



Maryland Farm Bureau

3358 Davidsonville Road | Davidsonville, MD 21035
410-922-3426 | www.mdfarmbureau.com

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

From: Maryland Farm Bureau, Inc.

RE: Opposition – SB931/HB1036 Public Utilities - Generating Stations - Generation and Siting (Renewable Energy Certainty Act)

On behalf of the nearly 8,000 member families of the Maryland Farm Bureau, I submit this written testimony in strong opposition to SB931/HB1036, the so-called “Renewable Energy Certainty Act.” This legislation represents an overreach of state authority, impeding on the rights of local governments and landowners by preempting county land use policies in favor of a top-down, one-size-fits-all mandate.

While Maryland Farm Bureau supports the expansion of renewable energy, this bill disregards the fundamental principle of local control and hands decision-making power over rural landscapes to those who don’t live or work in these communities. It is unacceptable for the state to strip away local authority and dictate land use policies that will have irreversible consequences on agriculture, rural economies, and community planning.

Maryland Farm Bureau’s policy is crystal clear:

“We urge local control of any growth management programs and zoning regulations within our state. We strongly oppose any state preemption of local and county land use policies for renewable energy generation projects.”

SB931/HB1036 is contradictory to this policy, placing an undue burden on rural communities for the long-term negative impact on local economies, infrastructure, and farmland preservation. This bill prioritizes energy developers over the very landowners and agricultural operations that sustain Maryland’s food supply.

By removing local oversight, this legislation will pave the way for the widespread displacement of prime agricultural land, forcing farmers to compete with industrial-scale solar and energy storage projects for limited space. This, coupled with the Department of Legislative Services recommendations to zero out land preservation programs, is very concerning to the priorities of the state.

Additionally, this bill fails to recognize the need for balanced, community-driven renewable energy solutions that work in harmony with agriculture rather than replacing it. If the state is serious about integrating solar into Maryland’s landscape, it must prioritize solutions like agrivoltaics—where renewable energy is paired with active agricultural production—not impose blanket policies that ignore the needs of farmers and rural communities.

While Maryland Farm Bureau acknowledges the amendments submitted by the Maryland Association of Counties, these do not go far enough to correct the fundamental flaws of this bill. We also stress the need to include a clear, enforceable definition of agrivoltaics to ensure that farmland remains actively

used for agricultural production rather than being sacrificed to industrial energy sprawl. The definition must include the following:

"Agrivoltaics means the simultaneous use of areas of land, which shall be maintained in Agricultural Use Assessment as determined under Title 18 and the Maryland Assessment Procedures Manual in consultation with the Maryland Department of Agriculture, for both solar power generation and:"

- 1. Raising grains, fruits, herbs, melons, mushrooms, nuts, seeds, tobacco, or vegetables;*
- 2. Raising poultry, including chickens and turkeys, for meat or egg production*
- 3. Dairy production, such as the raising of milking cows;*
- 4. Raising livestock, including cattle, sheep, goats, or pigs;*
- 5. Horse boarding, breeding, or training;*
- 6. Turf farming;*
- 7. Raising ornamental shrubs, plants, or flowers, including aquatic plants;*
- 8. aquaculture,*
- 9. Silviculture.*
- or 10. Any other activity as determined under Title 18 and Maryland Assessment Procedures Manual in consultation with the Maryland Department of Agriculture, except pollinator habitat and apiaries.*

The bottom line is this: SB931/HB1036 is an aggressive overreach that prioritizes renewable energy developers over farmers, local communities, and Maryland's long-standing tradition of land-use governance.



Tyler Hough

Director of Government Relations

Please contact Tyler Hough, though@marylandfb.org, with any questions