

Testimony SB 34- Forever Maryland .pdf

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Position: FAV



Testimony on SB 34

February 13, 2025 – Certificate of Public Convenience and Necessity – Overhead Transmission Lines –
Conservation Easements

Kristin Kirkwood, Chair Forever Maryland

Position: Favorable

Forever Maryland represents Maryland's land trust community. Local land trusts are valuable partners in the efforts to preserve the most important farms, forests and ecological areas in the state. We work side by side with state and local government to reach Maryland's goal of permanently preserving 40% of the state by the year 2040.

Maryland's local land trusts work with landowners, farmers, and foresters throughout the state who voluntarily choose to preserve their land in perpetuity. We help landowners find the programs best suited to their needs. We sit with them and their family members as they make the decision that will affect their family for generations to come. This is not a decision made lightly. Regardless of the program they choose there is always an underlying sense of relief that they have done all they can to protect the land they love and the resources on that land for the future.

Conservation easements are not one-way exchanges. The public benefits greatly from the permanent preservation of privately owned land – local food, wildlife habitat, clean water, reduced tax burden, economic opportunity, and so much more. And in great part, the public has directly invested in these privately conserved lands as most of the conservation easements programs in Maryland are funded by either state or local transfer taxes.

The recent proposal to cut through 70 miles of Maryland farms, forests, wetlands, historic areas and ecological treasures affects many of the families who have voluntarily decided to protect their land. They are now devastated to think that despite their best efforts, the farm will no longer look the same, the fields, forests and streams will no longer function the same, and the farm will certainly not have either the ecological or economic value that it did before the transmission lines were put in place. They feel betrayed.

There is no doubt that it is easier and cheaper to site linear infrastructure across a series of larger, undeveloped properties. But in the noble goal of preserving Maryland's open space for future generations, have we unwittingly placed a bullseye on these preserved properties?

Forever Maryland strongly supports SB 34 which simply requires that an applicant for a Certificate of Public Convenience and Necessity at the Public Service Commission minimize the impact of overhead transmission lines on land subject to a permanent conservation easement and change the proposed route if necessary to minimize said impact. It is a common-sense approach, one that recognizes the

state's role in upholding the commitment made both by the landowners who preserved their property and the taxpayers who financed many of those easements.

Thank you for helping to make sure that our most important farms, forests and ecological areas are indeed protected in perpetuity.

SB34_Brooks.pdf

Uploaded by: Benjamin Brooks

Position: FAV

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

SB0034.pdf

Uploaded by: Daniel Iampieri

Position: FAV

February 11, 2025

Senator Brooks:

SB 0034 Preserves Protected Land and Conservation easements from unnecessary development. Allowing transmission projects to override these protections undermines their purpose and threatens agriculture, biodiversity, and local ecosystems.

This bill ensures accountability from Utility Companies

Without this bill, transmission developers can ignore better alternatives and push projects forward at the expense of landowners and communities. By requiring companies to evaluate alternative routes, SB34 introduces much-needed oversight.

SB 0034 Supports Smart Energy Planning

Rather than continuing the outdated model of long-distance transmission, Maryland should focus on modern energy solutions such as:

- **Upgrading existing infrastructure**
- **Distributed energy resources (DERs)**
- **Siting transmission lines along existing corridors (such as highways and railways)**
- **Undergrounding where feasible for resilience and safety**

SB 0034 Protects Rural Communities

Rural landowners often bear the brunt of large transmission projects, with little say in the process. SB34 levels the playing field by requiring due consideration of conservation land, preventing landowners from being steamrolled by corporate energy interests.

This bill protects landowners from unfair land seizures and ensure they receive full compensation if eminent domain is used.

**Sincerely,
Dan Iampieri**

SB0034-EEE_MACo_SUP.pdf

Uploaded by: Dominic Butchko

Position: FAV



Senate Bill 34

Certificate of Public Convenience and Necessity - Overhead Transmission Lines - Conservation Easements

MACo Position: **SUPPORT**

To: Education, Energy, and the Environment
Committee

Date: February 13, 2025

From: Dominic J. Butchko

The Maryland Association of Counties (MACo) **SUPPORTS** SB 34. This bill places additional considerations and requirements for transmission lines seeking to go on areas under a conservation easement.

The 2025 Maryland General Assembly is facing a historic number of complex generational challenges. One of the loudest issues to arise has been Maryland opposition to the Piedmont Reliability Project. The Project, which crosses Baltimore, Carroll, and Frederick Counties, effectively creates an “extension cord” across some of our state’s prime agricultural lands, providing Pennsylvania-generated energy to Virginia-based data centers, with little direct benefit to Marylanders. As the General Assembly debates how to address this and other energy challenges, one of the biggest underlying issues will be how to prioritize now competing state priorities (i.e., energy demands and environmental goals).

