



Committee: Education, Energy, and the Environment
Testimony on: SB931 – Public Utilities - Generating Stations - Generation and Siting (Renewable Energy Certainty Act)
Organization: Maryland Legislative Coalition Climate Justice Wing
Submitting: Richard Deutschmann
Position: Favorable with Amendments
Hearing Date: February 28, 2025

Dear Chair Feldman and members of the Committee:

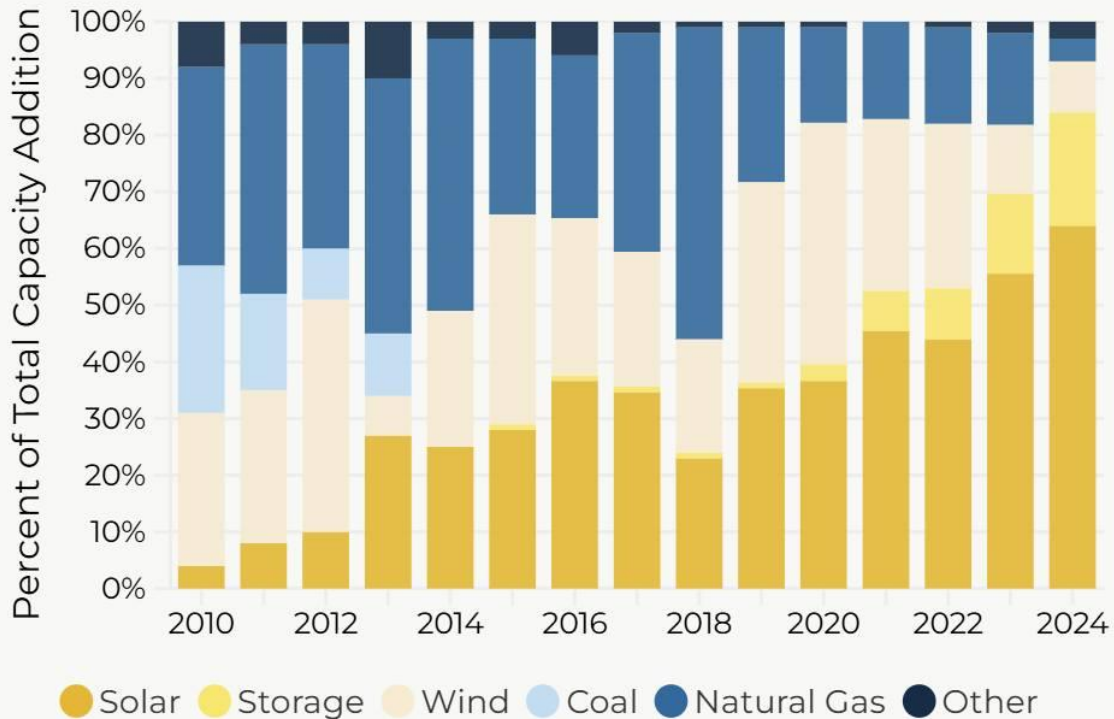
Thank you for your consideration of our testimony today in support of SB931. The Maryland Legislative Coalition Climate Justice Wing, a statewide coalition of nearly 30 grassroots and professional organizations, urges you to vote favorably on SB931, with suggested amendments.

The Renewable Portfolio Standard (RPS) calls for 14.5% of Maryland’s clean electricity to be contributed by solar energy by 2030, but the State has repeatedly fallen significantly short of this goal. In fact, because Maryland utilities have failed to meet this solar energy target, they paid a record \$262m in Tier 1 alternative compliance payments to the Strategic Energy Investment Fund (SEIF) in FY 2023. According to the 2023 [Maryland Climate Pathways Report](#), both wind and solar generation must increase fivefold by 2031, with solar accounting for 33% of in-state energy generation.

Recent events such as the PJM capacity auction and recent news regarding data centers have created a sense of urgency in our state to address reliability, new sources of electricity, and affordability. **Fortunately, modern utility scale and community solar generating plants are the least expensive and fastest to deploy energy source in the world today. Combining solar with utility scale battery storage can be developed and built, at costs that are competitive with combined-cycle gas generation, and at a lower long-term risk to Maryland ratepayers.** This can provide the dispatchable generation that is needed to stabilize the grid, and address the energy needs of Maryland homes and businesses for decades to come.

