



House Bill 1036

Public Utilities—Generating Stations—Generations and Siting (Renewable Energy Certainty Act)

Position: UNF

Date: **February 28, 2025**

To: Economic Matters

On behalf of the Caroline County Commissioners, we wish to express our **strong opposition** for **House Bill 1036 Public Utilities—Generating Stations—Generations and Siting (Renewable Energy Certainty Act)**, While we recognize the importance of renewable energy, this bill removes local authority over solar development and could lead to unchecked utility-scale solar expansion on prime agricultural land. It undermines the zoning protections we've put in place to balance solar growth with farmland preservation and shifts critical land-use decisions away from the communities they impact the most.

Caroline County has carefully developed zoning regulations (Ordinance #2017 and 2017-2), which were adopted in 2017, to ensure responsible solar development while preserving our rural character. These regulations include:

- A 2,000-acre limit on commercial solar projects to prevent excessive loss of farmland.
- Strict zoning requirements that allow solar projects only in specific districts (R – Rural, C-2 General Commercial, and I-2 Light Industrial), subject to Special Use Exceptions and Site Plan Approval.
- Prohibitions on solar projects in Transferable Development Rights (TDR) receiving areas and on land under preservation easements to protect designated farmland.
- 200-foot minimum setbacks from property lines and roads to maintain rural aesthetics and mitigate impacts on neighboring properties.

HB 1036 undermines these local protections by:

- Stripping counties of zoning authority over large-scale solar projects, allowing the state to dictate land use.
- Forcing counties to fast-track approvals for solar projects that meet state-mandated siting criteria, eliminating meaningful local oversight.
- Granting automatic tax exemptions for solar projects, which could reduce county tax revenue for essential services.
- Shifting financial risks to counties by letting the state dictate decommissioning plans for aging solar farms.

In addition to our concerns regarding solar siting, **HB 1036 fails to address the increasing deployment of large-scale battery energy storage systems (BESS), which currently lack sufficient local and state regulation.** These battery storage facilities, often paired with solar farms, pose **significant safety hazards** and create land-use conflicts that cannot be ignored.

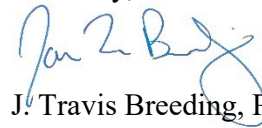
1. Fire, Explosion, and Toxic Hazards

- Lithium-ion battery storage systems have been linked to thermal runaway incidents, leading to fires that are difficult to control and may burn for hours or even days. Unlike conventional fires, battery fires release toxic fumes and require specialized firefighting techniques that most local fire departments are not yet trained or equipped to handle.
- If a battery fire occurs, it could lead to the release of hazardous gases such as hydrogen fluoride, which pose serious health risks to nearby residents and first responders.
- Leaking battery components could contaminate groundwater and soil, impacting local farms and water supplies.

This bill directly conflicts with Senate Bill 478, which rightly affirms that local governments should have the final say on solar siting decisions. Caroline County is not opposed to solar energy—we already permit commercial solar power within a structured, locally controlled framework. Taking away local input and forcing counties to accept large-scale solar projects without zoning oversight will undermine farmland preservation, impact rural communities, and favor developers over residents.

We urge you to oppose HB 1036 and protect local control over land-use decisions. If you would like more information on how this legislation would impact Caroline County, we would be happy to discuss it further.

Sincerely,



J. Travis Breeding, President