Outlook

Oppose 2026 CB59 Solar hold

From Kim Pezza <kimpezzaclimate@gmail.com>

Date Mon 9/21/2026 11:34 PM

To CouncilMail <CouncilMail@howardcountymd.gov>

Cc Rigby, Christiana <crigby@howardcountymd.gov>; Jones, Opel <ojones@howardcountymd.gov>; Walsh, Elizabeth <ewalsh@howardcountymd.gov>; debjung@verizon.net <debjung@verizon.net>

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Howard County Council members,

I'm asking you to Oppose 2026 CB59, Solar Collector Facilities-Temporary Hold.

The climate crisis is playing out catastrophically across the globe, and solar is one of the key answers here.
Howard County residents and businesses are already paying more for utilities because of rising fossil-fuel prices. Even a temporary slowdown of solar deployment under CB59 would likely make energy more expensive for Howard County consumers. Howard County Executive, Calvin Ball, executed landmark solar-power purchase agreements in 2020 and in 2026 that will save county taxpayers more than $100 million in energy costs over the next two decades.

Solar is substantially cleaner and cheaper than conventional fossil fuels or nuclear electricity and the quickest to deploy. Adding solar electricity to the grid quickly will buffer residents and businesses against the volatility of rising fossil fuel costs. Similarly, solar, because it is decentralized and local can be a bulwark against grid instability – aka brownouts and blackouts.
PJM, our regional grid manager, has created huge delays for renewable energy, and we can't afford more delays. Thanks to PJM's mismanagement, renewable energy projects have seen significant delays and backlogs in connecting to the grid. More than 202 GW of renewable energy resources were stuck in the interconnection queue as of September 2022. For context, 200 GW of clean energy resources were available in the entire United States in 2021. The backlog was so severe that in February 2023, PJM said it would stop accepting new applications for grid interconnections. Projects now face an average delay of nearly four years to get connected. Often, the projects are no longer financially viable after such a long delay.
Delays in solar development would threaten Howard County's Climate Forward Action Plan commitment to attain 437MW of solar in HoCo by 2030, cut greenhouse-gas emissions 60 percent by 2030 and reach net zero by 2045. We have 180MW of solar so far – about 41% of our goal. Any delays make these goals less attainable.

Stalling clean-energy deployment creates more uncertainty and depresses private investment in solar. The Trump administration is working to block solar-energy deployment and boost profits of oil and gas industry polluters. CB59 adds more barriers to solar energy. The Big Ugly Bill also set strict deadlines for solar projects to qualify for federal investment tax credits, which can account for as much as 30% of project costs. For private solar projects in varying stages of planning & permitting in Howard County, the proposed delay in CB59 could evaporate about $25 million in federal ITC, making those projects less likely to happen.
Delaying projects intended to provide community solar would create the risk of cancellation and fewer opportunities for Low-to-Moderate-Income(LMI) households. LMI households in our area could lose out on the cost savings that come with discounted community-solar subscriptions.

If farming integrity is an issue, solar can help farmers continue farming, especially during this time of major economic stress on the ag community. Agrivoltaics is a bonus, putting land under solar arrays to use for crops or grazing. 3000MW of solar on ag land affects less than 1.5% of all farmland in Maryland. In contrast, development has destroyed almost half of all farmland in Maryland over the past 50 years. Farms with consistent solar income are less likely to need to sell out to developers.

Thank you,
Kim Pezza
Submitting as a 26 year resident of Howard County in my personal capacity.
Currently in D3.

Qualifications:
Degree in Environmental Science
26 years of professional Environmental work.
Current Climate resilience Director for Comptroller of Maryland.
Previous Climate change analyst at the Maryland Department of the Environment.
Chair of HoCo Environmental sustainability board.
Chair of Columbia Association's climate change and sustainability advisory committee.

Outlook

Note NO on CB59-2026 Hold on Solar Projects

From Mark Southerland <mark.t.southerland@gmail.com>
Date Mon 9/21/2026 11:35 AM
To CouncilMail <CouncilMail@howardcountymd.gov>

1 attachment (79 KB)
Southerland Testimony to Howard County Council on CB59-2026 Hold on Solar Projects 21Sep2026.pdf;

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Please find my attached written testimony in OPPOSITION to CB59-2026 Hold on Solar Projects.

Thank you,

Mark Southerland PhD
Chair Emeritus
Howard County Environmental Sustainability Board

September 21, 2026 Written Testimony by **Mark Southerland** in Opposition to (AGAINST)

Council Bill No. 59-2026 Solar Collector Facilities - Temporary Hold

I urge the County Council to vote NO on CB59-2026 Hold on Solar Projects. This bill will be an unnecessary and damaging impediment to the important progress the County has made on climate action and clean energy in recent years, including our commitment to the Paris Agreement on climate change in 2019, landmark solar power purchase agreements in 2020 and in 2026, and bold “Climate Forward” plan in 2023 to drive progress toward ambitious greenhouse gas reduction goals for 2030 and 2045.

Solar power is perhaps our best tool for fighting climate change that is devastating the planet. I believe it should be developed wherever adverse effects on climate (negative life cycle carbon balance) and biodiversity (such as loss of intact forests, wetlands, and other important natural habitats) are avoided. I believe many such opportunities remain in Howard County and should be pursued without delay.



Mark Southerland PhD

Chair Emeritus
Howard County Environmental Sustainability Board
Columbia MD

Outlook

Written Testimony for Bill No. 59 -2026

From Damali Harding <dharding@solarlandscape.com>
Date Tue 9/22/2026 4:53 PM
To CouncilMail <CouncilMail@howardcountymd.gov>
Cc Olivia Ottaviano <oottaviano@solarlandscape.com>

1 attachment (108 KB)
592026_Howard County_Written Comments of Solar Landscape_9.26 2.pdf;

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Good afternoon,

I am submitting written testimony on behalf of my organization, Solar Landscape as it relates to Bill No. 59 -2026 for tonight's hearing.

Solar Landscape is submitting these comments as undeclared on this legislation.

If you have any questions or comments, I can be reached either via email or via telephone at 202-215-4618.

Warmest regards,

-Damali

Damali Harding
SENIOR DIRECTOR, MARKETS & POLICY
solarlandscape
Cell :202.215.4618
dharding@solarlandscape.com

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solarlandscape

County Council of Howard County, Maryland
George Howard Building
3430 Court House Drive
Ellicott City, MD 21043

Re: Written Comments on Council Bill 59-2026 – "Temporary Solar Facility Hold Act"

Dear Members of the Howard County Council,

Solar Landscape submits these comments in response to Council Bill 59-2026, which would temporarily suspend the acceptance, review, and approval of solar energy facility applications over 1 megawatt in Howard County while the County evaluates its authority under the Renewable Energy Certainty Act (HB1036).

Background

Founded in 2012, Solar Landscape is a vertically integrated solar developer and national leader in community solar deployment. We develop our projects on commercial and industrial rooftops using a roof-lease model in which we lease the rooftops of large warehouse and storage facilities to host solar installations that deliver power back to the grid. In Maryland, we participate in the community solar program.