According to the Solar Energy Industry Association, solar energy deployment has become the clear choice of new energy generation throughout the United States, and along with storage, is now nearly 85% of new additions to the grid.

U.S. Annual Additions of New Electric Generating Capacity



Source: SEIA/Wood Mackenzie Power & Renewables U.S. Solar Market Insight Q4 2024; EIA



This is bringing new sources of clean energy generation, lower cost and greater reliability to numerous states across the U.S. However, Maryland has been slow to participate in this global trend, due to dysfunctional policies in the RPS, excessive interconnection delays at PJM, as well as some local prohibitions of solar energy plants. SB931 aims to address some of these issues with rules related to the siting of critical large-scale solar infrastructure throughout the state.

We agree with the provisions provided in the bill for reasonable setbacks on the property, landscaping and visual barriers, prohibition of night lighting, fencing restrictions, and soil conservation at the site.

We nevertheless are concerned about the blanket preemption of local review and regulation of solar projects, because it sets a worrisome precedent for state preemption of local regulation of not only solar but other projects as well. The MLC Climate Justice Wing is also concerned that the bill does not address the following issues and we offer suggested amendments for how to mitigate these concerns.

- The safety and reliability of Battery Energy Storage Systems is a concern, and the bill should reference the recently-adopted National Fire Protection Association [NFPA855](#) Standard for the Installation of Stationary Energy Storage Systems, which is making these systems vastly safer than previous generations of projects.
- Inadequate incentives in the RPS are often cited as key roadblocks to widespread adoption of utility scale solar, and we recommend adding SREC II incentives as currently proposed in SB316 (“Affordable Abundant Clean Energy Act”).
- Finally, the blanket prohibition on county zoning and regulation, coupled with the need for additional siting considerations and requirements (e.g., agrivoltaics, pollinator habitat) are a legitimate concern for local governments and residents. At a minimum, the bill should provide an exemption to the prohibition on county regulation or a specific PSC review process in instances where a county holds an agricultural preservation or forest or other conservation easement on a property proposed for solar development. Easements represent county ownership of a right or rights in the bundle of property rights that should not be rendered meaningless by this bill.

Maryland remains one of the most vulnerable states to the effects of global climate change. The National Oceanic & Atmospheric Administration (NOAA) projects sea levels in the Chesapeake Bay region to increase by nearly 1.5 feet in the next century at current projections, and these are accelerating. This would put vast swaths of the Eastern Shore underwater, and render large amounts of our agricultural sector unusable. Renewable energy is an important part of the climate changes solutions in the state. While there are concerns that utility scale solar would irreparably harm the agricultural industry and the rural way of life in the state, the number of acres needed for solar generation are small as a percent of the total number of acres in the state. Having a rational and effective process to incentivize and site solar is a way to address these concerns. Given the case for 3,000 MW of new solar deployed in the coming decades, at approximately 4 acres per MW of solar, this amounts to 12,000 acres statewide or less than 6/10 of 1% of all Maryland farmland.

In closing, SB931 is part of an “energy package” which dovetails with other policies needed for a 21st-century solution to our energy challenges. We believe other complementary bills must be supported. In particular, we also support the aforementioned SB361 (Abundant Affordable Clean Energy Act), as well as SB908 (Affordable Grid Act) , and SB909 (Energy Resource Adequacy and Planning).

For all of these reasons, the undersigned Climate Justice Wing members support SB931 as amended and urge a FAVORABLE WITH AMENDMENTS report in Committee.

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 Adat Shalom Climate Action
 Chesapeake Earth Holders
 Climate Parents of Prince George's
 Climate Reality Greater Maryland

ClimateXChange – Rebuild Maryland Coalition
Coming Clean Network, Union of Concerned Scientists
DoTheMostGood Montgomery County
Echotopia
Elders Climate Action Maryland
Fix Maryland Rail
Glen Echo Heights Mobilization
Greenbelt Climate Action Network
HoCoClimateAction
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