Since the 1960s, counties and the State have invested hundreds of millions of dollars into conservation, and to date, counties have actively limited development in these preserved areas. The intent of SB 34 is to respond to the Piedmont Project by requiring both the PSC to more deeply consider the impact of projects on conserved lands and for the applicant to more thoroughly justify why a project must overlap with these sensitive areas. As transmission infrastructure upgrades may uniquely be accomplished by upgrading existing lines or using existing land, counties join the sponsor in wanting to protect the finite number of conserved lands.

This is commonsense legislation which seeks to address conflicts between Maryland’s growing demand for energy and billions invested into other pro-climate policies to date. For this reason, MACo urges the Committee to give SB 34 a **FAVORABLE** report.

SB34 02-11-2025.pdf

Uploaded by: Elizabeth Bauer

Position: FAV

I support the Certificate of Public Convenience and Necessity – Overhead Transmission Lines – Conservation Easements bill (SB34) requiring the PSC to take into consideration the significant negative impact the development of overhead transmission lines will have on properties subject to an existing conservation easement in certain proceedings for a CPCN. The applicant should be required to consider alternative routes or alternative measures for providing the energy.

J. Elizabeth Bauer
8097 Geaslin Drive
Middletown, MD 21769

SB 34-CPCN -Overhead Transmission Lines-Conservati

Uploaded by: Elizabeth Law

Position: FAV

BILL NUMBER: Senate Bill 0034
**Certificate of Public Convenience and Necessity - Overhead
Transmission Lines - Conservation Easements**

COMMITTEE: Education, Energy, and the Environment

HEARING DATE: February 13, 2025

SPONSOR: Senators Brooks and Hettleman

POSITION: Favorable

Chair Brian Feldman, Vice Chair Cheryl Kagen and Members of the Committee,

As a professional electric power engineer and Maryland resident concerned with the effects of climate change, I ask for a Favorable Report on SB 0034.

Adoption of this Act is timely considering the controversy created by the PSEG proposed Maryland Piedmont Reliability Project transmission line. Maryland stands in the unenviable position of being between energy rich Pennsylvania and energy starved Virginia. Even if the MPRP transmission line is denied by the Public Service Commission, it will be the first of many attempts to plow through Maryland's most valuable agricultural and preserved land to feed Virginia's hungry data centers.

This Act requires the Public Service Commission to consider the impact of the development of overhead transmission lines on certain properties subject to an existing conservation easement in certain proceedings for a certificate of public convenience and necessity; requiring the Commission to require an applicant for a certificate of public convenience and necessity for the development of overhead transmission lines to consider alternative routes for transmission lines affecting conservation easements or alter proposed routes; and generally relating to certificates of public convenience and necessity.

The requirements listed above and others in the Act will help secure Maryland's future as a state that provides the power citizens and businesses need to function while honoring our laws that protect the environment.

Thank you,

Elizabeth Law, P.E. (retired)

1758 Wheyfield Drive.

Frederick, Maryland 21701

Letter to Committee 02.11.24 SB0034 favorable.pdf

Uploaded by: Janet Galloway

Position: FAV

Janet Earp Galloway
21602 N. Ruhl Road
Freeland, MD 20153
marshja@earthlink.net
443-798-4331

February 11, 2025

Re: SB0034 - FAV

Dear Committee Members:

I have lived in Northern Baltimore County for over 47 years. I treasure the open space and natural environment. I strongly urge you to vote "Yes" on SB0034 to protect Maryland's conservation lands from unnecessary overhead transmission projects.

Regards,

Janet Earp Galloway

FAV_SB0034_StopMPRPInc.pdf

Uploaded by: Joanne Frederick

Position: FAV



WRITTEN TESTIMONY

BILL NO.: Senate Bill 34 – Certificate of Public Convenience and Necessity - Overhead Transmission Lines - Conservation Easements

COMMITTEE: Senate Education, Energy, and the Environment Committee

HEARING DATE: February 13, 2025

SPONSOR: Senator Brooks

POSITION: Favorable

I respectfully submit this testimony in strong support of Senate Bill 34, which requires the Public Service Commission to evaluate the impact of proposed overhead transmission lines on conservation easements and consider alternative routes to mitigate harm. I urge a **favorable report** on this critical legislation, as it upholds Maryland's long-standing commitment to preserving its environment, rural heritage, and economic future.

Maryland's Legacy of Land Conservation

Maryland has a proud and well-established history of preserving land to protect its environment, rural character, and economic viability. The state has implemented programs such as the Maryland Agricultural Land Preservation Foundation (MALPF), Rural Legacy Program, and Maryland Environmental Trust, which have safeguarded thousands of acres of farmland, forests, and waterways from unchecked development.

