

## **Testimony in Support of SB0189**

### **Maryland Senate Committee on Judicial Proceedings**

21 January 2025

Dear Chair Smith, Vice Chair Waldstreicher, and Esteemed Members of the Committee,

My name is Joanne Frederick, and I am testifying in strong support of Senate Bill 189 (SB0189), which seeks to prohibit the use of eminent domain to take privately owned property subject to perpetual agricultural or conservation easements. This legislation is critical to preserving Maryland's investment in land conservation and ensuring the integrity of agreements protecting our natural resources for future generations. I submit this testimony as the President of Stop MPRP, Inc. an organization formed in July 2024 to save Baltimore, Carroll, and Frederick counties from the proposed Maryland Piedmont Reliability Project (or MPRP). I am also a born and raised Marylander and currently own the 100-acre farm that originally belonged to my great-grandparents. The farm is protected by two forest buffer easements that serve to protect Bee Tree Run and a preservation easement with Land Preservation Trust. The proposed MPRP will destroy approximately 5 acres of the forest on this farm alone and will cross Bee Tree Run. While I submit this testimony in my role as President of Stop MPRP, Inc. I am also determined to protect my family's legacy and am also personally fully supportive of SB0189.

#### **The Maryland Piedmont Reliability Project (MPRP)**

The Maryland Piedmont Reliability Project (MPRP) is a proposed high-voltage transmission line project that threatens to disrupt protected lands, including properties under perpetual agricultural and conservation easements. This 67-mile high-voltage transmission line will traverse Baltimore, Carroll and Frederick counties region, cutting through farms, forests, and preserved open spaces that have been safeguarded for their ecological, agricultural, and cultural value. According to data provided as part of the Certificate of Public Convenience Need (CPCN) application submitted to the Maryland Public Service Commission, included in the destruction wrought by the proposed MPRP are 394.2 acres of forested land, 51 acres of wetlands, it will cross 101 stream and waterbodies and will consume 245.8 acres of land in conservation. In addition, within five-hundred feet of the transmission line right-of-way, there are an additional 1801.7 acres in conservation status. The proposed MPRP is catastrophic to Maryland's environment and protected land.

The MPRP exemplifies why SB0189 is critically needed, as it highlights the vulnerability of conserved lands to eminent domain actions that could undermine decades of investments in land preservation. Without the protections outlined in this legislation, projects like the MPRP could set a precedent, allowing vital conservation and preservation efforts to be overridden, discouraging landowners from future participation in these essential programs. SB0189 is an urgent measure to ensure Maryland maintains its leadership in conservation and protects its natural resources from irreversible harm.

## Maryland's Commitment to Land Preservation

Maryland has a long history of leadership in land preservation, supported by robust programs and dedicated funding mechanisms. Significant accomplishments include:

1. **Program Open Space (POS):**

Established in 1969, POS has conserved over **308,831 acres** of land for public recreation, watershed protection, and wildlife conservation. This program is primarily funded through a 0.5% state property transfer tax.<sup>1</sup>

2. **Maryland Agricultural Land Preservation Foundation (MALPF):**

Created in 1977, MALPF has purchased development rights to protect **361,746 acres** of farmland and woodland, safeguarding the agricultural heritage and economy of Maryland.<sup>2</sup>

3. **Rural Legacy Program:**

Since 1997, the Rural Legacy Program has preserved approximately **128,618 acres** of rural land to maintain contiguous blocks of open space and natural habitats.<sup>3</sup>

4. **Maryland Environmental Trust (MET):**

MET, formed in 1967, collaborates with landowners to establish conservation easements. As of 2024, MET has protected **142,566 acres** of land, ensuring perpetual conservations.<sup>4</sup>

5. **Overall Achievements:**

Maryland has conserved over **1.85 million acres** of land as of May 2024, achieving its "30 by 30" goal of protecting 30% of the state's land six years ahead of schedule. This was supported by dedicated tools such as the real estate transfer tax and agricultural transfer tax.<sup>5</sup>

These accomplishments highlight Maryland's significant financial and strategic commitment to conservation and preservation, ensuring long-term environmental, economic, and cultural benefits.

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<sup>1</sup> Maryland Department of Natural Resources [data](#)

<sup>2</sup> Maryland Agricultural Land Preservation Foundation (MALPF) [information](#)

<sup>3</sup> Maryland's Rural Legacy program [information](#)

<sup>4</sup> Maryland Environmental Trust [information](#)

<sup>5</sup> Governor Moore Announces Maryland Meets 30% of State Land Conservation Goal Six Years Ahead of Schedule, [May 2024](#)

Stop MPRP, Inc. strongly supports Senate Bill 189 as it reinforces Maryland's leadership in land conservation while safeguarding the trust and integrity of its preservation programs. This legislation ensures that properties under perpetual agricultural or conservation easements are protected from eminent domain, which is crucial for maintaining the state's environmental investments and honoring commitments made to landowners. Three reasons for our support include:

1. **Protecting Maryland's Investment in Land Conservation:**

Maryland has invested millions of dollars into its preservation programs. This legislation ensures these efforts are not undermined by allowing properties under conservation easements to be taken through eminent domain.

2. **Safeguarding Legal Commitments to Landowners:**

Landowners who have entered into conservation or preservation easement agreements have done so in good faith. SB0189 protects the state from potential legal challenges, such as breach of contract claims, and reinforces the trust needed for continued participation in conservation programs.

3. **Securing the Future of Preservation Programs:**

Without this legislation, future participation in Maryland's conservation efforts could be jeopardized. Landowners may hesitate to engage in agreements that would not protect those landowners and their preserved land from projects like the proposed MPRP. This bill helps provide essential assurances that conservation commitments will be respected, preserving the integrity of Maryland's programs.

## **Conclusion**

SB0189 is vital for protecting Maryland's investment in land preservation, ensuring legal compliance with easement agreements, and encouraging continued participation in conservation programs. Stop MPRP, Inc. strongly supports this legislation and urges the committee to issue a favorable report to safeguard Maryland's natural resources and maintain trust with landowners who have committed to conservation.

Thank you for your consideration of this important legislation. I am happy to answer any questions or provide additional information.

Respectfully,  
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