Maryland is a central part of our portfolio, and our work aligns directly with the state's clean energy and equity priorities. Currently our Maryland portfolio consists of 82 projects, 45 of which have energized and are already delivering clean energy to Marylanders. The other 37 projects are currently under development. In Howard County specifically we have three projects under development that have applied for zoning, eight projects with approved site development plans, and six projects with site development plans under review.

All our current projects have been awarded funding under the Maryland Energy Administration's Community Solar LMI PPA Grant and are committed to providing at least 51% of energy produced to either low-income or low-to-moderate-income households. Solar Landscape is ranked the #1 Maryland Commercial Solar Contractor, reflecting our sustained investment in the state's community solar program.[1] We remain committed to helping Maryland meet its renewable energy targets and advance energy equity.

Value of Commercial Rooftop Solar

Commercial and industrial rooftop solar systems are built on existing infrastructure and located where electricity demand already exists, often in areas already zoned for commercial and industrial use. This locational advantage is also what makes commercial and industrial rooftop solar uniquely fast among generation types. These projects interconnect at the distribution grid, avoiding PJM interconnection queue and years of delays, and can be developed and constructed in 12 to 24 months. Due to this speed, the Brattle Group found that one gigawatt of commercial and industrial rooftop solar over the next 5 years would save Maryland ratepayers $300 million by reducing reliance on costly out-of-state power purchases, in addition to the guaranteed savings for subscribers. Commercial and industrial

[1] Solar Power World, 2025

rooftop community solar is the most effective tool Maryland has to meet near-term rising demand and deliver immediate ratepayer savings.

Rooftop Solar Should Be Excluded From Any Development Pause

It is our understanding that the intent of this bill is to address issues that arise with other types of solar development, and which are inapplicable to the commercial and industrial-sited rooftop solar systems that we develop, such as impact to agricultural soils, decommissioning, stormwater and runoff, forest clearance, and effects on historic sites. However, as written, the bill's definition of "Solar Energy Facility" is broad enough to also halt rooftop and parking-canopy solar projects over 1 MW. These installations raise none of the concerns motivating this legislation. These projects involve no land disturbance, no agricultural land use, and none of the environmental or decommissioning issues raised in the bill's findings.

Howard County's zoning code already distinguishes between different use types. Section 103.0 defines "Solar Collector, Rooftop" as a distinct category, separate from ground-mounted commercial facilities. However, CB59-2026's definition of "Solar Energy Facility" (Section 6.D) lists only "Solar Collector," "Solar Collector, Accessory Ground-Mount," "Solar Collector, Commercial," and "Solar Collector Facility, Commercial Ground Mount" – clearly intending to exclude "Solar Collector, Rooftop." However, "Solar Collector, Commercial" was the term Howard County historically used when it first authorized rooftop commercial solar, and because rooftop systems are also, by definition, "Solar Collectors," there is a risk that this bill, as drafted, could be interpreted to sweep rooftop and parking-canopy solar into the moratorium despite that not appearing to be its intent.

We respectfully request that the Council amend Section 6.D to explicitly state that "Solar Collector, Rooftop" is excluded from the definition of "Solar Energy Facility" for purposes of this Act, removing any ambiguity.

Through conversations with legislators, industry stakeholders, and community partners across the state, we have found wide support for this distinction. Commercial rooftop solar participates in the same trade associations and legislative discussions as ground-mounted solar, but we represent a smaller, distinct segment of the industry. Since the siting issues, land-use impacts, and community concerns are fundamentally different between the two, we do not believe rooftop and ground-mounted solar should be grouped together in this legislation. Scoping this pause to match its stated purpose allows the County to continue supporting the energy development and ratepayer savings that rooftop solar already delivers to Howard County.

We appreciate the Council's attention to this matter and would welcome the opportunity to discuss this further. Thank you for your consideration.

For any questions, please contact Damali Harding, Senior Director of Markets & Policy, dharding@solarlandscape.com

Outlook

CB59-2026

From Emily Godfrey <emgodfrey@gmail.com>
Date Tue 9/22/2026 2:03 PM
To CouncilMail <CouncilMail@howardcountymd.gov>

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Dear Councilmembers,

As a Democrat in District 5, I am writing to ask you to vote YES on Mr. Yungmann's proposed legislation, CB59-2026. This temporary pause on solar development in the county is the bare minimum that the county council should undertake.

The injudicious development of commercial solar on western Howard County's agricultural preservation land deserves to be investigated, in addition to Mr. Yungmann's stated goals. Without further review, western Howard County is at risk of becoming nothing more than rolling hills of solar farms, leased out for twenty year terms to out-of-state developers.

Please vote YES on CB59-2026, a prudent pause on solar energy facility development.
Thank you so much for your willingness to consider the wellbeing of District 5!

Best,
Emily

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Emily Godfrey
MPH, BBEC

Outlook

Please vote AGAINST CB59, which would pause solar development in Howard County

From Greta Swanson <gretaeswanson@gmail.com>
Date Tue 9/22/2026 2:09 PM
To CouncilMail <CouncilMail@howardcountymd.gov>

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Dear Members of the Howard County Council,

My name is Greta Swanson and I am writing in strong opposition to CB59, which would pause solar development in Howard County. **Please vote against CB59.**

I am a long-time resident of Howard County who has personally experienced the economic benefits of solar energy. After adding additional rooftop solar to my home last fall, I have had energy bills of less than $1/month for five months of the year this spring and summer. The solar energy has not only powered my home, but also my electric car.

In this time of economic hardship and rising prices for fossil fuels, **Howard County must continue to extend the economic benefits of solar energy to all county residents,** especially those who struggle to pay basic bills. Howard County residents are paying increasing amounts for utility bills as fossil fuel prices rise. Large-scale solar energy, coupled with batteries, is both less expensive and faster to deploy than either nuclear or fossil fuel energy. The more solar facilities that are added to the grid, the more stable prices will be for county residents. In addition, community solar projects must continue to be built. These projects in particular provide relief from high utility bills for low and moderate income families.

Continued solar deployment is an essential part of combating the climate crisis, a crisis that directly impacts Howard County. We have again seen extreme heat this summer, coupled with drought followed by extreme weather events. Howard County has made a commitment to reduce fossil fuel consumption and deploy significant solar through its Climate Forward Action plan. The 2030 goal is to install 437 MW of solar in the county and cut greenhouse gas emissions 60%. By 2045, the county is to reach net zero. Howard County has installed about 41% of the 2030 solar goal so far, and still needs to deploy about 250 MW more of solar in the next four years to reach 437 MW. Pausing development would place this goal in jeopardy.

Delaying the installation of solar projects in Howard County would mean that solar developers could lose about $25 million in federal investment tax credits and would further depress private investment in solar. Due to the federal tax bill passed in 2025, there are strict deadlines for solar

projects to qualify for the federal tax credits. Any pause in development could cause solar developers to lose out on these tax credits. Developers would lose profits while the public would suffer from less solar availability.

For farmers, **agrivoltaics are another source of income to enable farmers to continue farming.** Crops can be raised or livestock grazed under solar arrays, which occupy a small percentage of a farmer's land, while the income from solar can help maintain the economic viability of farming.