Baltimore, Carroll, and Frederick Counties exemplify the success of these conservation efforts, boasting rolling farmland, scenic landscapes, and vibrant rural communities that attract new residents and visitors alike. These lands contribute to Maryland's economy by sustaining agriculture, tourism, and outdoor recreation industries, all while enhancing quality of life.

Additionally, the Chesapeake Bay remains one of the state's most treasured natural resources. The conserved lands across Baltimore, Carroll, and Frederick Counties play an essential role in protecting the Bay's watershed, reducing runoff pollution, and ensuring the long-term health of Maryland's ecosystems and waterways. Allowing transmission lines to disrupt these landscapes would jeopardize decades of environmental protection efforts.



The Environmental Damage of the Proposed Transmission Line

The transmission project under consideration would cause substantial environmental destruction. According to the routing study conducted for the Maryland Piedmont Reliability Project (MPRP), the proposed right-of-way (ROW) would impact:

- **51.1 acres of total wetlands**, including **10.1 acres of forested wetlands**
- **394.2 acres of forested lands**
- **101 stream and waterbody crossings**
- **245.8 acres of conservation easements**, including **224.6 acres protected under MALPF**
- **An additional 1,801.7 acres of conserved land within 500 feet of the ROW**, putting further strain on protected natural areas, increasing the risk of habitat fragmentation, and threatening the integrity of Maryland's long-standing conservation efforts

Beyond these direct impacts, the project threatens sensitive ecosystems, historic sites, and farmlands that have been protected for generations. The large-scale disturbance from construction and ongoing maintenance of overhead transmission lines would degrade local habitats, reduce biodiversity, and increase erosion, harming the Chesapeake Bay's delicate watershed.

Harming Maryland's Economic Future

Maryland's natural beauty is a significant factor in attracting new residents, businesses, and tourists. The scenic landscapes of Baltimore, Carroll, and Frederick Counties, along with the iconic Chesapeake Bay, make Maryland a desirable place to live and work. The destruction caused by overhead transmission lines could discourage people from moving to these areas, leading to economic consequences such as:

- **Decreased property values** in rural and suburban communities
- **Reduced agricultural productivity** due to land disruptions
- **Weakened tourism and outdoor recreation industries**, which depend on Maryland's scenic and environmental integrity

A short-sighted decision to prioritize corporate infrastructure over conservation would ultimately harm Maryland's economic competitiveness and diminish the quality of life for its residents.



Conclusion

Senate Bill 34 represents a necessary and prudent measure to ensure that Maryland's conservation easements and protected lands are not sacrificed for unnecessary infrastructure projects. Requiring the Public Service Commission to assess the impact of transmission lines on conservation easements and consider alternative routes is a reasonable and responsible step in preserving Maryland's environmental and economic future.

For these reasons, I respectfully urge the committee to issue a **favorable report** on SB0034.

Thank you for your time and consideration.

Joanne Frederick

President

Stop MPRP, Inc.

joanne.frederick@stopmprp.com

443-789-1382

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Uploaded by: Julie Frye

Position: FAV

Urgent Request to Support SB34 and Protect Maryland

Dear Senator,

I am writing as a concerned constituent of Baltimore County Maryland to urge your support for SB34. This bill is crucial for protecting Maryland's precious natural resources, including our forests, farmland, and the character of our rural communities, specifically areas like Parkton.

As you know, overhead transmission line projects can have devastating impacts on the environment and surrounding communities. They fragment forests, disrupt wildlife habitats, diminish property values, and negatively affect the scenic beauty that makes areas like Parkton so special. SB34 offers a vital opportunity to ensure that these projects are carefully considered and that alternative solutions, which may be less impactful, are thoroughly explored.

Parkton and similar communities in Maryland deserve to have their voices heard in the planning process for these large-scale infrastructure projects. SB34 will provide a more balanced approach, ensuring that the needs of our environment and rural communities are given due consideration alongside energy infrastructure development.

I strongly urge you to support SB34 and help protect the natural beauty and rural character of Maryland. Thank you for your time and attention to this important matter.

Sincerely,

Julie Frye

18111 Bunker Hill Road

Parkton, MD 21120

MOS SB0034 Overhead Transmission -- Easements Feb

Uploaded by: Kurt Schwarz

Position: FAV



MARYLAND ORNITHOLOGICAL SOCIETY

February 12, 2025

Bill: <https://mgaleg.maryland.gov/2025RS/bills/hb/hb0232F.pdf>

Committee: Education, Energy, and the Environment

Testimony on SB0034—Certificate of Public Convenience and Necessity—Overhead Transmission Lines—Conservation Easements

Position: Favorable

The Maryland Ornithological Society (MOS) strongly supports SB0034. With over 60% of land in the United States in private hands, private property is crucial to preserving wildlife habitat. HB 0034 would require the Public Service Commission to consider alternative routes or to alter proposed routes when they would cross a conservation easement. An applicant must also minimize impact of the transmission line on the easement. We believe that every effort should be made to preserve a conservation easement that a proposed transmission line would impact.

