

# Montgomery County Ag Reserve Farmers, Organizations Dismayed About Impacts of Renewable Energy Certainty Act

*5000 acres of protected farmland in MoCo's Ag Reserve and over 100,000 acres of farms across the state to become solar and battery infrastructure*

POOLESVILLE, MD, UNITED STATES, April 22, 2025 /EINPresswire.com/ -- 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. "We have more questions than answers regarding the full impact of this legislation. It is a faulty theory to pass a bill to then see what is in it," observes Doug Lechliden, 5th generation Ag Reserve Farmer and Montgomery Farm Bureau leader. 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 5000 acres.

Caroline Taylor, Executive Director of Montgomery Countryside Alliance worries about the impact on the Ag sector statewide, "we are already seeing the effects of this sweeping giveaway of Maryland's prime farmland and forest to the solar industry with leasing and sales prices going through the roof. How can we sustain agriculture here if we continue to throw up insurmountable challenges such as the competition for affordable farm acres with the deep pocketed solar industry?"

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. "How we engage together on the issue of our county's energy needs matters. Collaboration between legislators and stakeholders from the outset will yield the strongest results" says Steven Findlay, President of Sugarloaf Association. Members of the Ag community can be partners in increasing the state's renewable energy. "This bill is premised on the consumption of acreage rather than the production of energy. We should be addressing how best to generate megawatts as opposed to giving up vast amounts of prime farmland and natural resources," says Bob Cissel, Executive Director of Montgomery Agricultural Producers.

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