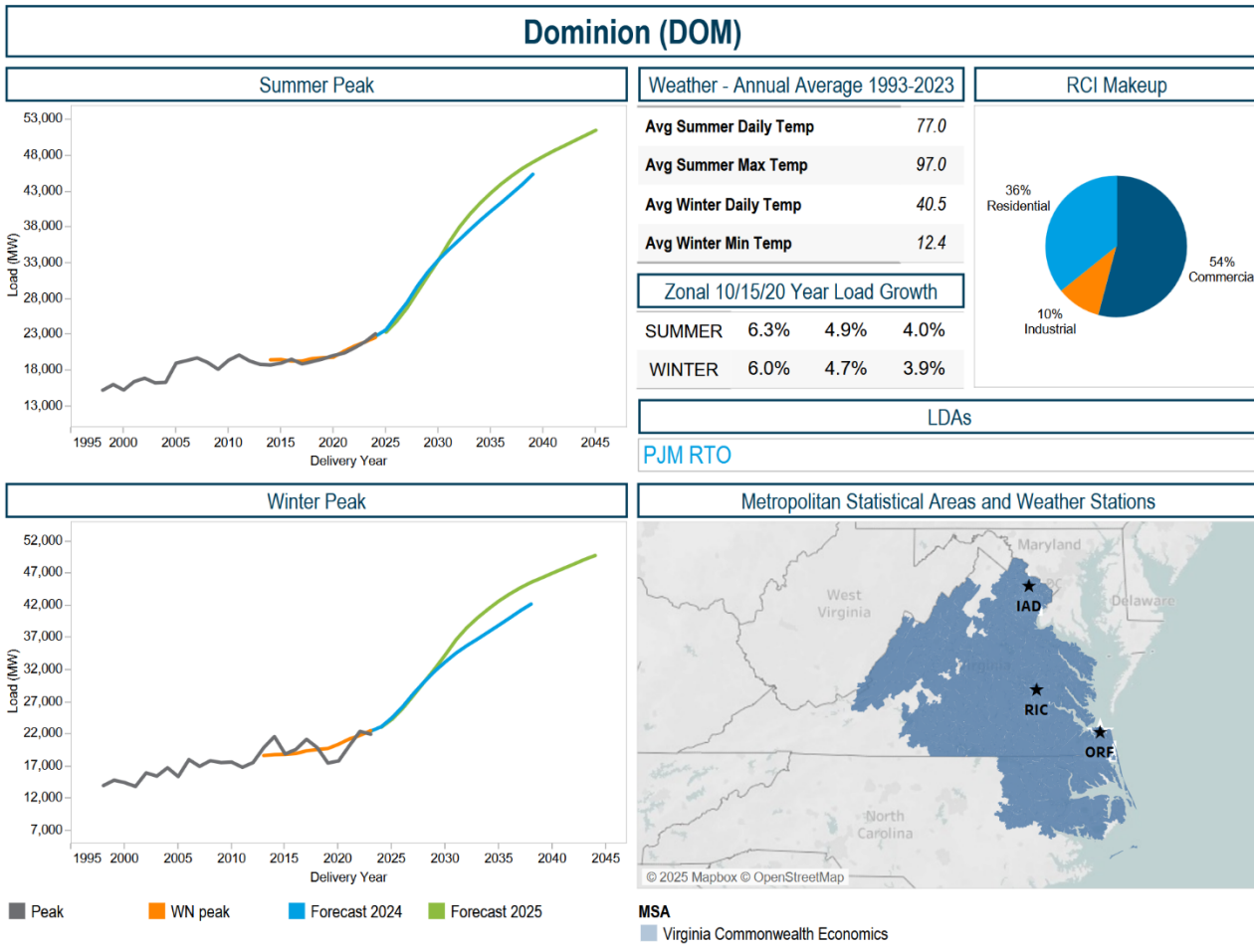
As of 1.20.2025 5:00 am EPT



On January 24, 2025, PJM released their 2025 Long Term Forecast Report – please see link:

[https://www.pjm.com/-/media/DotCom/library/reports-notices/load-forecast/2025-load-report.pdf?fbclid=IwY2xjawIJ1z9leHRuA2FibQ1xMAABHZhZxakhN576FFgiq5U0kNEeUzbSp\\_TPaY8H44PSgBo60IXZVqVovffQ\\_aem\\_szbQn8iSDO99KSFGMNW0cw](https://www.pjm.com/-/media/DotCom/library/reports-notices/load-forecast/2025-load-report.pdf?fbclid=IwY2xjawIJ1z9leHRuA2FibQ1xMAABHZhZxakhN576FFgiq5U0kNEeUzbSp_TPaY8H44PSgBo60IXZVqVovffQ_aem_szbQn8iSDO99KSFGMNW0cw)

What this report shows is that the Dominion Energy zone in Virginia will continue to need more and more electricity primarily for data center growth. See the chart below from the report. At what point does Maryland say NO, we don't want to be the gateway via high voltage transmission projects for Virginia electricity?



Please see PJM’s forecast for the Maryland zones. Except for the APS zone, growth is mostly at or below 1.0%. The APS zone has a higher load forecast due to data center growth in Frederick County, but by 2032 that load is predicted to only be at 1.5%.

## Baltimore Gas & Electric (BGE)

### Zonal 10/15/20 Year Load Growth

SUMMER	0.7%	0.7%	0.7%
WINTER	1.0%	1.0%	0.9%

## Allegheny Power Systems (APS)

### Zonal 10/15/20 Year Load Growth

SUMMER	2.5%	1.8%	1.5%
WINTER	2.6%	1.9%	1.5%

## Potomac Electric Power (PEPCO)

### Zonal 10/15/20 Year Load Growth

SUMMER	0.4%	0.5%	0.6%
WINTER	0.6%	0.6%	0.6%

## Delmarva Power and Light (DPL)

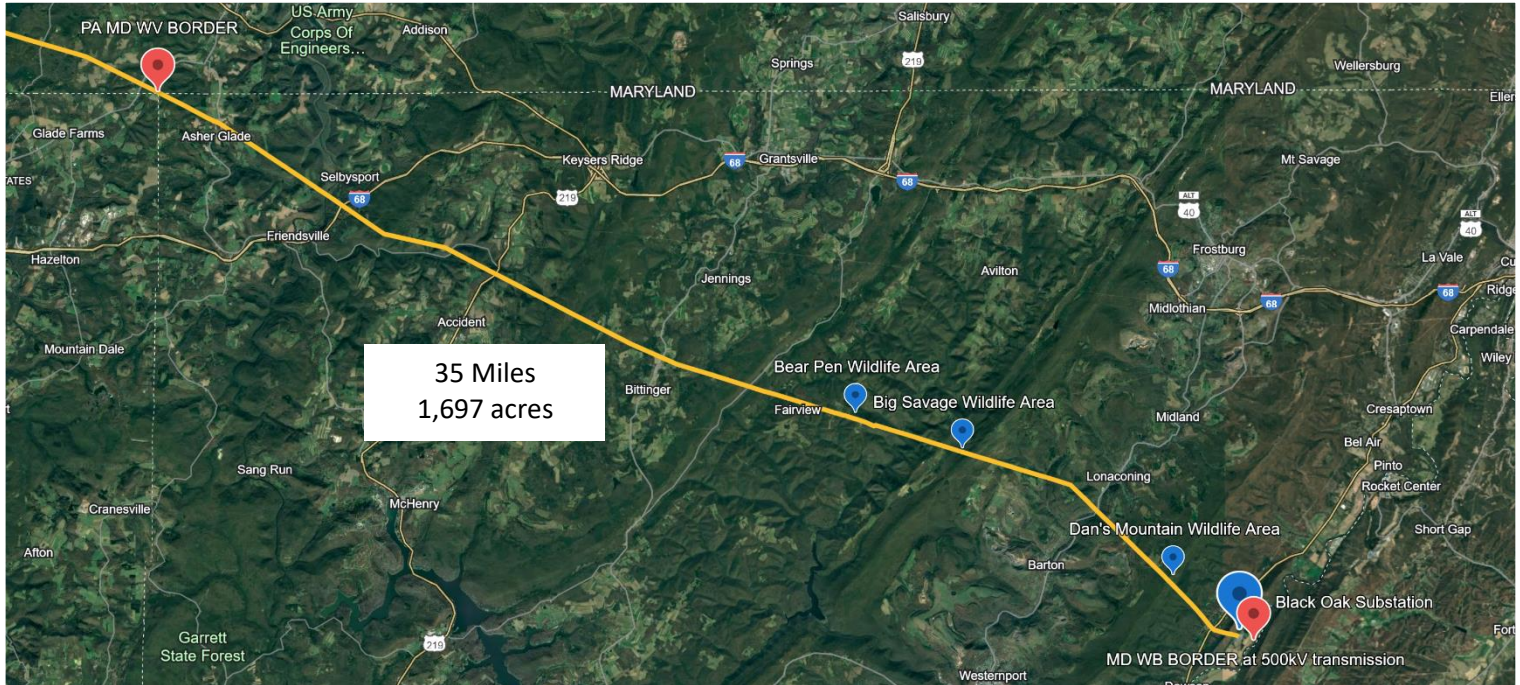
### Zonal 10/15/20 Year Load Growth

SUMMER	0.2%	0.3%	0.4%
WINTER	0.6%	0.6%	0.6%



**The MARL project offers no benefits to Maryland.** After checking with Senator McKay's office on January 30, 2025, they confirmed that NextEra Energy wants two 200' ROW's one each on both sides of the existing approximate 175' Potomac Edison ROW through preserved wildlands in Garrett and Allegheny Counties. The 35-mile segment through Garrett and Allegheny Counties would impact approximately 1,697 acres including the wildlands preserved areas.

Maryland section of the MARL project – 35 miles impacting 1,697 acres



### **PJM 2022 Window 3 Project Approved 12-11-2023 NextEra Mid-Atlantic Resiliency Link – MARL**

- 145-mile greenfield 500kV transmission line from 502 Junction substation in PA to VA via WV and MD
- Connects multiple WV coal plants to Loudoun County, VA data centers
- **35-miles is in Garrett and Allegheny Counties, MD – 1,697 acres to be impacted**
- NextEra wants two 200' ROW's impacting Big Savage, Bear Pen, and Dan's Mountain Wildlife areas