North America has lost almost 30% of its birds since 1970.¹ Habitat destruction is a major source to that decline. SB0034 will preserve habitat and help preserve our bird and wildlife population.

We urge the Committee to issue a favorable report for SB0034, to protect conservation easements and wildlife habitat.

Kurt R. Schwarz
Conservation Chair Emeritus
Maryland Ornithological Society
www.mdbirds.org

¹ 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

SB 34 Prepared Testimony Feb 11 2025 a.pdf

Uploaded by: Michael Sonnenfeld

Position: FAV



Education, Energy, and the Environment Committee
2 West Miller Senate Office Building
Annapolis, MD 21401

February 11, 2025

RE: **SUPPORT Senate Bill 34**

Dear Committee Chair Feldman, Vice Chair Kagan and Esteemed Committee Members:

Land Preservation Trust, Inc. (LPT), a local land trust that holds over 380 conservation easements on over 14,600 acres of land and is the administrator of the Piney Run Rural Legacy Area for the State of Maryland, **supports Senate Bill 34**, a measure that would protect Maryland's longstanding investment in agricultural and open space land by **requiring the Public Service Commission (PSC) to minimize the impact of new electric transmission lines on privately owned land subject to the terms of an agricultural or conservation easement.**

For over 40 years, Maryland has invested to protect agricultural and open space land throughout the State by purchasing conservation easements on properties and by creating the legal structures to support donations of conservation easements. Conservation easements achieve critical State goals at a significantly lower cost than the outright purchase of land. Conserved land is limited in perpetuity to specific uses, including agriculture, woodlands, wetlands and open space, and conservation easements almost always limit the number of houses and subdivisions of the property. The owners of conserved land retain possession of the property, subject to the terms of a conservation easement, and remain solely responsible for the care and upkeep of the conserved land. In other words, conservation easements allow the State to dedicate land to an important public purpose at a low acquisition cost, with no ongoing expense as the owner of the land.

Preserved and open space land is critical to maintaining Maryland's largest economic sector, agriculture, and to promoting the health of the natural ecosystems on which all of Maryland's residents rely:

- **Water Quality:** preserved land reduces runoff and filters water, limiting the flow and decreasing the temperature of surface water running into the Chesapeake Bay
- **Air Quality:** agricultural land, open space and woodlands filter the air and improve air quality for their surrounding communities
- **Carbon Capture:** active agriculture and open space, particularly woodlands, captures significant carbon and retains carbon in the soil and in trees
- **Greenhouse Gas:** agricultural and open space lands, per acre, emit less than 2% of the greenhouse gases emitted from developed land

Preserved agricultural and open space land maintains the scenic views and rural character of the communities in which it is located, allowing local families to provide fresh food to their communities and preserving opportunities for hunting, hiking, cycling and horseback riding that are important to Maryland's citizens. The agricultural, natural and cultural resource preservation benefits of conserving land are so valuable that Maryland's Rural Legacy Program deeds of easement specifically designate the protected uses of the conserved properties to be their "highest public use."

Landowners take the decision to conserve their land very carefully, understanding that conserving their land imposes significant restrictions on the use of the land going forward. These landowners have committed to the State to preserve their land in perpetuity, and **SB 34 will assure that the State also will prioritize the protection of its conserved land.**

Conserving agricultural and open space land dedicates the land to a critically important public use: SB 34 will protect private land already devoted to public use from being condemned for building transmission lines by requiring the PSC to evaluate alternative routes for new lines and to minimize the impact of new lines on conserved land. SB 34 does not prohibit the use of conserved lands for new transmission lines, accommodating both conservation and economic progress.

Finally, protecting conserved land is critical to Maryland's success in achieving its goal of protecting 40% of the State by 2040, adopted in the Maryland the Beautiful Act of 2023 (which targets conserving another 600,000 acres by 2040).