Finally, **the pause on solar development under CB59 is prohibited by state law, HB1036,** which in section 7-218 states that a local jurisdiction may not adopt zoning or other laws that prohibit the construction or operation of solar energy generating states or deny site development plans for such stations that meet the requirements of the law.

For the above reasons, I urge you to vote NO on CB59.

Thank you for your consideration of my views.

Sincerely,

Greta Swanson

4277 Red Bandana Way
Ellicott City, MD 21042

Testimony on Proposed Legislation introduced by David Yungmann

CB59-2026 Solar Collection Facilities – Temporary Hold

By John C. Nagengast, 17512 Timberleigh Way, Woodbine, MD 21797

Email: john.nagengast@att.net

I am a 50+ year resident of western Howard County and have greatly enjoyed the rural environment all around our home, despite the rapid high-density development taking place in the eastern parts of the County. One of the most positive things done in recent years to preserve the rural environment is the County's Agricultural Preservation Program, which has been highly successful.

We enjoy the rural atmosphere of Western Howard County and believe one of the best attributes of living where we do is the Agricultural Preservation Program, which has been a very wise investment in protecting our rural farming heritage, despite the strong economic pressure promoting development across the County. I strongly believe that the County leadership must continue to provide a balanced and transparent approach to navigating the maze of challenges facing us: Affordable Housing, Strong Economic Growth, Expanding Employment, Protection of the Environment, a High Quality of Life for All, and preservation of our cultural, historic and agricultural heritage.

I have been a strong supporter of the Howard County Leadership in their embrace of Solar Energy initiatives to provide clean electrical service at affordable prices. Programs like the Howard County sponsored Community Solar Initiative, as described on the HoCo Solar Website, are great models for the future. However, the recent State Legislation via HB-1036 has made significant changes to some of the requirements for deployment of solar initiatives including private solar projects and those involving Preserved Agricultural Land.

We strongly support Councilman Yungmann's Proposed CB59-2026 for a brief temporary pause in solar deployments to better understand and harmonize how our County rules and processes fit with the State requirements. It also provides the time to clarify and make fully transparent the requirements for environmental protection of any solar placement, particularly with regards to Preserved Agricultural Land. We must clearly define what "Farmland Forever" means, and how to mutually balance the continued protection of our rural environment, the preservation of our Preserved Agricultural Land, our sensitive environmental areas, and our growing need for clean energy. Other topics for future consideration include the suitability and safety on the electronic components of the solar panels and the safe disposal of solar panels and the toxic materials they contain if damaged or at end of life – both of which are industry-wide issues.

Outlook

Lightstar comments RE: CB59-2026

From Kelly Buchanan <Kelly.Buchanan@lightstar.com>
Date Tue 9/22/2026 12:48 PM
To CouncilMail <CouncilMail@howardcountymd.gov>

1 attachment (190 KB)
Lightstar Comments CB59-2026.pdf;

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Good afternoon,

Please see Lightstar's comments regarding CB59-2026 attached.

Thank you,
Kelly Buchanan

LIGHTSTAR

Kelly Buchanan
Senior Manager, Policy Strategy

P: 303.956.1246
lightstar.com-

LIGHTSTAR

501 Boylston Street
Boston, MA 02116
lightstar.com

September 22, 2026

Howard County Council
George Howard Building
3430 Court House Drive
Ellicott City, MD 21043

RE: CB59-2026, Solar Collector Facilities - Temporary Hold

Dear Chair Jones and Members of the Howard County Council:

Thank you for the opportunity to provide comments in response to CB59-2026, sponsored by Council Member David Yungmann, which would temporarily prohibit the issuance of certain approvals of development plans or building permits for solar energy facilities, require a public meeting with various agencies to discuss the new rules introduced by the Renewable Energy Certainty Act (RECA) and the implications on Howard County government processes for reviewing solar energy facilities, and provide a report to the County Council and County Executive explaining what County authority is preempted in HB1036 and what the County is permitted to require or adopt. While Lightstar recognizes that RECA is a relatively new section of statute and that Howard County may wish to better understand its implications, we are strongly opposed to this legislation as several sections are in direct conflict with the core provisions of RECA and a temporary hold would significantly and negatively impact our proposed agrivoltaic projects in Howard County.

Lightstar understands the following regarding RECA's scope and impact:

1. RECA applies to most solar energy projects larger than 1 MW that submit permit applications after July 1, 2025, unless they are located on rooftops, carports, or brownfields, or are behind-the-meter systems.
2. For projects between 1 MW and 2 MWs, RECA establishes site design requirements and prohibits local jurisdictions from imposing further requirements or effectively banning projects in certain areas. While projects in this size range do not obtain a Certificate of Public Convenience and Necessity, they must comply with RECA's siting and design standards, and a local jurisdiction must process the site development plan application as a permitted use.

Lightstar develops community solar projects with more than 1000 megawatts (MW) of projects completed or in development across the country and we work collaboratively with research institutions, farm bureaus, and farmland preservation organizations to advocate for and implement agrivoltaics policies in Maryland, Massachusetts, New York, New Jersey, and Illinois. In layman's terms, agrivoltaics is the integration of agricultural and/or horticultural production and solar on a single parcel of land. In Maryland, Lightstar's portfolio is solely comprised of agrivoltaic community solar projects, totaling around 121 MWs of capacity located across 14 counties. All of Lightstar's projects will meet the statutory definition of agrivoltaics in

501 Boylston Street
Boston, MA 02116
lightstar.com

Public Utilities Statute §7-306.2 by qualifying for and maintaining agricultural use assessment by the standards of COMAR 18.02.03 or the Maryland Assessment Procedures Manual. Across Maryland, our projects will feature agricultural uses including but not limited to the production of hay, soy, mixed vegetables, and cattle grazing.

In Howard County, Lightstar has three agrivoltaic projects currently under development, including Frederick Road (2 MWac), Roxbury Mills (2 MWac), and Sheppard Lane (2 MWac). Additionally, the Sheppard Lane and Frederick Road projects have been awarded grants through the Maryland Energy Administration's Community Solar LMI-PPA Program. Awarded projects must maintain community solar program requirements AND guarantee at least 15% of the energy output from the community solar system is subscribed to specifically low-income subscribers, with minimum cost savings to those subscribers of 25% from the utility's community solar credit rate or equivalent for at least 20 years. These projects in Howard County will meaningfully reduce energy bills for ratepayers, especially low- and moderate-income households, while also ensuring farming operations continue on high-value soils. Because these projects must continue to qualify for agricultural use assessment, they are guaranteed to continue farming for at least the lifetime of the solar array (25-30+ years). As the land associated with agrivoltaics projects is protected for farming use during the life of the project and continually stewarded, it will more easily return to its natural or pre-existing state upon decommissioning of the array, as opposed to a traditional non-agrivoltaic solar site. Agrivoltaic projects also present a myriad of other benefits including supporting local food production and providing support and opportunity for tenant farmers specifically.