- **MD Senate Bill 399 2025 wants an exclusion to MD 08.01.02.02 State Wildlands System to allow wildlands acreage to be removed to benefit NextEra Energy an out of state transmission company**

The State Wildlands Preservation System law, Section 08.01.02.03 - Permitted Activities can be found at this link: <https://casetext.com/regulation/maryland-administrative-code/title-08-department-of-natural-resources/subtitle-01-office-of-the-secretary/chapter-080102-wildlands-in-maryland/section-08010205-prohibited-activities-state-wildlands-preservation-system>

It spells out certain perimeters that could allow for a transmission line through wildland preserved areas. The law shows that the Governor can with public notice and hearing recommend changes. However, I can find no such public notice or hearing from Governor Moore, only SB 399 sponsored by Senator McKay. Certainly, for a significant proposed change as outlined in Bill 399, public notice and hearings should have already taken place before introduction of Bill 399. Do we really think that the MARL project is in the best interests of the State and the State's people? The MARL project only benefits Virginia and NextEra. **The MARL project offers no benefits to Maryland.**

*Section 08.01.02.05 - Prohibited Activities - State Wildlands Preservation System*

**A.** Except when expressly permitted under Regulation .03 or .04 of this chapter, the uses and activities in §§B-G of this regulation are prohibited in a wildland. **B.** Permanent Roads, Structures, and Installations. Unless necessary to meet the minimum requirements for the purposes of the administration of the area, permanent roads, structures, or installations may not

*be located or constructed within a wildland. Except following public notice and hearing, the Governor, within a specific area and in accordance with any regulations the Governor considers desirable, may determine that the following permanent structures and installations in wildlands will serve the interests of the State and the State's people, and may recommend to the General Assembly passage of a bill authorizing: (1) The establishment and maintenance of reservoirs; (2) Water conservation works; (3) Power projects; (4) Transmission lines; and (5) Other facilities needed in the public interest, including road construction and maintenance essential to development and use of specific areas.*

As the NextEra's MARL project proposes a greenfield ROW separate and distinct from Potomac Edison's current ROW, it does not meet the parameters of Section 08.01.02.05 H (2).