To summarize – **enacting Senate Bill 34 will protect Maryland's longstanding investment in agricultural and open space land by minimizing the impact of any new transmission lines on privately owned conserved land.**

We respectfully urge a **positive report on Senate Bill 34.**

Michael J. Sonnenfeld, Easement and Stewardship Committee

Support for Bill SB0034.pdf

Uploaded by: Mollie McCormick

Position: FAV

Mollie McCormick
4100 Buffalo Road
Mt. Airy, Maryland
mmccormick@bytesnwords.com

February 11, 2025

Testimony in support of Bill# SB0034

To: Education, Energy, and the Environment Committee

From: Mollie McCormick (partner in Flickinger Farm, LLC)

Dear Chair [Senator Brian J. Feldman](#), Vice-Chair [Senator Cheryl C. Kagan](#) and Members of the Education, Energy, and the Environment Committee:

My name is Mollie McCormick, and I am a resident of Mount Airy, Maryland. I have lived here on my family farm since 1996, continuing the legacy of living on this property that my family started nearly 100 years ago. **I am writing to express my SUPPORT for Bill #SB0034, which seeks to protect Maryland's farmland from harmful development projects, particularly those that people have entrusted Maryland to help preserve by opting into perpetual conservation easements.**

We are the third generation to own or live on the Flickinger Farm, a now 170-acre set of properties purchased by my great great grandfather that was part of an original English land grant. My great uncle ran a substantial dairy operation here in the 1950s and since then my family has worked to retain it as farmland, sharing ownership with those in the family who have sought to preserve, rather than develop, it. My husband and I moved here in 1996 and formed an LLC with my Dad and brother (both living elsewhere) to seek a conservation easement with the state in 1999. We have raised a family here and — even when struggling to pay our mortgage — felt we had made the right, historic choice to preserve the land, planting many acres of trees and wildlife cover and ensuring that our “Flickinger Branch” of the stream that flows through the property to the Monocacy River remains un-polluted by runoff from development, or modern farming practices. Our property has a family cemetery that historians sometimes stop into visit, including one that explained how some of our gravestones were created by the only freed enslaved man who locally designed stones.

Although we are not currently in the path of the MPRP project, it is within 1.5 miles of us, and we are deeply concerned about the ramifications of allowing the state to possibly “take back” through eminent domain what any family has sacrificed for and willingly restricted in the spirit of preservation. As we approach retirement age and consider improvements to our home and additional projects with conservation groups, we are very concerned about implementing plans we have envisioned if some group may simply one day ask Maryland to take the land that we “set aside.” It is a very bad precedent and feels like a breach of the agreement we have partnered with Maryland in for decades. The manner in the MPRP was revealed to the public is an indication of how un-transparent the involved parties are about their data and intentions for Marylanders.

If you look up the word “conservation,” you will learn that “conservation seeks the *proper use of nature*” and is defined as “prevention of a *wasteful use of a resource*.” The research shows that the MPRP project is not aligned with the “proper use of nature” and should therefore not be allowed anywhere near

conservation properties, much less where people hope to reside and thrive. MPRP is instead the “wasteful use of a resource” that many Marylanders have long sacrificed for so that other Marylanders can enjoy it—through vistas, hunting, farm stands, tree farms, and breweries/wineries. It is unconscionable that people should be fighting for the right to the land that they conserved and preserved in good faith, particularly to satisfy the data needs of billionaires and people in another state.

I respectfully urge you to strongly support Bill# SB0034 and to advocate for its passage to preserve (which means “to keep”) our farmland and viewscape and protect Maryland’s rich natural and cultural heritage, so that we may continue to model a legacy of conservation, especially in the face of the unprecedented change being forced on the American people.

Thank you for your time and attention to this important legislation. If you have any questions or would like additional information, please feel free to contact me at mmccormick@bytesnwords.com I appreciate your dedication to serving our community and look forward to seeing your leadership on this issue.

Sincerely,

Mollie R. McCormick
Joseph P. McCormick

Written Testimony in Support of SB0034.pdf

Uploaded by: Rebecca Sparks

Position: FAV

Rebecca Sparks
1401 Medfield Ave
Baltimore, MD 21211
Hello@beccasparks.com
443-605-3620
February 11, 2025

Testimony in Support of Senate Bill 0034

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:

I am writing to ask you to please support SB0034. This Bill would protect vital ecosystems and require that the updates we need in our energy systems are made sustainably, with true vision for the future and accountability from the companies leading the way. 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.

I also know that Maryland is facing daunting challenges when it comes to supplying enough energy to meet growing demands. I urge you all to see that jeopardizing natural resources is not the way forward. We can meet this challenge with the implementation of renewable energy production, increased regulations on large tech companies and data centers, and comprehensive improvements to existing infrastructure. Forests, farmland, and conservation easements provide irreplaceable ecosystem services and once they are gone, we will not get them back. Ecosystem services refer to the benefits given to us by natural systems simply through their existence: water filtration, oxygen production, carbon fixation, food production, soil development, and groundwater recharge to name a few. The intrinsic value of this land must be protected from growing corporate greed. We are in the midst of the climate crisis – when faced with challenges, will you choose to sacrifice the natural resources we have left, that increase our resilience to extreme climate events, or will you offer them on a silver platter to those who would watch us burn as long as they turn a profit? I believe that Maryland can become a national leader in comprehensive sustainable energy reform without sacrificing our conserved land. Please take the first step by voting yes on SB34.

