



MARYLAND ORNITHOLOGICAL SOCIETY

January 21, 2025

Bill: <https://mgaleg.maryland.gov/2025RS/bills/sb/sb0189F.pdf>

Committees: Judicial Proceedings and Education, Energy, and the Environment

Testimony on: SB0189 Eminent Domain—Agricultural and Conservation Easements—Prohibited Taking

Position: Support SB0189

The Maryland Ornithological Society (MOS) strongly supports SB0189 and urges the Committees to issue a favorable report. This bill would prohibit the State and any of its instrumentalities or subdivisions from exercising eminent domain over any private property under permanent agricultural or conservation easement.

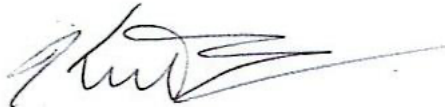
We support this bill because over 70% of wildlife habitat is on private property. If we wish to preserve habitat for wildlife, then private lands are crucial. Agricultural and Conservation easements permanently protect wildlife habitat on these lands, and these easements should be preserved.

MOS is particularly concerned about the proposed Maryland Piedmont Reliability Project (MPRP). It will cut through the Important Bird Area known as the Monocacy Grasslands in Frederick and Carroll Counties, and come close to the Pretty Boy Reservoir in Baltimore County. It will cross 483 acres of Tier II Watersheds, 47 acres of wetlands, and 125 acres of riparian buffers. 377 acres of forest will be removed. The project is to power data centers in Northern Virginia, Maryland taxpayers and rate-payers will not benefit. Much of this land is in private property, and some under agricultural or environmental easements. These easements would be protected from eminent domain if this bill passes.

Aside from MPRP, this bill will preserve land protected by agricultural and environmental easements to benefit wildlife throughout Maryland, including the birds we treasure. Likewise, the preservation under agricultural easements of family farms, many held for generations, will benefit our birds.

We urge a favorable Committee Report from the Committees. North America has lost almost 30% of its birds since 1970.¹ Loss of habitat is one on the major causes of these declines.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kurt R. Schwarz', with a long horizontal stroke extending to the right.

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