

Agricultural easement protection 3-4-25.pdf

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Position: FAV

Jennifer Teeter and Frank Baylor
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March 4, 2025

Re: Bills before the MD State Legislature prohibiting use of land in Agricultural Preservation Easement Programs for construction of Transmission Lines: HB0631, HB1396, SB0737, SB0955

Dear Committee Representatives:

My husband and I reside at the above address along a scenic byway in Carroll County amid farms in Agricultural Preservation Easements. The farmer next door farms a portion of our property and is directly impacted by the MPRP proposed towers and power lines complicating his farming operation that has been in the family for generations. To quote from the State of Maryland tourism web site, "top quality farm soil benefitting the #1 industry in the State of Maryland, Agriculture, is a finite resource". It should not be squandered for erecting power line towers and endangering those who work in the industry. Preserved farmland in easement for perpetuity means farming is the highest and best use of the land, period. Contiguous blocks of open farmland allow farmers to share resources such as aerial spraying and seeding costs which are impossible with high voltage power lines in the way. Breaching the trust of these easement programs puts the entire concept at risk, wasting millions invested in the program and working against county and state master plan goals for preservation of the industry. Alternatives to greenfield projects crossing preserved farmland exist and can improve the safety and reliability of our outdated electrical grid. Greenfield transmission projects generate the maximum financial benefit to the vendor at the greatest cost to the public.

We love and care deeply about the future of this state. People will look back on this and say we didn't fully appreciate how finite our green spaces and farmland are, how important they are to our rural economy (ag and tourism) and our mental health. High voltage power lines and towers will leave a massive scar across our state's most beautiful countryside, crossing many designated scenic byways. This has added to the stress of our farming community that already deals with elements outside their control.

Many of these farmers take no salary for years at a time to build their business. Giving up something to benefit the good of the whole is a concept they are living proof of, many have placed land in Ag Preservation programs for "perpetuity" for that very reason. They work hard every day to grow our food and feed for livestock. We must protect what remains of the unspoiled natural landscape and number one industry in this beautiful state we are proud to call home.

Thank you for approving this important bill. Please contact us if you have questions.

Very sincerely,

Jennifer Teeter and Frank Baylor

FAV_SB0737_StopMPRPInc.pdf

Uploaded by: Joanne Frederick

Position: FAV



WRITTEN TESTIMONY

Bill No.: SB737 - Property Rights Protection Act of 2025

COMMITTEE: Senate Education, Energy, and the Environment Committee

HEARING DATE: March 6, 2025

SPONSORS: Senator Folden

POSITION: Favorable

I respectfully submit this testimony in **strong support** of **Senate Bill 737**, the **Property Rights Protection Act of 2025**, which prohibits the use of **eminent domain** for the construction of power lines and renewable energy projects, protecting **private property rights, farmland, and conservation easements**.

This legislation is critical to **preserving Maryland's rural communities**, ensuring that private landowners retain control over their property and preventing **unjust takings** for infrastructure projects that primarily benefit corporate interests. **I urge the committee to issue a favorable report** for this essential bill to uphold Maryland's longstanding commitment to **land conservation, agricultural sustainability, and local autonomy**.

Negative Impact on Property Values

The construction of high-voltage transmission lines has been shown to **significantly reduce property values**, particularly for homes and farms near the right-of-way (ROW). A 2018 study published in the *Journal of Real Estate Research* found that vacant lots located near high-voltage transmission lines sold for **44.9% less** than similar properties farther away, and lots within 1,000 feet of transmission lines saw values drop by **17.9%**¹. The **Maryland Piedmont Reliability Project (MPRP)** poses a major threat to property values in Baltimore, Carroll, and Frederick Counties, where **65 residential buildings are located within 200 feet of the ROW, and an additional 234 homes are within 200-500 feet of the proposed transmission corridor**. This will not only **financially harm hundreds of homeowners** but also **decrease the overall tax base**, impacting local schools, infrastructure, and community services.

Protecting Maryland's Agricultural and Conservation Lands

¹ *The Electrifying Factor Affecting Your Property's Value*, Wall Street Journal (August 15, 2018) online at <https://www.wsj.com/articles/the-electrifying-factor-affecting-your-property-s-value-1534343506> (reporting that vacant lots adjacent to high-voltage transmission lines sell for 45% less than equivalent lots not located near transmission lines. Non-adjacent lots still located within 1,000 feet of transmission lines sell at a discount of 18%).



Maryland has long been a national leader in land preservation, with programs like the **Maryland Agricultural Land Preservation Foundation (MALPF)** and the **Rural Legacy Program** safeguarding thousands of acres from development. **SB737 strengthens these efforts** by preventing state and corporate entities from using eminent domain to seize protected lands for energy projects.