Thank you for your time,
Rebecca Sparks

SB0034 testimony.pdf

Uploaded by: Renee Hamidi

Position: FAV



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118 W. Pennsylvania Avenue, Towson, Maryland 21204
P.O. Box 5402 Towson, Maryland 21285-5402

Committee: Education, Energy, and the Environment

Testimony on: SB0034 "Certificate of Public Convenience and Necessity - Overhead Transmission Lines - Conservation Easements

Position: Support

Hearing Date: February 13, 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 SB0034, which would require the Public Service Commission to consider the impact of the development of overhead transmission lines on certain properties subject to an existing conservation easement.

Maryland has spent hundreds of millions of dollars protecting and preserving land through conservation easements. Preserving land reduces development, thereby protecting limited natural resources that benefit all Marylanders. We drink cleaner water and breathe fresher air because of conservation easements. We are able to enjoy fresh, locally grown food because of conservation easements. We have access to natural areas and open space because of conservation easements.

The construction and presence of overhead transmission lines erases some or all of the benefit of a conservation easement. Requiring the Public Service Commission (PSC) to require an applicant for a Certificate of Public Convenience and Necessity (CPCN) to minimize the impact on preserved properties on the proposed route or to change the route to minimize the impact on those preserved properties as it considers the CPCN application would help protect Maryland's investment in preserving land and the benefits resulting from preserved land.

Further requiring due consideration of the impact of a proposed transmission line on preserved properties in the alternative route encourages CPCN applicants to avoid preserved properties altogether. In short, this bill affords continuing protection to land judged to be important enough to be preserved. Valleys Planning Council urges a favorable report on SB0034.

Renée Hamidi
Executive Director
Valleys Planning Council

Protect. Preserve. Enjoy.

Testimony in support of SB0034- Certificate of Pub

Uploaded by: Richard KAP Kaplowitz

Position: FAV

SB0034_RichardKaplowitz_FAV
02/13/2025

Richard Keith Kaplowitz
Frederick, MD 21703

TESTIMONY ON SB#/0034 – FAVORABLE
**Certificate of Public Convenience and Necessity - Overhead Transmission Lines -
Conservation Easements**

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

FROM: Richard Keith Kaplowitz

My name is Richard K. Kaplowitz. I am a resident of District 3, Frederick County. I am submitting this testimony in support of SB#0034, Certificate of Public Convenience and Necessity - Overhead Transmission Lines - Conservation Easements

This bill is an environmental protection measure that seeks to preserve existing conservation easements from encroachment by overhead electrical transmission lines. This bill will Require the Public Service Commission to consider the impact of the development of overhead transmission lines on certain properties subject to an existing conservation easement in certain proceedings for a certificate of public convenience and necessity. It establishes that companies wishing to construct transmission lines must do due diligence to document whether alternatives exist that do not impact those areas. It will accomplish that by requiring the Commission to require an applicant for a certificate of public convenience and necessity for the development of overhead transmission lines to consider alternative routes for transmission lines affecting conservation easements or alter proposed routes.

Because of this bill both the PSC and the public can decide if the proposal takes into account environmental and other factors that can and will affect the quality of life and economies of affected jurisdictions and their residents. It will provide tools that can be used in evaluation of proposals by both local and regional transmission organizations for electrical infrastructure construction. It adds to the knowledge base on which an intelligent decision on permitting can occur.

I respectfully urge this committee to return a favorable report on SB#0034.

SB 0034 OverheadTransmissionLines.pdf

Uploaded by: SHARON CARRICK

Position: FAV



Ella Ennis, Legislative Chairman
Maryland Federation of Republican Women
PO Box 6040, Annapolis MD 21401
Email: eee437@comcast.net

The Honorable Brian J. Feldman, Chairman
and Members of the Education, Energy and the Environment Committee
Senate of Maryland
Annapolis, Maryland

RE: **SB0034** – Certificate of Public Convenience and Necessity – Overhead Transmission Lines –
Conservation Easements – **SUPPORT**

Dear Chairman Feldman and Committee Members,

The 1,154 members of the Maryland Federation of Republican Women strongly support SB0034.

It is imperative that we protect Maryland Agricultural Preservation Foundation easements, Forest Conservation acreage, other conservation easements, and our parks and natural resource management areas.

