



Montgomery County

Office of Intergovernmental Relations

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HB 1036 / SB 931

DATE: February 28, 2025

HB 1036 SPONSORS: Delegates Wilson and Crosby

SB 931 SPONSOR: Senator Feldman

JOINTLY ASSIGNED TO: House Economic Matters Committee and
Senate Education, Energy, and the Environment Committee

CONTACT PERSON: Garrett Fitzgerald (garrett.fitzgerald@montgomerycountymd.gov)

COUNTY POSITION: Oppose

Public Utilities – Generating Stations – Generation and Siting (Renewable Energy Certainty Act)

Montgomery County is supportive of the State's efforts to reduce greenhouse gas emissions 60 percent by 2031, including through a shift to solar and other clean energy resources. Having adopted similar local climate goals, the County appreciates that it is important for every jurisdiction to do its part. As a leader with the second-most total installed solar capacity among Maryland counties, Montgomery County has demonstrated its commitment to increasing access to renewable energy.

However, while the intention to accelerate solar and energy storage projects is laudable, this legislation fails to honor the need to balance solar energy production with other land uses, primarily the preservation of agricultural land on which our society depends.

As introduced, ***this bill strikes the wrong balance between competing public interests.*** The bill takes a lopsided policy approach and would strip local governments of land use authority to balance these important priorities. Having carefully considered this balance in local policymaking, the County is concerned that the policy shift reflected in the bill will lead to unfortunate negative consequences for agricultural preservation, which could be avoided through the ongoing appropriate application of local land use authority.

Montgomery County has demonstrated through local policymaking that it is possible to better balance these important land use goals. For example, current County policy balances solar and agricultural preservation in the Montgomery County Agricultural Reserve (AR). Established in 1980, the AR protects and promotes farmland and agriculture, resulting in more than 500 farms that contribute nearly \$300 million to Montgomery County's annual economy. The County Council spent two years discussing and analyzing best practices for allowing solar collection systems in the AR zone which resulted in a policy that allows solar development with certain protections to ensure that large systems are not built on our most

societally valuable soils. These standards ensure that agriculture remains the primary use of the AR, minimize adverse environmental impacts, and protect neighboring properties. As introduced, this legislation would conflict with the County's carefully considered AR zoning policy.

The County has also for decades supported and encouraged solar development outside of the AR preservation area. With more than 188 megawatts of installed solar capacity countywide, the majority of which has been installed outside the AR, Montgomery County is demonstrating that it is possible to achieve significant solar deployment without requiring a trade-off of prime agricultural land. This approach supports achievement of important energy and climate goals in a manner that best meets other public interests.

Montgomery County followed efforts over the last year through which stakeholders representing interests related to solar, agriculture, environment, electricity regulation, State agencies, and local governments convened to develop policy recommendations to advance solar development in Maryland. The County suggests that those recommendations be revisited. The County also encourages the consideration of amendments to prohibit or limit the development of solar projects on Maryland's prime agricultural soils.

Montgomery County respectfully requests that the House Economic Matters Committee and the Senate Education, Energy, and the Environment Committee issue an unfavorable report on House Bill 1026 / Senate Bill 931, and partner with local governments in exploring new policy solutions. Together, we can strike a better balance in pursuing the competing goals of decreased greenhouse gas emissions, increased renewable energy, and agricultural protection.