*Section 08.01.02.03 - Permitted Activities - State Wildlands Preservation System*

**H. Underground or Aboveground Lines and Related Easements.** (1) Wildland areas are subject to: (a) Existing easement for electrical transmission lines, natural gas lines, telephones, or other aboveground or underground lines; and (b) Normal maintenance of lines, or of any easement held in conjunction with the lines. (2) Upgrading or expansion of lines, with necessary approval required by law, is permitted if the rights were in effect at the time of the wildland designation.

I disagree with the statement in Bill 399 that the MARL project was selected by PJM in an open and transparent process. PJM's process solicitates projects from their member stakeholders, the transmission companies who benefit directly from awards of projects like the MARL and MPRP projects. PJM barely tolerates participation from electricity ratepayers when they do attend transmission expansion meetings and ask questions as I have at PJM TEAC meetings both in person and virtually. PJM hides information from the public with redacted proposal information. Ratepayers/consumers concerns are mostly ignored when approvals are made. PJM refuses to meet with local impacted communities or elected officials. PJM hides behind their designated entity agreements telling the public that is the job of the transmission companies to inform the public. To date, NextEra Energy has provided no information to the public about the path of the MARL project or to engage in public information sessions. Senate Bill 399 seeks to give NextEra access to public State lands without the public having an active role or conversation about the path of MARL.

For the reasons stated above, I request that the Committee members vote against SB Bill 399.

Patti Hankins  
229 St. Mary's Road  
Pylesville, MD 21132  
[Patti.hankins@gmail.com](mailto:Patti.hankins@gmail.com)

# **Written Testimony - Opposing SB 0399 - Rebecca Spa**

Uploaded by: Rebecca Sparks

Position: UNF



Rebecca Sparks  
1401 Medfield Ave  
Baltimore, MD 21211  
[SparksR@ExploreNature.org](mailto:SparksR@ExploreNature.org)  
443-605-3620  
February 7, 2025

### **Testimony in Opposition to Senate Bill 0399**

To: The Committee on Energy, Education, and the Environment  
From: Rebecca Sparks

Dear Chair Feldman, Vice Chair Kagan, and Members of the Committee on Energy, Education, and the Environment,

My name is Rebecca Sparks and I am writing to voice my strong opposition to Senate Bill 0399, which would jeopardize environmental protections for Maryland's wildlands in favor of infrastructural development. I grew up in rural Baltimore County. My life has been shaped by my connection with nature, dedicated to understanding the ecosystems that support us, and devoted to protecting them. I led the Hereford High Envirothon team to the state championships, I graduated from the Boston University Department of Earth & Environment with an award for Outstanding Achievement, I am now a Manager at Irvine Nature Center in Owings Mills, and I am a certified Maryland Master Naturalist. I have a deep understanding of how vital our wild spaces are for the health of our communities.

Ecosystem services provided by wild spaces include water filtration, air purification, temperature regulation, nutrient fixation, and food production. All of this for free - simply by keeping ecosystems intact and respecting existing protections. You stand to destroy these services for the sake of short term profit if you approve SB 0399. Legislation like this paves the way, quite literally, for the steady degradation of Maryland's conservation efforts at a time when we need our green spaces most.

If Maryland is concerned about the reliability of our energy infrastructure, clearing protected lands for additional overhead transmission lines is not the answer. That would only lead to a loss of the ecosystem services listed above, loss of habitat for vulnerable species, and would make us more vulnerable to the failings of outdated power infrastructure (ex: overhead transmission is vulnerable to extreme weather, which will only worsen with time).

I respectfully urge you to oppose SB 0399 and instead, dedicate yourselves to truly sustainable solutions. We need robust investment in renewable energy generation and distributed energy solutions, and we need to reduce energy demands through passive-element designs and the regulation of tech industries. You were put in office by people who believed in your vision for Maryland's future. You have a responsibility to Maryland's citizens, Maryland's youth, to protect

our unique and irreplaceable ecosystems. If you sacrifice that future for unsustainable, short term profit, then you are neglecting your duty as elected officials.

Electricity powers much of our lives, but we cannot eat electricity. Electricity does not create the air we breathe. It does not create or sustain diverse ecosystems. Only the land can do that. Only the soil can nourish our bodies, only the trees can fill our lungs and clean our water. I urge you to expand the scope of your compassion, to deepen your respect for your ecosystems, to imagine a bold and vibrant future that truly represents what your people want - a Maryland that is as beautiful and thriving as the one we grew up with, one that we can pass on to our children with pride, one that we've looked after.