- **Impact on Conservation Easements:** The proposed **MPRP** and similar initiatives threaten over **1,800 acres of conserved land**, fragmenting vital habitats and undermining decades of environmental protection efforts.
- **Farmland Protection:** Transmission line construction disrupts agricultural operations, diminishing soil productivity, **devaluing farmland**, and making it difficult for farmers to sustain their businesses.
- **Water and Environmental Integrity:** The expansion of transmission lines over preserved lands **increases erosion, stormwater runoff, and pollution**, endangering **Maryland's waterways, including the Chesapeake Bay**.

Defending Property Rights from Corporate Overreach

The right to **private property ownership** is a fundamental principle of our democracy, and **SB737 ensures that private citizens, not corporate utility companies, decide how their land is used**.

- **Landowners should not be forced to surrender property for private energy projects** that provide no direct benefit to them.
- **SB737 ensures that local communities retain decision-making power**, requiring that any new transmission projects **secure voluntary agreements** rather than relying on state-mandated land seizures.

Economic and Community Impact

The forced construction of new transmission lines through eminent domain leads to:

- **Declining property values** for affected homeowners and farms.
- **Loss of generational farmland**, disrupting the state's rural economy.
- **Reduction in tourism and outdoor recreation**, which rely on **Maryland's scenic landscapes and protected open spaces**.



Meanwhile, alternatives to new transmission lines—**such as upgrading existing infrastructure and utilizing distributed energy resources**—offer a **more sustainable, community-driven approach** to addressing energy needs.

Conclusion

SB737 is a necessary and responsible step to ensure that **Maryland’s property owners, conservation lands, and rural communities are protected** from **corporate land grabs and unnecessary transmission projects**.

For these reasons, I respectfully urge the committee to issue a **favorable report on SB737** and protect **Maryland’s land, people, and future generations**.

Respectfully submitted,

Joanne Frederick

President

Stop MPRP, Inc.

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MDFB - Support – SB737 Property Rights Protection

Uploaded by: Tyler Hough

Position: FAV



Maryland Farm Bureau

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

March 6, 2025

To: Senate Education, Energy, and the Environment Committee

From: Maryland Farm Bureau, Inc.

RE: Support – SB737 – Property Rights Protection Act of 2025

On behalf of the nearly 8,000 member families of the Maryland Farm Bureau, we write to express our strong support for SB737, the Property Rights Protection Act of 2025. This legislation is a crucial step toward safeguarding Maryland's agricultural lands from undue condemnation, ensuring the long-term viability of our farms and rural communities.

Maryland's farmers play a vital role in producing food, fiber, and fuel for our state and beyond. However, as the demand for energy infrastructure grows, we have seen increasing pressure to convert productive farmland into industrial sites for power lines and renewable energy projects. While we recognize the need for responsible energy development, it is imperative that such initiatives do not come at the expense of the agricultural industry, which serves as the backbone of Maryland's economy and rural heritage.

SB737 protects farms and conservation easements from condemnation, reinforcing the principle that landowners should have the right to determine the best use of their property. Many farmers have voluntarily placed their land into conservation programs to preserve it for future generations. Allowing government entities or utilities to override these commitments through eminent domain would undermine these efforts and set a dangerous precedent for land use policy.

Furthermore, maintaining prime farmland is essential to ensuring food security, environmental sustainability, and economic stability in rural Maryland. Productive agricultural lands contribute to water quality improvements, carbon sequestration, and biodiversity—benefits that far exceed the value of their conversion to power infrastructure. By prohibiting the use of condemnation for such projects, SB737 upholds the integrity of our agricultural industry and the rights of Maryland's farm families.

We urge you and your colleagues to support SB737 to protect Maryland's farmers, their land, and the future of agriculture in our state. Thank you for your consideration, and we appreciate your continued advocacy for Maryland's rural communities.

Tyler Hough
Director of Government Relations

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

BGE_EEE_OPP_SB737 – Property Rights Protection Act

Uploaded by: Dytonia Reed

Position: UNF

OPPOSITION
Education, Energy and Environment
3/6/2025

Senate Bill 737 – Property Rights Protection Act of 2025

Baltimore Gas and Electric Company (BGE) strongly opposes *Senate Bill 737 – Property Rights Protection Act of 2025*, which purports to safeguard property rights by imposing restrictions on the use of eminent domain for transmission projects. Specifically, the bill prevents the use of eminent domain to acquire property for constructing power lines or generating stations that produce electricity from wind or solar energy. It also bars the state or any of its subdivisions from acquiring property through condemnation if the property is encumbered by conservation easements.