Forestlands filter carbon from the atmosphere. Watersheds ensure clean water. Wetlands and stream buffers filter excess nutrients, keeping them out of our waterways. All these provide quality habitat for animals.

These protected lands are Maryland's most effective filtration systems and fighters of climate change.

The Maryland Federation of Republican Women supports SB0034 because it will ensure that protected lands remain protected.

We encourage vote a **FAVORABLE** report for **SB0034**.

Sincerely, Ella Ennis
Legislative Chairman
Maryland Federation of Republican Women

MDFB - Support -SB34 Certificate of Public Conveni

Uploaded by: Tyler Hough

Position: FAV



Maryland Farm Bureau

3358 Davidsonville Road | Davidsonville, MD 21035
410-922-3426 | www.mdfarmbureau.com

February 11, 2025

To: Senate Education, Energy, and the Environment Committee

From: Maryland Farm Bureau, Inc.

RE: Support of SB34 - Certificate of Public Convenience and Necessity – Overhead Transmission Lines – Conservation Easements

On behalf of the nearly 8,000 member families of the Maryland Farm Bureau, I submit written testimony in favor of SB34 Certificate of Public Convenience and Necessity – Overhead Transmission Lines – Conservation Easements. The bill requires the Maryland Public Service Commission (PSC) to consider the impact of overhead transmission lines on properties with existing conservation easements when reviewing applications for a Certificate of Public Convenience and Necessity (CPCN). It also mandates that applicants explore alternative routes or modify proposed routes to minimize impacts on these protected lands.

Maryland's farmers work tirelessly to safeguard agricultural land for future generations, maintaining the state's agricultural heritage and ensuring food security for its citizens. Conservation easements play a vital role in these efforts by preserving farmland, protecting ecosystems, and supporting climate resilience. However, when infrastructure projects target these protected lands without proper consideration, it undermines the intent of preservation programs and discourages landowners from participating in them.

Senate Bill 34 provides necessary safeguards by requiring the Public Service Commission to evaluate the impact of transmission lines on conservation easements and to consider alternative routes. This approach strikes a fair balance between infrastructure development and the preservation of Maryland's agricultural and environmental resources. It ensures that landowners' commitments to conservation are honored while promoting responsible planning for the state's energy needs.

This legislation is not just about protecting land—it is about maintaining trust in the preservation process, supporting sustainable agriculture, and upholding Maryland's broader environmental goals. I respectfully urge the committee to issue a favorable report on Senate Bill 34 to protect our state's valuable conserved lands for generations to come.

Sincerely,

Tyler Hough

Director of Government Relations

Please reach out to Tyler Hough, though@marylandfb.org, with any questions

2.13.25 SB34 LOI PHI.pdf

Uploaded by: Anne Klase

Position: INFO

February 13, 2025

112 West Street
Annapolis, MD 21401

**Letter of Information – Senate Bill 34 – Certificate of Public Convenience and Necessity –
Overhead Transmission Lines – Conservation Easements**

Potomac Electric Power Company (Pepco) and Delmarva Power & Light Company (Delmarva Power) submit this letter of information on **Senate Bill 34 - Certificate of Public Convenience and Necessity – Overhead Transmission Lines – Conservation Easements**. Senate Bill 34 requires that in determining whether to grant a Certificate of Public Convenience and Necessity (CPCN) for an overhead transmission line over 69kV, the Public Service Commission (PSC) must consider impacts on properties subject to an existing conservation easement. The bill also requires that CPCN applicants minimize impacts to properties subject to existing conservation easements, including consideration of alternative routes.

Maryland law requires approval from the PSC of a CPCN application before construction of an overhead transmission line designed to carry more than 69kV may begin. The process before the PSC involves robust, quasi-judicial administrative proceedings, as well as extensive public notification requirements, public hearings, and opportunities for public comment. The CPCN process also allows for input from the public and from multiple State agencies, as well as local jurisdictions.

Part of the CPCN process requires an alternative routes analysis for new overhead transmission lines. The alternative analysis requirement involves thoroughly evaluating and presenting various potential routes for the proposed power line, considering factors like environmental impact, land use, community impact, and cost, to demonstrate that the proposed route is the most feasible and minimizes negative effects compared to other options. A significant component of the analysis involves environmental and socioeconomic considerations, such as land use impacts. The impact of each alternative route on natural habitats, sensitive ecosystems, and visual aesthetics are just some examples of the environmental matters reviewed.

Additionally, community impact is evaluated during the alternative analysis study. Factors such as property values, land use, and community concerns are strongly considered when identifying the most viable route for the transmission line. The CPCN process also currently requires that applicants identify whether the overhead transmission line is proposed to be constructed on property that is subject to an existing easement. Finally, it's important to highlight that re-routing to avoid a parcel encumbered by a conservation easement could be extremely costly to re-connect the ROW around the conserved property and also impact the schedule if the re-route requires negotiating land rights with multiple landowners to avoid a single parcel.

