



Enhancing and Advancing Land Conservation

Committee: Senate - Education, Energy and the Environment; House - Economic Matters

Testimony on: SB931/HB1036 “Renewable Energy Certainty Act”

Position: UNFAVORABLE

Hearing Date: February 26, 2025

Dear Chair and Committee Members:

Forever Maryland represents Maryland’s land trust community. Local land trusts are valuable partners in the efforts to preserve the most important farms, forests and ecological areas in the state. We work side by side with state and local government to reach the goal of permanently preserving 40% of the state by the year 2040.

On behalf of Forever Maryland and more than 20 affiliated local land trusts, we are writing to express our strong opposition to the Renewable Energy Certainty Act (SB931/HB1036). The bill virtually eliminates local authority over the siting and taxation of solar energy projects, with permanent consequences for Maryland’s largest industry – agriculture.

As Maryland strives to transition to renewable energy, it is essential that we also respect local control and ensure the protection of vital resources, including irreplaceable farmland and forests. Marylanders should not be forced to choose between reducing greenhouse gas emissions and the future of agriculture. Thoughtful and vigilant local planning is the best way to allow both to coexist.

Allowing large-scale solar projects to be sited on agricultural land without local oversight could lead to the irreversible loss of productive farming areas. These lands are economic and environmental engines - providing jobs, food, habitat, essential ecosystem services, and more – and they must be preserved for future generations.

Commercial solar installations should not be permitted on preserved land. Further, when these energy installations are permitted on unpreserved farms and forests (as opposed to built infrastructure or brown-field sites), the solar developers should be required to pay a mitigation fee designated for land preservation, similar to how the Real Estate Transfer Tax currently functions.

By removing local control over these important issues, SB931/HB1036 undermines the ability of local governments to ensure that solar projects align with the best interests of their constituents and adhere to state-mandated Comprehensive Plans.

Many rural government leaders are farmers themselves, with deep generational knowledge of the land and the local economy. Their expertise should be leveraged—not ignored—when making

decisions about where solar projects should be located. These leaders understand which lands are most suitable for solar development and which should be preserved for agricultural production. Removing their ability to guide solar siting decisions risks placing projects in inappropriate locations that could threaten the long-term viability of local food production and rural economies.

Local governments can provide vital information to assess the impacts of solar projects on both the environment and local economies. Removing their authority to regulate and tax these projects risks undermining the ability of rural governments to ensure that development aligns with the needs of their communities and adhere to state-mandated Comprehensive Plans. Further, it deprives communities of necessary resources that come from taxing such projects, which are critical for funding local services.

Maryland's land trust community respectfully urges the committee to oppose SB931/HB1036 "Renewable Energy Certainty Act". Rather than eliminating local authority, we ask Maryland to work with local jurisdictions to create a framework that allows for clean energy development while safeguarding farmland and preserving local communities.