Senate Bill 737 restricts condemnation actions, adding hurdles to the State's energy transition. Maryland's ambitious decarbonization goals necessitate substantial investments in electric infrastructure to reliably meet current and future demands. Critical infrastructure components, such as new transmission lines, substations, and feeder lines, are essential for achieving full electrification. *Senate Bill 737* will impede the construction of these vital projects, worsening resource adequacy challenges. The rapid increase in energy demand, along with the retirement of generating plants, requires strengthening grid reliability and resiliency. Increased litigation could result in significant delays or cancellations of important projects, as utilities face higher costs and extended timelines due to these legal challenges. With Maryland's push for electrification and decarbonization by phasing out gas and energy generation, there is a greater demand for electric transmission corridors. Moreover, during the Certificate of Public Convenience and Necessity process, the Maryland Public Service Commission carefully evaluates the alternatives considered to ensure that the most appropriate corridor was selected.

Additionally, *Senate Bill 737* would compel BGE to take longer, less efficient routes for transmission projects, leading to higher costs for design, acquisition, construction, and maintenance. These increased costs would ultimately be passed on to customers through higher monthly bills.

For these reasons, BGE opposes *Senate Bill 737* and requests an unfavorable report.

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

SB0737 (HB1396) - UNF - Property Rights Protectio

Uploaded by: Landon Fahrig

Position: UNF



Maryland

Energy Administration

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

FROM: MEA

SUBJECT: SB 737 - Property Rights Protection Act of 2025

DATE: March 6, 2025

MEA Position: UNFAVORABLE

This bill prohibits the use of eminent domain for constructing power lines and clean energy projects.

This bill presents a significant barrier to meeting Maryland's energy demand, while undermining the state's commitments to clean energy development and emissions reduction. The transition to clean energy is critical for ensuring energy security and price stability for Maryland's residents. The proposed restrictions in this bill will delay or even halt necessary projects that connect clean energy to the grid.

The expansion of clean energy generation requires a robust transmission network. By prohibiting the use of eminent domain, this bill makes it significantly more difficult to build the necessary infrastructure for clean energy transmission, resulting in grid inefficiencies, energy congestion, and increased costs for consumers.

Furthermore, if enacted, this bill will discourage investment in Maryland's energy sectors, diverting projects to other states with more favorable regulatory environments. Not only will this cost Maryland valuable jobs and economic opportunities, it will jeopardize the state's grid reliability.

For the reasons outlined above, MEA urges the committee to issue an **unfavorable report**.

Our sincere thanks for your consideration of this testimony. For questions or additional information, please contact Megan Outten, Policy Manager, directly at megan.outten@maryland.gov, 443-842-1780).

UNF-SB 737- Property rights Protection Act of 2025

Uploaded by: Poetri Deal

Position: UNF



March 6, 2025

112 West Street
Annapolis, MD 21401

Oppose – Senate Bill 737- Property rights Protection Act of 2025

Potomac Electric Power Company (Pepco) and Delmarva Power & Light Company (Delmarva Power) Oppose **Senate Bill 737 – Property rights Protection Act of 2025**. Bill 1396 proposes to restrict the use of eminent domain for the construction of power lines and generating stations, particularly those involving renewable energy sources such as wind and solar.

The ability to expand and upgrade transmission and distribution infrastructure is paramount to ensuring a reliable and resilient power grid. Restrictions on acquiring necessary property for power lines could delay or prevent the completion of critical projects needed to maintain service reliability, particularly in areas experiencing rapid growth or increased electricity demand.

If utilities are unable to construct essential infrastructure due to these restrictions, alternative, costlier solutions may be required to maintain service, leading to increased costs for ratepayers. Delays in critical projects could also result in grid congestion, limiting Maryland customers' access to affordable electricity.

The construction of new energy infrastructure not only improves service reliability but also would solve the State's resource adequacy challenges. Maryland is already facing resource adequacy challenges as the state transitions to a cleaner energy future. The limitations imposed by SB 737 would further strain the ability to develop and integrate sufficient energy resources to meet growing demand. By restricting the development of necessary transmission and generation infrastructure, the bill could contribute to potential energy shortfalls, increasing the risk of reliability issues, price volatility, and greater dependence on energy imports from neighboring states.

For these reasons, Pepco and Delmarva Power respectfully urge an unfavorable report on Senate Bill 737.

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

Exelon (Nasdaq: EXC) is a Fortune 200 company and the nation's largest utility company, serving more than 10.5 million customers through six fully regulated transmission and distribution utilities — Atlantic City Electric, BGE, ComEd, Delmarva Power, PECO, and Pepco. Exelon's 20,000 employees dedicate their time and expertise to supporting our communities through reliable, affordable and efficient energy delivery, workforce development, equity, economic development and volunteerism.