The proposed temporary hold in CB59-2026, if passed, would leave real Howard County landowners and tenant farmers in the lurch. Agrivoltaic solar developers coordinate significantly more to implement these projects, including specialized designs to incorporate agricultural operations, coordination with consultants and farmers to develop a farm logistics plan, and increased communication with stakeholders and policymakers local to the project site to protect soils and ensure farming operations run smoothly. Looming deadlines associated with securing federal investment tax credits, the immense pressure to develop clean energy resources in Maryland, deadlines associated with securing community solar program capacity, and an already complicated permitting and planning process, including the State's lack of stormwater guidance specific to agrivoltaic projects, are already putting agrivoltaics at risk. These projects, which take additional time, resources, and communication efforts to implement, will not come to fruition if a temporary hold is enacted.

Thank you for the opportunity to provide comments in response to CB59-2026. Lightstar strongly opposes this legislation and urgers the Howard County Council to vote no on this legislation to ensure that the provisions of RECA followed at the local level and that agrivoltaics projects can move forward where deemed appropriate by state law. If you have any questions or need additional information, please contact me at kelly.buchanan@lightstar.com.

LIGHTSTAR

501 Boylston Street
Boston, MA 02116
lightstar.com

Sincerely,

Kelly Buchanan
Senior Manager, Policy Strategy

Outlook

Power52 Foundation Testimony Regarding Council Bill 59-2026

From Marlon PJ Bonner, Jr. <pj@power52.org>
Date Tue 9/22/2026 12:51 PM
To CouncilMail <CouncilMail@howardcountymd.gov>
Cc Cherie Brooks <Cherie@Power52.org>

1 attachment (213 KB)
Power52 -Testimony Regarding Council Bill 59-2026.pdf;

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Hello,

On behalf of Cherie Brooks and Power52 Foundation, please find attached a written testimony regarding Council Bill 59-2026.

Please let me know if you have any questions or concerns.

Best regards,

Marlon "PJ" Bonner, Jr.
Community Relations Manager II
Power52 Foundation
Office: 410.777.9677 | Mobile: 410.858.2124
pj@power52.org
Click HERE to see what's new at Power52!

TESTIMONY OF POWER52 FOUNDATION

Council Bill 59-2026, Solar Collector Facilities, Temporary Hold
Howard County Council

September 22, 2026

Members of the Howard County Council:

On behalf of Power52 Foundation, we submit this testimony to express our concerns regarding Council Bill 59-2026 and the proposed temporary hold on certain solar energy facilities over one megawatt.

Power52 Foundation is headquartered in Howard County and was founded on a simple principle: clean energy should generate more than power. It should generate opportunity.

Our mission is to break cycles of poverty, unemployment, underemployment, and incarceration through economic empowerment and clean energy access. We prepare individuals for careers in the clean energy industry through technical training, industry recognized credentials, workforce development, and connections to employers.

Because of that work, we view CB59 not only as an energy or land use matter. We view it through the eyes of the people who depend on this industry for employment, economic mobility, and financial stability.
A Pause in Projects Can Become a Pause in Employment

Every solar project requires people.

Projects create work for electricians, solar installers, construction professionals, technicians, operations and maintenance workers, contractors, project managers, and supporting businesses.

Power52 is doing its part to prepare Maryland residents to fill these positions. But workforce development cannot exist independently from economic development. Training people for careers only works when there is a healthy pipeline of projects and employers prepared to hire them.

CB59 would temporarily restrict County approvals and permits for covered solar projects over one megawatt and could remain in effect for as long as one calendar year.

For someone trying to move from unemployment or underemployment into a family sustaining career, one year is significant.

For a contractor deciding whether to expand its workforce, one year is significant.

For a graduate who has invested months in technical training and earned industry credentials expecting employment on the other side, one year is significant.

A pause in projects can become a pause in hiring.

The Economic Impact Extends Beyond Developers
The County's own fiscal analysis demonstrates the scale of the activity potentially affected by CB59, identifying planned commercial solar projects representing approximately $83 million in estimated project costs.

Those figures matter, but they do not capture the full economic impact.

Behind project investment are workers and families. Behind construction budgets are contractors, electricians, installers, equipment suppliers, technicians, and small businesses.

Power52 works with individuals who have historically faced barriers to economic opportunity. Many come to us because they are seeking more than a job. They are seeking a career that can provide stability, advancement, and the ability to support their families.

We cannot discuss slowing clean energy development without also discussing what that slowdown may mean for those workers.

Clean Energy Is Also an Affordability Issue
There is another population that deserves consideration: households struggling with energy costs.

Maryland has intentionally connected portions of its solar policy to energy affordability. Under the State's permanent Community Solar Program, qualifying community solar projects must dedicate a significant portion of their output to low and moderate income subscribers. Maryland has also invested in programs designed to use solar generation to reduce electricity costs for income qualified households.

For the communities Power52 serves, this matters.

Energy burden is an economic issue. When families spend more of their limited income keeping the lights on, there is less available for housing, transportation, food, childcare, education, and other necessities. Responsible solar development can therefore create career opportunities while also expanding pathways to more affordable clean energy.

Responsible Development and Continued Development Are Not Mutually Exclusive
Power52 recognizes the concerns that prompted discussion of CB59. Questions surrounding land use, agricultural preservation, environmental protection, decommissioning, community participation, and the implementation of Maryland's Renewable Energy Certainty Act deserve careful consideration.

We support thoughtful review, meaningful community engagement, clear regulatory standards, and responsible development.

But studying these issues and continuing responsible solar development do not have to be mutually exclusive.

CB59 already calls for the County to convene State and local stakeholders, evaluate the impact of the Renewable Energy Certainty Act, determine what authority remains with Howard County, and recommend appropriate changes to County policies and regulations.

That work can and should occur.

The question we ask the Council to consider is whether the County must interrupt eligible solar development and the economic activity connected to it while that review is underway.

Workforce Must Have a Seat at the Table
If Howard County undertakes this review, workforce development must be part of the discussion.

The County should hear directly from workforce development organizations, clean energy employers, contractors, workers, community organizations, residents, and organizations representing households that stand to benefit from community solar and energy affordability programs.

Land use policy has workforce consequences. Energy policy has economic consequences. Permitting policy has employment consequences.

These issues should not be evaluated in isolation.

Power52 can train people. We can provide technical education, industry credentials, employability skills, and connections to employers. But there must also be a strong and predictable project pipeline capable of turning that training into employment.

Howard County has an opportunity to demonstrate that environmental stewardship, agricultural preservation, community participation, responsible solar development, energy affordability, and economic empowerment can coexist.

As the Council considers CB59-2026, we ask that it fully account for the people whose livelihoods and household economics are connected to the clean energy economy.

For the communities Power52 serves, clean energy is not an abstract policy discussion.

It is a paycheck.
It is a career.
It is a skilled trade.
It is economic stability.

And for qualifying households, it can also be a pathway toward lower energy costs.

That is what economic empowerment through clean energy looks like.

Thank you for the opportunity to provide testimony and for considering the workforce and community impacts of CB59-2026.

Respectfully submitted,

Cherie Brooks

Cherie Brooks
Co-Founder, President & CEO
Power52 Foundation
Howard County, Maryland

Outlook

CB 59 Testimony

From James Palmer <jgpalmer44@gmail.com>
Date Wed 9/23/2026 4:42 PM
To CouncilMail <CouncilMail@howardcountymd.gov>

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Hello. I was signed up to testify on 9/22, but CB 59 was deferred and I am submitting by email. I have been a resident of HC for 60+ years.