Thank you for your time and consideration on this matter. If you have any questions or would like additional information, please reach out.

Sincerely,  
Rebecca Sparks

**SB399 testimony pdf (002).pdf**

Uploaded by: Renee Hamidi

Position: UNF



February 2, 2025

Committee: Education, Energy, and the Environment

Testimony on: SB399 “Natural Resources – Wildland Areas – Overhead Transmission Lines”

Position: Oppose

Hearing Date: February 11, 2025

Valleys Planning Council, a non-profit that conserves land and resources, preserves historic character and maintains the rural feel and land uses in northwestern Baltimore County, urges a favorable report on SB189, which would prohibit the State or its instrumentalities or political subdivisions from using eminent domain to take privately owned property that is subject to a perpetual agricultural or conservation easement.

SB399 seems to want to rewrite history so that transmission lines that would provide energy for data centers in Virginia could be approved by the Public Service Commission. Maryland land that has already been protected and designated as a wildland area would be exempted from that protection if it's part of a proposed transmission line.

Language from the Annotated Code of Maryland that provides for wildland areas says, “The wildland areas shall be administered for the use and enjoyment of the people of Maryland in a manner that will leave them unimpaired for the future use and enjoyment as wildlands, to provide for their protection, preservation of their wildland character, and for gathering and dissemination of information regarding their use and enjoyment as wildlands.” This bill flies in the face of that intent. Existing wildlands will certainly not be unimpaired for future use and enjoyment, protection, or preservation.

The disruption from construction of a transmission line to the entire wildland area would be inevitable. The continuing disruption due to more fragmentation of the wildland is also inevitable. This bill means Maryland would agree to sacrifice yet more of its precious undeveloped land. Instead of using an existing right-of-way owned by Potomac Edison, a parallel right-of-way is proposed by NextEnergy.

How many Marylanders will benefit from this bill? Maybe some Marylanders will be hired to build the line. Once the work is done, those jobs are over. And once the land is developed, it's lost forever.

This bill sets a terrible precedent, making it entirely too easy to grab protected land for transmission lines or anything else an out-of-state energy company could make money from.

SB399 is bad for Maryland and bad for Marylanders. Valleys Planning Council asks for an unfavorable report on SB399.

Respectfully submitted by

Renée Hamidi

Executive Director

Valleys Planning Council

118 W. Pennsylvania Avenue

Towson MD 21204

## **SB 399**

Uploaded by: Steven Storck

Position: UNF

Dr. Steve Storck, PhD  
492 Burnett Road  
Oakland, MD 21550  
(301) 616-0307

February 10, 2025

Written Testimony of Private Citizen

SB399 - NATURAL RESOURCES-WILDLAND AREAS-OVERHEAD TRANSMISSION LINES

(Sponsor - Senator McKay)

Education, Energy, and the Environment Committee

Request: **UNFAVORABLE** report for the following reasons:

SB399 is a direct effort to undermine our State Wildlands Preservation System and the manner in which it is administered. This substantial deviation from the Wildlands Preservation statute ([MD Natural Resources Code § 5-1203](#)) and supporting COMAR regulations ([Chapter 08.01.02. Wildlands in Maryland, Sections 01-06](#)) weakens the foundation of Maryland's Protected Lands program as it is the highest level of legislative protection of all land preservation and conservation categories. This deviation from our state laws undermines other legislative commitments for land conservation, the most recent being the Maryland the Beautiful Act, 30x30 and 40x40 land conservation commitments, and the Forest Conservation Act both its provisions for sustaining current forest canopy coverage and goals for increasing forest cover. The Chesapeake Bay Program defines protected lands as "lands permanently protected from development" and is included in Water Improvement Program Bay Goals as a Natural Filter BMP. Passage of this bill would undermine the leadership status for land conservation Maryland has attained in the Chesapeake Bay region and is a step backward from the 2 million acre protected lands goals under the 2014 Bay agreement. Additionally this bill directly contradicts the increased focus of protected lands as in the planned Beyond 2025 Bay agreement to support water quality and habitat protection objectives.

