

**Testimony of the Advocates for Herring Bay (AHB)<sup>1</sup>**  
**Regarding HB 936: Blue Ribbon Community Solar Land Use Commission**  
**Submitted by Stephen Marley, February 28, 2022**  
*Favorable if amended to address environmental concerns*

AHB strongly supports efforts to forge a consensus on policies that will allow Maryland to expand renewable energy supplies in an environmentally sound manner. We respectfully oppose HB 936 as introduced, however, because it could impede progress toward consensus by endorsing land-use policies for community solar based on incomplete data that could inadvertently bias the conclusions. We urge the Committee to amend the bill to address four areas of concern:

**Urban/suburban surfaces.** HB 936 focuses on the demand for “land” for community solar projects. Since nearly 80 percent of community solar capacity is allocated to BGE and Pepco, those demands will increase pressure on forested and other undeveloped land in the Baltimore-Washington region. Given their size, ratepayer support, and improved financial viability,<sup>2</sup> community solar projects are an ideal match for the region’s abundant supply of previously developed “surfaces.” Using impaired surfaces would allow Maryland to diversify its in-state solar generation while avoiding any unnecessary loss of valuable natural resources. *AHB recommends studying options and incentives for maximizing the use of impervious surfaces, barren lands, and other dual-use sites.*

**Comprehensive data.** Section (f)(4) asks the Commission to consider whether to allocate community solar capacity according to political boundaries, with those allocations based on population, land area, and the percent of land used for agriculture. As shown in Attachment 1, those few statistics do not reveal the complexity of land-use trade-offs or provide insights on opportunities to resolve them. Maryland should conduct a more sophisticated analysis of solar siting opportunities for all affected jurisdictions, using the geospatial and artificial intelligence technologies being used elsewhere.<sup>3</sup> *AHB recommends completing comprehensive studies on solar siting before adopting land-use policies for community solar, particularly for any capacity authorized after the pilot program expires in 2024.*

**Ratepayer impacts.** HB 936 implies that some types of community solar projects are more cost effective for ratepayers than others. In practice, the cost to ratepayers does not depend on the type of project because community solar projects receive a uniform net metering payment regardless of their cost to generate electricity.<sup>4</sup> *AHB recommends striking the reference to ratepayer costs and focusing on public benefits, such as avoiding the loss of natural resources and adding jobs in key areas.*

**Appropriate expertise.** Any information published with the imprimatur of a state-sponsored “Blue Ribbon Commission” must be credible, comprehensive, and beyond reproach. In our view, the membership roster in HB 936 fails that test because it lacks the impartiality and range of expertise needed to identify and distill the complex issues involved in the optimal siting of community solar projects. *AHB recommends that any advisory panel include experts on land-use and GIS analysis, forest and other natural resource conservation, and community development. It also should include experts on financing and developing projects on previously developed surfaces.*

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<sup>1</sup> The Advocates for Herring Bay, Inc. is a community-based environmental group in Anne Arundel County.

<sup>2</sup> Over half of the 2021-2022 community solar applications in the BGE region are for large rooftop projects, compared to about 30% from 2017-2020. [Nationally](#), solar generation costs have fallen by about 35% since 2015.

<sup>3</sup> See Chesapeake Conservancy, [Shining Light on Solar Energy for the Chesapeake](#), *Shorelines Newsletter*, Spring 2021, and the Nature Conservancy, [Site Renewables Right](#), interactive tool for the mid-west region, February 8, 2022.

<sup>4</sup> Community solar companies typically give subscribers a discount on their bills, but the amount is up to the company.

**Attachment 1: Illustrations of some of the data required under HB 936**