Opposition to Council Bill 59–2026

By James Palmer, Glenwood 9/22/2026

I am here to oppose Council Bill 59–2026 and to support solar powered electricity generation in Howard County. Prior to 2020, Howard County was way behind several other forward-looking counties in Maryland that had ambitious programs for solar development. But the power purchase agreement that the county adopted in 2020 has put us on a path to reduce the global warming effects of evermore CO2 going into our atmosphere. And in doing so has reduced the cost of electricity to the county over the next 25 or more years.

The positive effects of our county's program has encouraged the use of more solar by residential and commercial users of electricity. Community solar allows us to use solar sourced electricity while reducing the cost of our electric bills. The large commercial buildings in the I-95 corridor have proven to be a valuable resource in hosting solar for corporate and community solar benefit. Some of these projects exceed 1 MW. Our local utilities are not providing utility scale solar as they do in some other states, so we need to encourage community solar and other large solar projects to provide the grid benefits of distributed power generation.

It was with sadness and a bit of anger that I discovered Mr. Youngmann's proposal to backtrack the wonderful progress being made in our county to produce more clean energy. The appropriate people are perfectly aware of the impacts and benefits of solar in Howard County and understand the net positive

effects. We do not need time to study the issue. Please vote against Council Bill 59–2026.

Outlook

Submitting Written Testimony for CB59-2026

From Robin Dutta <robin@chessa.org>
Date Wed 9/23/2026 6:20 PM
To CouncilMail <CouncilMail@howardcountymd.gov>

1 attachment (75 KB)
CHESSA - Howard County CB59-2026 Written Testimony Opposed 20260922.pdf;

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To Whom It May Concern:

My name is Robin Dutta, and I am the Executive Director of the Chesapeake Solar and Storage Association (CHESSA). I am unable to make the legislative meeting where CB59-2026 will be considered but I would like to submit written comments (attached) for the record. CHESSA has member companies who actively work in Howard County and would be significantly hurt if CB59-2026 were to become law.

Best,

Robin K. Dutta
Executive Director
Chesapeake Solar and Storage Association
www.chessa.org
robin@chessa.org
202-341-9513

Chesapeake Solar & Storage Association

22 September 2026

Howard County Council
George Howard Building
3430 Court House Drive
Ellicott City, MD 21043

RE: CB59-2026, An Act temporarily prohibiting issuance of certain approvals of development plans or building permits for solar energy facilities

Position: Opposed

Howard County Council, my name is Robin Dutta and I am the Executive Director of the Chesapeake Solar and Storage Association (CHESSA). I submit this written testimony to oppose CB59-2026, which would place a one-year ban on county building permits for any solar energy facility over 1 megawatt.

CHESSA is a regional trade association representing solar installers, developers, manufacturers, and other solar workers in Maryland, Virginia, and the District of Columbia. CHESSA's mission is to create a business and policy environment that encourages mainstream solar and energy storage adoption for the benefit of consumers, communities, and the electric grid. Many of our member companies actively develop projects in Maryland, have Maryland offices, and employ Maryland residents.

CB59-2026 appears to be blanket solar ban bill masquerading as a contemplative, cautious bill to allow more time for proper implementation. In our opinion, this legislation, if enacted, would cause irreparable harm to the state's solar industry but more importantly – cause harm to Marylanders and Howard County residents by preventing beneficial solar projects from earning permits and being built.

Solar Can Help Close Maryland's Energy Shortage

In this time of energy costs increasing and a general affordability crisis, Maryland needs more local electricity. By relying on imported electricity for 40 percent of the state's energy needs, Maryland is sensitive to regional demand spikes such as the growing data center energy demand coming from Virginia.

Layering on the problem are the faults within the PJM Interconnection, both with their capacity markets and their interconnection processes. The 2025/26 PJM forward capacity auction was calculated to increase as much as 24 percent by the Office of People's Counsel, according to an August 2024 report. The 2027/28 PJM auction cleared at a higher value than the 2025/26 auction, making a bad trend even worse. That auction clearing price ($333/MW-day) was a record high, despite an auction ceiling price, and the fear was that without the ceiling price, the

auction results would have eclipsed $500/MW-Day. A big reason was that there was not enough generation relative to the demand for electricity.

The latest report from the Maryland Public Service Commission's 10-Year Plan for Electric Companies shows Maryland's annual electric demand growth was revised upwards in their 2025 filings versus 2024[1]. That revision nearly doubles Maryland's anticipated annual load growth.

Distributed solar projects lower Maryland's energy requirements from PJM and the transmission grid. Community solar projects are a part of that solution while also providing direct savings to its local subscribers, who must be in the same utility territory as their subscribed project.

Questionable Basis for Legislation

The preamble of this legislation raises questions for CHESSA. As an organization, we were involved in the legislative process for the Renewable Energy Certainty Act (RECA) in Annapolis in the 2025 legislative session, as an active stakeholder.

The RECA law establishes minimum standards for how solar project development must conform while establishing limits on how local ordinances govern the development of groundmount solar projects that are greater than 1 megawatt. This is articulated specifically and clearly as a state siting guideline, which solar developers and local jurisdictions must follow.

- Counties continue to have the authority to issue permits for projects up to 2 megawatts of capacity. The RECA law does nothing to change that authority, as we read the law. That standard was already in place well before 2025.
- The same standards established for groundmount solar projects over 2 MW are the same standards for projects between 1 and 2 MWs in size.
- RECA requires public meetings and notices for all applicable projects. By standardizing the ordinances, there is now only a need to ensure that permit applicants meet the standards of the ordinances. Those ordinances, the community meetings, and the RECA law itself, all involve public input.

Additionally, this legislation as introduced would also ban the County from issuing permits for rooftop or carport solar projects over 1 MW. The RECA law does not apply to rooftop or carport projects. Banning those permits from being issued appears to be unnecessarily punitive, and could slow down the County's own solar and carbon emissions reduction goals.

Federal Tax Credit Repeal

Following the passage of H.R. 1 in the U.S. Congress, the federal tax credit for solar is expiring. Commercial-scale solar projects, including those sized between 1 and 2 MWs, are subject to deadlines by which they must be completely installed and energized. This temporary ban would

[1] Maryland Energy Administration. "Reaching 100 Percent Net Carbon-Free Electricity in Maryland". January 2025. p.19

jeopardize projects needing to meet these deadlines, including a requirement that projects that have not achieved “safe harbor” status be completed by the end of 2027. Solar project development does not begin at the application of a permit. It requires engineering, design, land owner agreements, and supply agreements before a local permit application is even filed. Utility interconnection filings also often happen before a permit is applied for. That represents hundreds of thousands of dollars spent on a single project before a county permit application is ever touched.

Freezing this process would hurt Howard County’s business environment, compounding the anti-business actions that were part of H.R. 1. The more solar energy that is generated in Howard County, the more insulated its residents are from the wild energy cost increases we are seeing from the regional grid.

In conclusion, CHESSA urges the Howard County Council to oppose this legislation. The County can fully implement the RECA law with the current statutory language. CHESSA and our members stand ready to be a resource for this Council and the county government for all solar and storage matters.