In addition to undermining land conservation, the manner in which the bill was introduced has alienated our local community and instilled distrust in our elected officials. Planned and written in secrecy, and publicly announced less than 5 days prior to its consideration by this committee, SB399 perpetuates what now appears to be a tradition of District 1 delegates. While claiming transparency, Senator McKay has made a series of false and misleading statements to his constituents regarding the details and intentions of this bill. He has even gone as far as saying it is not a matter of local concern to excuse himself from notifying our County Commissioners of his submission or contents of the bill. In 2022, a similar attack on our western Maryland protected lands was pursued in a cloak of secrecy by former Senator Edwards, Delegate Beitzel and then Commissioner Hinebaugh. Unfortunately, that effort succeeded and \$4.7 million was allocated for the unlawful construction of a high-development trail in the Wild Youghiogheny River corridor before it was disclosed to the public hidden deep in a complex budget bill. Local outrage forced DNR to review the plan who determined that the trail violated Maryland's Scenic and Wild Rivers Act, COMAR regulations and management policy which resulted in rescinding these funds. Please do not make the same mistake of that legislative effort, an unfavorable

ruling would send a strong message to the Senator and Delegate and allow our community to engage on this important issue prior to the submission of future legislation.

As someone who has been employed for the last 3 years in the Chesapeake Bay region to develop and distribute data-driven mapping products to inform decisions and policy by legislators, administrative agencies and regional stakeholders, this bill is an insult to the legislative tradition of informed decision making.

- No map or specific meets and bounds are provided to identify the location within these wildlands of the proposed transmission lines
- No information on alternatives is provided. Adjacent to these wildlands are 56,000 acres of general state forest and a 10,000 acre wildlife management area that have no legislative restrictions on transmission line construction.
- The amendments regarding prohibited new transmission line right-of-ways (ROWs) have no dimensions of disturbance. Personal communications with the Senator have been inconsistent ranging from his official statement of 10 to 12 feet added to the width of the existing ROWs, to one parallel ROW 200' in width, then to 400' width, and now one **or more** new ROWs of at least 400' width. If it is the intention of NextEra Energy to work within existing wildland ROWs this bill is not needed as these negotiations would be handled by DNR and the Board of Public Works.
- There is no information on the acreage or mileage of impact – estimated at 2.5 miles, clearing 120 to 240 acres of forest in sensitive ecosystems with multiple threatened and endangered species, creating large forest canopy gaps impacting Forest Interior Dwelling species, and negatively impacting future recreational experiences with industrial scale development of additional crackling and buzzing hi-tension transmission lines ([Source - MDWildlife](#)).
- No assessment of fire hazards from these lines has been provided. The 2 immense fires in California recently were caused by sparks from these types of transmission lines and fire frequency in Maryland's forests is on the increase due to climate-change induced drought. Constructing these lines in isolated locations with limited access will create an unreasonable safety hazard for our community with under-resourced volunteer fire departments.

In regard to changing the way the state's Wildlands Preservation System is administered, there are a number of subtle but significant deviations within SB399:

- The bill attempts to shift oversight responsibilities for these wildlands from the General Assembly to the Public Services Commission who do not have a requirement to assess environmental impacts for the construction of overhead transmission lines in the state as outlined in lines 10-24 of the bill and statute [Article - Public Utility Companies § 7-207\(e\)](#).
- The bill, while focused on Big Savage, Bear Pen and Dan's Mountain Wildlands, attempts to set this precedence as the future policy for all 38 current wildlands and future wildlands as written in the opening paragraph, line 6 "and generally relating to wildland areas in the State."
- The bill violates COMAR regulations on prohibition of new overhead transmission lines in designated wildlands ([08.01.02.05B - Prohibited Activities](#)). Only lines which existed at the time of designation are allowed ([08.01.02.03H - Permitted Activities](#)).
- The bill attempts to supersede the assigned privilege and responsibility of the Governor under COMAR ([08.01.02.05B - Prohibited Activities](#)) as the sole originator of exemption requests of the General Assembly for the development of new transmission lines in wildlands. And even the

Governor must start such a process with public notice and hearing prior to determining the need or scope of such a request.