Since analysis for alternate routes and consideration of impacts on properties with existing easements is already an essential requirement of a CPCN, it is Pepco and Delmarva Powers belief that Senate Bill 34 is not necessary.

2.13.25 SB34 LOI PHI.pdf

Uploaded by: Anne Klase

Position: INFO

February 13, 2025

112 West Street
Annapolis, MD 21401

Letter of Information – Senate Bill 34 – Certificate of Public Convenience and Necessity – Overhead Transmission Lines – Conservation Easements

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Valencia McClure | Anne Klase | Allyson Black-Woodson | Poetri Deal | 410 980 5347

BGE-LOI-EEE-SB34-CPCN-OverheadTransmissionandConse

Uploaded by: Brittany Jones

Position: INFO

Letter of Information
Education, Energy, and Environment Committee
2/13/2025

Senate Bill 34 – Certificate of Public Convenience and Necessity – Overhead Transmission Lines – Conservation Easements

Baltimore Gas and Electric Company (BGE) offers a Letter of Information for *Senate Bill 34 – Certificate of Public Convenience and Necessity – Overhead Transmission Lines – Conservation Easements*. Senate Bill 34 requires that in determining whether to grant a Certificate of Public Convenience and Necessity (CPCN) for an overhead transmission line over 69kV, the Public Service Commission (PSC) must consider impacts on properties subject to an existing conservation easement. The Bill also requires that CPCN applicants minimize impacts to properties subject to existing conservation easements, including consideration of alternative routes.

Maryland law requires approval from the PSC of a CPCN application before construction of an overhead transmission line designed to carry more than 69kV may begin. The CPCN process before the PSC involves robust, quasi-judicial administrative proceedings, as well as extensive public notification requirements, public hearings, and opportunities for public comment. The CPCN process also allows for input from the public and from multiple State agencies, as well as local jurisdictions. For example, the Power Plant Research Program in the Department of Natural Resources coordinates a comprehensive environmental and socioeconomic review of a proposed project and presents recommendations on behalf of seven different State agencies. The Staff of the PSC and the Office of People's Counsel also regularly participate as parties in CPCN proceedings.

An alternative routes analysis is already required as part of the CPCN process for new overhead transmission lines. The alternative analysis requirement involves thoroughly evaluating and presenting various potential routes for the proposed power line, considering factors like environmental impact, land use, community impact, and cost, to demonstrate that the proposed route is the most feasible and minimizes negative effects compared to other options. A significant component of the analysis involves environmental and socioeconomic considerations, such as land use impacts. The impact of each alternative route on natural habitats, sensitive ecosystems, and visual aesthetics are just some examples of the environmental matters reviewed. Additionally, community impact is evaluated during the alternative analysis study. Factors such as property values, land use, and community concerns are strongly considered when identifying the most viable route for the transmission line. The CPCN process also currently requires that

BGE, headquartered in Baltimore, is Maryland's largest gas and electric utility, delivering power to more than 1.3 million electric customers and more than 700,000 natural gas customers in central Maryland. The company's approximately 3,400 employees are committed to the safe and reliable delivery of gas and electricity, as well as enhanced energy management, conservation, environmental stewardship and community assistance. BGE is a subsidiary of Exelon Corporation (NYSE: EXC), the nation's largest energy delivery company.



AN EXELON COMPANY

Position Statement

applicants identify whether the overhead transmission line is proposed to be constructed on property that is subject to an existing easement.

Since analysis for alternate routes and consideration of impacts on properties with existing easements is already an essential requirement of a CPCN, *Senate Bill 34* is not needed. BGE is including a sample of its alternative analysis submitted to the PSC as part of BGE's CPCN application for the Brandon Shores Retirement Mitigation Project to demonstrate the substantial evaluations that are prepared when considering alternative routes.



BGE RPM-1 - BSRM
Alternate Route Stu

BGE, headquartered in Baltimore, is Maryland's largest gas and electric utility, delivering power to more than 1.3 million electric customers and more than 700,000 natural gas customers in central Maryland. The company's approximately 3,400 employees are committed to the safe and reliable delivery of gas and electricity, as well as enhanced energy management, conservation, environmental stewardship and community assistance. BGE is a subsidiary of Exelon Corporation (NYSE: EXC), the nation's largest energy delivery company.

Charles Washington | Brittany Jones | Guy Andes | Dytonia Reed | 410.269.5281

SB0034 (HB0640) - LOC - Certificate of Public Conv

Uploaded by: Landon Fahrig

Position: INFO



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.