Sincerely,

Robin K. Dutta
Executive Director
Chesapeake Solar and Storage Association
Robin[at]chessa.org

Outlook

CB59-2026 Ryan O'Connor Testimony

From Ryan OConnor <ryanpoc@yahoo.com>
Date Wed 9/23/2026 11:50 PM
To CouncilMail <CouncilMail@howardcountymd.gov>
Cc Yungmann, David <dyungmann@howardcountymd.gov>; Skalny, Cindy <cskalny@howardcountymd.gov>

1 attachment (55 KB)
CB59-2026 Ryan OConnor Testimony 09.23.2026.pdf;

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Hi County Council,

Good evening, thank you for the opportunity to testify in support of CB59-2026 tonight. Attached is my testimony for your consideration.

All the best,

Ryan

September 23, 2026

Ryan O'Connor
13525 Mitchells Way
West Friendship, MD 21794

RE: CB59-2026 Solar Collector Facilities - Temporary Hold

Chair and Members of the County Council,

My name is Ryan O'Connor. I was born and raised in Howard County and am raising my family here in West Friendship. I am here in strong support of CB59-2026.

This bill is a commonsense, temporary pause on certain solar projects while Howard County and the State of Maryland resolve serious unanswered questions created by last year's Renewable Energy Certainty Act.

I support renewable energy. But renewable-energy policy must be responsible, transparent, and balanced. It should not come at the expense of productive farmland, rural character, neighboring property owners, or local community input.

Unlike most counties, Howard County has no cap on industrial-scale solar use within agricultural preservation areas. That is reckless and counterproductive to our commitment to preserve farmland forever. We cannot allow unlimited conversion of preserved farmland into industrial solar facilities without clear safeguards, meaningful local review, and a comprehensive plan.

Western Howard County is already facing a growing number of proposed utility-scale solar projects. These projects can permanently change agricultural landscapes and affect nearby residents, yet surrounding neighborhoods receive no community benefit whatsoever.

The County government does not appear to have complete clarity on the approval processes, conditions, and requirements it remains able to employ following passage of the Renewable Energy Certainty Act. That uncertainty must be resolved before additional projects are approved or constructed.

I also want to address the fiscal analysis provided by the County fiscal manager, which suggests nearly $25 million in potential losses. That figure is misleading because it conflates federal investment tax credits received by private solar developers with County taxpayer dollars. These are federal incentives—not an immediate loss of County revenue.

The real fiscal issue is that agricultural-preservation land, often receiving reduced tax treatment, may be converted into commercial-scale solar properties. The County should evaluate that transition transparently, including appropriate commercial taxation and whether nearby communities receive any meaningful benefit.

CB59 does not reject solar energy. It gives the County and State time to establish clear, workable rules before more projects move forward. Once farmland is converted, that decision cannot simply be undone.

I respectfully urge the Council to support CB59-2026 and provide a favorable report.

Thank you for your time and consideration.

Outlook

CB59-2026

From Alan Schneider <ajs333@aol.com>
Date Mon 9/28/2026 9:20 AM
To CouncilMail <CouncilMail@howardcountymd.gov>

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Re: CB59-2026 Solar

Thank you County Council for listening to your constituents.

As you deliberate action on CB-59 please consider:

Solar has many supporters. Everyone appreciates sunlight and free energy.

Everyone agrees that it needs it to be done right.

How can the goal be closer?

There are many knowledgeable professionals in Howard County. Give their voices greater weight in legislative decisions. Your decisions affect their lives and they want their input to actually be given weight, not just heard and not included in the decisions.

Standing. Enable evidence to be admitted. Community testimony in land use cases is excluded if the witness lives more than 200 feet from the proposed development. Testimony on protection of water, air and natural resources must be admitted under the same standards as it is admitted in federal cases.

Alan Schneider
Clarksville, Maryland
202.489.4831

Outlook

Letter opposing CB59

From dsiglin@capitolhillpartners.org <dsiglin@capitolhillpartners.org>
Date Fri 10/2/2026 2:21 PM
To CouncilMail <CouncilMail@howardcountymd.gov>

1 attachment (25 KB)
letter in opposition to CB59 10_2_26.pdf;

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Please find attached a letter asking the Council to reject CB59, with or without Amendment 1. Thanks.

Doug Siglin
Highland MD

October 2,, 2026

Councilmembers,

On September 22nd I testified to the Council that it should reject CB59 that seeks to place a moratorium on commercial solar development over 1MG for up to a year. My core argument is that Howard County has made a strong policy commitment to solar energy and should not now reverse course and slow down its development.

Subsequently, Councilman Yungmann has indicated his intention to offer an amendment striking the bill's moratorium sections and substituting a requirement that the conditional approval process be reinstated for commercial solar development on lands encumbered with an ALPP easement.

Whether or not this amendment prevails, I continue to urge you not to pass CB59.

I understand that some of my fellow District 5 residents do not want to look at ground mounted solar panels and are thus seeking a means to stop them notwithstanding state law. I myself have discussed with my adjacent neighbor inquiries he has gotten about solar development on his farm, and may be facing the prospect of looking out our wall of windows at a solar array.

But I nonetheless believe that passing CB59 would be a mistake from both a policy and a legal perspective. Howard County should not undercut its greenhouse gas reduction commitments or its Climate Forward action strategy for the convenience of a handful of plaintiffs seeking to limit the private property rights of their neighbors to preserve their view. Nor should it pass a law which is quite clearly contrary to the Maryland code, wasting everyone's time and energy to confirm what a plain reading of the law clearly shows.

If you're like me, you tend to block out bad news because there is so much of it. But the climate crisis is still very much with us, and Howard County should proudly maintain its leadership position among Maryland counties to mitigate the crisis in accordance with its Climate Forward action plan.

Please reject CB59 if it requires a moratorium or reinstatement of the conditional use process.

Thanks for your consideration.

Doug Siglin
Highland, MD

Outlook

Council Bill 59-2026 Solar Collector Facilities - Temporary Hold

From Heather Stiltner <rain.stiltner@gmail.com>
Date Fri 10/2/2026 6:10 PM
To CouncilMail <CouncilMail@howardcountymd.gov>

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Howard County Council Members,

As a resident and constituent of Howard County, I am writing to urge **rejection of the CB59-2026** moratorium on solar projects as well as Amendment 1 which would delay or cancel the majority of solar projects in Howard County.

State law, Renewable Energy Certainty Act (RECA) HB1036 passed in 2025, expressly prohibits this type of moratorium.

The climate crisis is playing out catastrophically across the globe, and solar is one of the key answers here. Howard County residents and businesses are already paying more for utilities because of rising fossil-fuel prices. Solar is substantially cleaner and cheaper than conventional fossil fuels or nuclear electricity and the quickest to deploy. PJM, our regional grid manager, has created huge delays for renewable energy, and we can't afford more delays.
If farming integrity is an issue, solar can help farmers continue farming, especially during this time of major economic stress on the ag community. Agrivoltaics is a bonus, putting land under solar arrays to use for crops or grazing. Farms with consistent solar income are less likely to need to sell out to developers.

Please **REJECT CB59-2026** and allow solar projects to proceed.

Thank you.