- The lack of research, environmental assessment, public engagement, detailed design parameters and alternatives evaluation is a significant departure from other previous amendments to allowed or undefined, emerging issues to the Wildlands Preservation statute ([MD Natural Resources Code § 5-1203](#)). Please review the committee notes and testimony from [2024 Session SB300 – Belt Woods Wildland](#) and [2022 Session – HB822 – Pocomoke River Wildlands – Alteration of Boundaries](#)

In my effort to research this bill, and to help my community be informed, I found it necessary to create a map of the existing Potomac Edison transmission lines in our region in relation to the 3 referenced wildlands since one has not been provided by Senator McKay or Delegate Hinebaugh. PJM had also provided a preliminary map of this project to the Public Services Commission in 2022:

Storck – Map of Existing Transmission Lines Referenced in SB399

<https://www.google.com/maps/d/u/0/edit?mid=1Tg17bc1wSpR9v9C5DQAbrYYC7JzKm6k&usp=sharing>

PJM Transmission Line Map Proposed 2022 (provided by Piedmont Environmental Council)

<https://drive.google.com/file/d/1Ok8HWrcPGD9vY8XZ0jVuZEuybdldmjvP/view?usp=sharing>

SB399 is NOT about using ROWs that existed prior to designation as the law requires, this is about creating totally new ROWs. In the instance of Bear Pen Wildlands, the primary Potomac Edison transmission line is fully outside of the wildland and no ROW currently exists. Dan’s Mountain Wildland established in 2014 had a pre-existing transmission line that is not included in its meets and bounds description.

Thank you for considering these remarks and for returning an UNSATISFACTORY report on SB399.

Sincerely,

Steve Storck



## **SB 399**

Uploaded by: William R. Neil

Position: UNF

Dear Senator Feldman:

Very strange maneuvering. After listening to Sen. McKay's 1:56 minute long "transparent" take on Facebook I have my antennae up. Here's why.

First of all, this is connected to similar requests in other states, like Va, according to the *Bay Journal Account* I just read. The article did not mention the possibility of upgrading the voltage/power of the existing line to meet the greater energy needs. Why not? Another commentator on the article suggested power sources closer to the driver of the need, the data centers located in rural Virginia, and, as I understand it in newly designated centers in Maryland.

Of course in the America of the corporate Democratic Party, that would be in Maryland and the world of Joe Biden, as well as the Republican Party beholden to corporate America as well, there is no such thing as public planning even when the subject matter begs for it, as I consistently complained about with the massive Biden lures to companies for alternative energy, but no new body to address the clearly begging upgrade to the power grid. There could be such a thing as democratic planning, but why would the oligarchs allow it, since it would mean greens and other average citizens having a voice in the future shape of the country and countryside.

Which leads me to this: why in the coy and I think obscure language of Senator McKay, go to all that trouble of mapping the areas now in the Wildlands system - which takes up the bulk of the 9 page bill, to cut out 10-15 feet alongside an existing energy right of way, when an upgrade to carry greater power would be the logical and most environmentally protective proposal?

Around me in Frostburg, unprotected forests are cut frequently, even the City's own Watershed lands at Piney Reservoir, and there is no replacement requirement in Western Maryland, not even the weak law passed in the rest of the state. Some of the cutting it is said, is justified to balance the budget (timber sales to mills in WVA) and some of it maybe, we don't know because of the silence around the cuttings, to please future tenants in the Frostburg Business Park (where even the neighboring businesses are not notified of the clear cuts 50' away - why and for who, no postings.

I'm disappointed in all the parties, and please note in Senator McKay's bill the coy pitch to hunters about the management of the successional growth...a pitch which is part a broad national movement to justify cutting mature forests in the hope of better selected bird species especially the woodcock. I've seen this playbook before, running rampant in NJ forests and wildlife areas to improve the fiscal budgets of the agencies.

Here is a scientific critique of the rationales around this ersatz "public" policy: <https://www.frontiersin.org/journals/forests-and-global-change/articles/10.3389/ffgc.2022.1073677/full>

In this era of "All Power to the Private Sector" I'm still waiting for more information about why this bill is necessary, and why the nation and the state's energy needs and future are handled in such a helter-skelter fashion, with the dominant players the private power companies, the new Techno-Feudal oligarchs (that was Yanis Varoufakis' phrase and book title) driving the need for more power, and the private oriented PJM which functions as a private sector legislator where the average, non power generating citizen has no voice.

In sadness for the former Republic,

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