



HB1036 – FAVORABLE WITH AMENDMENT

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HB1036, Renewable Energy Certainty Act

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Dear Chair Wilson, Vice Chair Crosby, and Members of the Committee, on behalf of Elders Climate Action Maryland, I urge a favorable report on HB1036, the Renewable Energy Certainty Act.

Elders Climate Action is a nationwide organization devoted to ensuring that our children, grandchildren, and future generations have a world in which they can thrive. The Maryland Chapter has members across the state.

Each day, we see the climate crisis more clearly. We know that Maryland is at risk for sea level rise, flooding from intense rainfall, heat waves, and other extreme weather events. Maryland can also be a leader in moving us to a safer, cleaner future where we all can thrive. The clean energy transition is an essential part of that future.

Marylanders are also concerned about the rising cost of living, and particularly, about rising energy costs. In 2023, approximately [400,000 Maryland households](#)<sup>1</sup> were paying more than six percent of their income for energy bills. Energy costs are particularly a problem for low-income households and people with fixed incomes, many of whom are elders.

Increasing solar generation and battery storage in Maryland is a key strategy for addressing both of these pressing concerns. Solar generation and battery storage are the least expensive ways to add to our grid's capacity and can be built quickly. In contrast, Dominion Power in Virginia in 2023 began converting a coal-fired plan to natural gas. That has taken much longer than expected and now should be ready in 2030 at the earliest.

We appreciate and support the provisions in this bill that reduce the barriers to the building of new solar and battery storage systems in Maryland, but we have some concerns that could be addressed by amendments.

The recent fire at a battery energy storage facility in California has increased concerns about the safety of battery storage. That facility was only a few years old, but there have been rapid advances in battery safety since it was built. A facility built in accordance with the recently-adopted National Fire Protection Association Standard for the Installation of Stationary Energy Storage Systems, NFPA855, would not have suffered that fate. We believe that standard should be added to this bill for all new energy storage facilities in Maryland and that as new standards emerge from NFPA, they should be adopted promptly.

In addition to the problems this bill addresses, inadequate incentives in the Renewable Portfolio Standard need to be changed. We recommend adding the SREC II incentives proposed in HB0398, the Abundant, Affordable, Clean Energy Act.

There is also a concern about building solar projects on agricultural land. Putting solar panels on rooftops, parking lots, and brownfields is great, but there is not enough space in those places to meet Maryland's solar needs. Most of the other available space is forest or agricultural land. We need to do all we can to preserve forests, so they are not suitable sites for solar projects. Agricultural land, on the other hand, can host solar projects while continuing to be used for agriculture through agrivoltaics. This is a burgeoning area worldwide, including in Maryland. Agrivoltaic projects can include grazing and growing a variety of fruits, vegetables, and other crops under solar panels. In addition to making highly efficient use of land and adding to farmers' incomes, in many cases that improves agricultural production by reducing heat stress and water requirements.

Only a small percentage of Maryland's agricultural land is needed for solar projects, but we believe it is important that it be used optimally. We recommend that any project built on land that is zoned for agriculture or that has an agricultural easement be required to incorporate agrivoltaics. That should not be primarily or only pollinator-friendly plants. Those are an excellent alternative in non-agricultural areas, but are not a good use of farm land. This bill would allow projects to avoid county zoning. That is important for building projects with the needed speed and scale, but communities should not be left out of the process. The Public Service Commission should require developers to do meaningful community engagement so that each community benefits from the project and their concerns are addressed as fully as is practicable.

We urge a favorable report with amendment on HB1036.

Thank you.

<sup>1</sup> <https://www.psehealthyenergy.org/over-18-percent-of-maryland-households-are-burdened-by-high-energy-bills/>