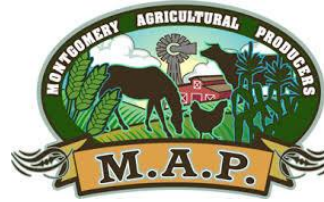


For Immediate Release

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Montgomery County's Agricultural Reserve has served as a nationwide model of farmland and natural resource preservation since 1980. Ag Reserve farms contribute nearly \$300 million dollars annually to the county's economy and employ over 10,000 people. Our organizations are therefore disheartened at the passage of [SB 931—The Renewable Energy Certainty Act](#)—which threatens to disrupt this economic success.

The legislation undermines the significant collaborative efforts to balance the priorities of the Ag Reserve with the deployment of renewable energy facilities. The new law amends the state code to put commercial solar projects under a uniform set of requirements (i.e. fencing, setback, landscaping, decommissioning). It also gives a state agency, the Maryland Public Service Commission (PSC), almost total control over the siting of utility-scale solar facilities, including on preserved farmland. In doing so, it overrides local zoning and associated regulations that seek to protect agricultural viability and natural resources while balancing the siting of solar projects.

Currently the PSC must consider local planning and zoning in rendering a decision on proposed solar facilities—through the “certificate of public convenience and necessity” (CPCN) process. Local jurisdictions as well as local stakeholders can present their views in those proceedings. With the passage of SB 931, the PSC no longer has to consider local planning and zoning when evaluating a solar proposal. Thus, local jurisdictions as well as local stakeholders will not be afforded the opportunity to meaningfully participate.

The final legislation, with an effective date of July 1, 2025, provides that up to 5% of a county's “priority preservation areas” (PPAs) are open to the industry through the new relaxed PSC process. The Ag Reserve is designated as a PPA. We have many questions about the details and

potential impact of the law, and how it will be implemented. For example, it's not yet clear how much farmland in the Ag Reserve will be affected. The estimated Reserve acreage that will be affected is approximately 5,000 acres.

Moreover, the process by which this legislation was crafted, carried, and passed underscores a serious weakness in how some legislation is undertaken in Maryland. In the future, we trust that our legislators have learned from this experience how crucial it is to collaborate with the agricultural community early in the drafting process and meaningfully throughout. Promoting full stakeholder inclusion in the process will yield a substantially better result.

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