Outlook

Fwd: CB59-2026

From Larry Liebesman <larry.liebesman@gmail.com>
Date Fri 10/2/2026 4:12 PM
To CouncilMail <CouncilMail@howardcountymd.gov>
Cc Larry Liebesman <larryliebesman@gmail.com>

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I strongly oppose CB 59- 2026. As a environmental attorney for over 45 years with service at EPA and DOJ and as member of the County's Environmental Sustainability Board, this legislation will have a serious chilling effect on meeting the climate goals of State's Climate Solutions Now Act and the County's Climate Action plan. We have made great strides towards meeting the County's ambitious Green House Gas Reduction goals. Incentivizing solar development is critical in meeting the plan's goals.

Specifically:

- Delays in solar development will threaten the County's Climate Forward plan to cut GHG emissions by 60% by 2030 and reach net zero by 2045. The County already has 180 MW of solar so far about 41% of our goal. The County's Plan has a commitment to attain 437 MW fo solar by 2030. Any delays in deployment would make it hard to achieve these goals.

- State's Renewable Energy Certainty Act (HB 1036) prohibits the County from adopting zoning laws or regulations that prohibit the construction or operation of solar energy generating stations or delay site development of such stations that meet certain requirements (sec 7-218). This legislation would conflict with these

provisions. It could invite legal challenges that could be quite time consuming and expensive to defend.

- Howard County residents and businesses are already paying more for utilities because of the cost of fossil fuel generated energy. Even a tmporary slowdown of solar deployment would likely increase energy costs. Howard County has been a leader in solar development as seen in the landmark solar power purchase agreements in 2020 and 2026 that will save county taxpayers more than $100 million in energy costs over the next two decades

- Solar is substantially cleaner and cheaper than conventional fossil fuels or nuclear electricity and can be deployed quickly. Adding solar electricity to the grid quickly will buffer residents and businesses against the volatility of rising fossil fuel costs. Because solar is decentralized and local, it can be a bulwork against grid instabity such as brownouts and blackouts.

- Delaying projects that provide community solar would create the risks of cancellation with fewer opportunities for low- and moderate income households to access discounted electricity.

- The Trump administration strongly favors the fossil fuel industry, denies accepted climate science and opposes clean energy including solar. The Administration's 2025 legislation has phased out the federal investment tax credit. Projects that commence after July 4 ,2026 must be placed in service by December 31, 2027 to access these credits. Any further delay in solar projects could rmove the ability to access these critical tax credits.

In closing I strongly urge the Council not to enact this Legislation.

Larry Liebesman Esq.

Sent from my iPad

Outlook

Written Testimony – CB059-2026

From Megan Martis <megan.martis@bearpeakpower.com>
Date Fri 10/2/2026 10:59 AM
To CouncilMail <CouncilMail@howardcountymd.gov>; Ryan McQuigg <ryan.mcquigg@bearpeakpower.com>

2 attachments (247 KB)
BPP MD Mount Airy PV I LLC - Howard County Proposed Solar Moratorium Letter.pdf; solar positin cb59-2026.pdf;

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Dear Members of the Howard County Council,

On behalf of Bear Peak Power and BPP MD Mount Airy PV I LLC, please find attached our written testimony regarding CB059-2026.

I have also attached a separate letter from the landowner of the property associated with the proposed Mount Airy community solar project for the Council's consideration.

We respectfully request that both letters be included in the record as written testimony for CB059-2026.

Thank you for your time and consideration. Please let me know if you need any additional information or documentation from us.

Best,
Megan

Megan Martis

Sr. Project Developer | Bear Peak Power

C: 661.214.9296

W: Bearpeakpower.com

1444 Wazee Street, Suite 333

Denver, CO 80202

Re: CB59-2026 – Solar Collector Facilities – Temporary Hold

Dear Chair and Members of the Howard County Council:

On behalf of BPP MD Mount Airy PV I LLC, we respectfully submit this testimony in opposition to the proposed temporary hold on solar energy facility submittals and approvals under CB59-2026.

We appreciate the County Council's desire to fully understand the implications of Maryland's Renewable Energy Certainty Act (HB 1036). However, we are concerned that a broad suspension of solar applications and approvals is not necessary to accomplish that objective and could unnecessarily delay responsibly developed community solar projects.

BPP MD Mount Airy PV I LLC is developing a 2 MW community solar project in Howard County. Prior to submitting the Project to the County, we have been working through the property's existing conservation easement process and carefully designing the Project to minimize impacts to the surrounding property and community. This work represents significant time, coordination, and investment undertaken before the County review process even begins.

CB59-2026 could prevent projects over 1 MW from advancing through the County process for as long as one year. For projects such as Mount Airy that are already undergoing substantial pre-application development and environmental review, such a delay creates significant uncertainty and additional costs unrelated to the merits or impacts of the individual project.

We believe Howard County can evaluate its authority under HB 1036 while continuing to accept and review solar applications. We also recognize the importance of meaningful public participation in the development process. Bear Peak Power, and we believe many other solar developers, would welcome the opportunity to participate in public informational meetings, when requested, to present proposed projects, answer questions, and hear concerns directly from neighboring property owners and community members. Providing opportunities for public engagement can be accomplished without broadly suspending solar development.

Community solar projects provide local renewable energy opportunities to Maryland residents, including those who cannot install solar on their own properties. We respectfully ask the Council to reconsider the broad temporary hold proposed by CB59-2026.

Thank you for your consideration and for your continued commitment to responsible renewable energy development in Howard County.

Respectfully submitted,

BPP MD Mount Airy PV I LLC - Megan Martis

megan.martis@bearpeakpower.com

TO: Howard County Council

DATE: Oct 1, 2026

FROM: James Himel *James Himel*

7794 Old Frederick Rd Mt Airy MD 21227.

SUBJECT: CB59-2026 Solar Collector Facilities- Temporary Hold

Bill Position: Against

As a second generation Howard County farm family, who has actively supported County Council efforts to maintain agricultural practices by establishing an agricultural easement on the entirety of our 65 acre farm in District 5, I am horrified that the Council would entertain temporary hold legislation and any other legislation that attempts to impede solar collection facilities allowed and encouraged under HB 1036.

Maintaining a family agricultural business in Howard County has always been a financial challenge and has required at least one family member to find non-agricultural employment and income.

Our own family efforts include negotiations with Bear Peak Power for this solar company to lease 10 acres of our 20 acres of hay fields for a solar collector facility. With this solar lease arrangement, we will also be able to maintain this hay field for grazing sheep. The balance of our hay fields will be maintained for round bale harvesting for beef winter feed.

I am against Council Bill CB59-2026. I expect the County Council to instead, do everything it can to support County farm families including allowing solar energy production on my farm instead of supporting imported fossil fuels.

Outlook

Written Comment Against CB59-2026

From Natalie Young <natalie@oneenergyrenewables.com>
Date Fri 10/2/2026 4:55 PM
To CouncilMail <CouncilMail@howardcountymd.gov>

1 attachment (34 KB)
CB59-2026- Against- Natalie Anne Young Written Testimony.docx;

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Hello,

Attached is my written public comment in opposition to CB59-2026.

