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Date: March 4, 2025  
To: Members of the Senate Committee on Education, Energy, and the Environment  
From: Grayson Middleton, Government Affairs Manager  
Re: SB0640 – Solar Energy Generating Stations – Eminent Domain – **Support**

Delmarva Chicken Association (DCA) is the trade association representing the meat-chicken growers, companies, and allied business members on the Eastern Shore of Maryland, the Eastern Shore of Virginia, and Delaware. On behalf of our members, we support SB 640 and urge a favorable committee report.

SB 640 would prohibit a person constructing a solar energy generating station from exercising a right of condemnation in connection with the construction of the project. We believe that this will serve as a vital protection for agricultural lands on the Eastern Shore.

Chicken growers were some of the first to widely adopt solar technology in Maryland, and DCA fully supports its use as a cost-effective and environmentally friendly energy source. We also support the thoughtful development of solar in our region that is congruent with the needs of the community and agricultural production, as determined by local planning and zoning authorities. Furthermore, we believe that the potential use of eminent domain for solar projects should be prohibited, as it would remove any local oversight and would set a very dangerous precedent.

As an agricultural organization representing an overwhelmingly rural membership, we have serious concerns about the potential lack of consultation with local governments on solar development, especially in light of recently introduced legislation that would considerably diminish their authority. As many of you will recognize, the zoning of renewable energy facilities (particularly solar) is a contentious issue in rural areas. While we support its use and proliferation, we want to ensure that energy needs and environmental benefits are balanced with the economic and cultural interests of agrarian communities. Furthermore, we do not believe that eminent domain should ever be used for the taking of agricultural lands for solar projects, as this could result in a precipitous decline in both public trust and productive agricultural lands.

Because of their geography, prime agricultural lands on the Eastern Shore are some of the most attractive in the state for solar development. [Modeling by the American Farmland Trust](#) estimates that 83% of projected solar development will be on agricultural land, of which 43% will be on land ATF deems nationally significant due to high levels of productivity. Customary oversight by county and local governments will help ensure that this stimulus does not result in a significant reduction of agricultural outputs in Maryland. With eminent domain, such oversight is impossible.

In 2024, our five companies purchased over \$1.3 billion in corn, soybeans, and wheat, comprising the vast majority of grain purchases on Delmarva. As the local output is reduced from the proliferation of solar and other development, the industry is required to import grain from other states and countries at



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higher prices. Aside from the economic harm to both our farmers and industry, this would also raise our net carbon emissions.

Furthermore, we have serious concerns about the potential of large-scale solar projects to reduce grid capacity and thus prohibit some of our members from getting small-scale on-farm solar. We have already heard from numerous members who have sought to install solar on their farms but were told they were unable to do so because of the lack of grid capacity in their area.

We believe that county governments know the needs of their farmers and citizens best. They alone have the intimate knowledge of their localities that is required to responsibly site solar in a manner that prioritizes the preservation of agricultural lands while also supporting the proliferation of solar development. Therefore, we strongly oppose the use of eminent domain for solar projects, especially when it applies to the taking of limited agricultural lands.

For these reasons, we urge a favorable vote on SB 640.

Should you have any additional questions, please feel free to contact me at [middleton@dcachicken.com](mailto:middleton@dcachicken.com) or 410-490-3329.

Sincerely,

Grayson Middleton  
Government Affairs Manager