Thank you,

NATALIE YOUNG
SHE/HER
Development Manager
443.641.9933
natalie@oneenergyrenewables.com
www.oneenergyrenewables.com

WRITTEN COMMENTS IN OPPOSITION TO COUNCIL BILL 59-2026

"Temporary Solar Facility Hold" Act

Submitted by: Natalie Anne Young, Resident, Howard County Council District 4

To the Chairman and Members of the Howard County Council:

I am writing as an individual resident of Howard County's District 4 to oppose Council Bill 59-2026. The bill is legally unsound, factually unnecessary, and moves the County in the wrong direction at a moment when Maryland needs more clean generation, not less. It also imposes a real cost on Howard County landowners who have the right, under state law, to put their land to this use. Furthermore, this bill puts in jeopardy the livelihood of individuals working in the solar industry, approximately 5,000 individuals across the State according to Maryland Solar Guide's 2026 Statistics.

I. Bill 59-2026 Conflicts with the Plain Text of State Law

The Renewable Energy Certainty Act (RECA), Chapter 624 of the 2025 Laws of Maryland (House Bill 1036), added Section 7-218 to the Public Utilities Article. That section applies to any solar energy generating station with the capacity to produce more than 1 megawatt of electricity. Md. Code Ann., Pub. Util. § 7-218(b)(1).

Subsection (h) states that a local jurisdiction may not:

• "adopt zoning laws or other laws or regulations that prohibit the construction or operation of solar energy generating stations"; or

• "deny site development plans for solar energy generating stations that meet the requirements of subsection (f) of this section."

§ 7-218(h)(1)(i)-(ii). For facilities up to 5 megawatts, the statute goes further and requires the County to "process the site development plan application as a permitted use subject to the review standards in § 4-205 of the Land Use Article." § 7-218(h)(2)(ii).

Section 1 of Bill 59-2026 instructs the Department of Planning and Zoning and the Department of Inspections, Licenses and Permits not to accept plan submissions or issue building permits for any proposed solar facility over 1 megawatt during the Effective Period. Sections 3 and 4 similarly bar the Zoning Board and the Hearing Authority from taking final action on such applications. This is a direct conflict with a statute that requires the County to process qualifying applications as a permitted use and prohibits denial of plans that meet the state's siting standards. Bill 59-2026 is in direct contradiction with State law.

II. Bill 59-2026 Is Unnecessary Because the County Has Already Implemented RECA

The Department of Planning and Zoning issued a policy memorandum on RECA in July 2025 summarizing HB 1036's thresholds, documentation requirements, and siting standards, and has published an eligibility checklist applicants must submit with their first plan application. The County has already interpreted RECA, built an administrative process around it, and processed applications under that process for over a year. A 120-day report followed by a one-year moratorium is not needed to answer questions DPZ has already answered. If the Council believes DPZ's guidance is incomplete, the direct fix is to correct the guidance, not to halt all permitting for a year.

This point also answers the sixth Whereas clause, which notes that the Power Plant Research Program's report was issued July 1, 2026, and that PSC regulations under § 7-207.4 are due by July 1, 2027. That timeline is already running. A duplicative County study, working on a similar clock, adds delay without adding information the state process won't already supply. If the Council wants to wait for anything, it should wait for the PSC's regulations, not freeze the County's own permitting in the meantime.

III. Whereas Clause 4 Mischaracterizes How RECA Treats Projects Between 1 and 2 Megawatts

Section 7-218 draws a single scope line at 1 megawatt, not 2. § 7-218(b)(1). Every facility above that line, including one between 1 and 2 megawatts, is subject to the same siting and design standards under § 7-218(f) (setbacks, fencing, landscaping buffers, grading and topsoil limits, lighting restrictions) and the same decommissioning requirements under § 7-218(g) (a

decommissioning agreement, a surety bond for up to 125% of estimated cost, and a securitization true-up every 5 years).

What differs at the 1-to-2-megawatt tier is who verifies compliance, not the substance of the standard. Above 2 megawatts, verification happens through the Commission's certificate process under § 7-207 or the new DGCPCN under § 7-207.4. § 7-218(c)(2). At or below 2 megawatts, the applicant submits the same documentation to the local jurisdiction, which verifies it against the same § 7-218(f) and (g) standards. § 7-218(c)(1), (d)(2), (e)(1). The statute is explicit that "the Commission or local jurisdiction" performs this function. § 7-218(e)(1). The premise behind Whereas Clause 4 does not hold, and the Council should not adopt a moratorium premised on a gap that does not exist.

IV. The Bill Ignores Maryland's Current Energy Supply and Cost Problem

The Council should weigh a county-wide halt on solar permitting against the state's actual grid conditions right now, not in the abstract.

PJM's capacity auction for the 2026/2027 delivery year cleared at $329.17 per megawatt-day across the entire PJM footprint, the auction's price cap, up 22% from the $269.92/MW-day cleared for 2025/2026, which itself was nearly ten times the $28.92/MW-day cleared just one auction earlier, for 2024/2025. In that 2025/2026 auction, Maryland's BGE zone specifically cleared even higher than the rest of PJM, at $466.35/MW-day, before the FERC-imposed cap brought the 2026/2027 auction back to a uniform ceiling. PJM's own reporting attributes these increases to a widening gap between supply and rapidly growing demand, driven substantially by data center load growth. PJM cleared only 139 MW of unforced capacity above its reliability requirement in the 2026/2027 auction, a margin PJM itself describes as historically tight.

On the supply side, Maryland imports a substantial share of the electricity it consumes, with sourcing putting the figure at roughly 40% in recent years and some more recent estimates running closer to 46%, including a large majority of the renewable energy Marylanders use. That dependence on imported power, at a moment when PJM-wide capacity is scarce and expensive, is precisely the wrong time for any Maryland jurisdiction to pause its own in-state generation development. Every megawatt of Howard County solar that this bill delays is a megawatt the

County and the broader grid do not have available while capacity prices are climbing toward their regulatory ceiling.

V. The Bill Restricts Howard County Property Owners' Right to Use Their Own Land

This bill does not just regulate an industry; it directly restricts what individual Howard County landowners may do with their own property, and it does so retroactively for people who have already committed to a course of action in reliance on existing law.

RECA itself recognizes that solar energy facilities sit on private land under agreements with private landowners. The statute's tax provisions, § 7-218(i), specifically contemplate a payment structure between the facility and "the local jurisdiction," implicitly recognizing that these are privately-owned parcels put to a state-authorized use, not public infrastructure sited by the government. Many of the fifteen pending Howard County projects referenced in Whereas Clause 11 are sited on land under lease or option agreements with private owners, including farm families who depend on that income to keep their land in agricultural use at all. A moratorium that stalls review of already-submitted plans holds those private contracts, and the income the landowner is counting on, in limbo for up to a year, through no act or omission of the landowner's own.

This concern connects directly to the seventh Whereas clause, which criticizes Howard County for continuing to allow solar projects on land enrolled in the Maryland Agricultural Land Preservation program and for not having designated Priority Preservation Areas under RECA. Even if the Council has real concerns about the volume of preserved farmland converted to solar, Bill 59-2026 is the wrong tool to address it. RECA already gives the County the specific, targeted authority to designate Priority Preservation Areas that cap the acreage available for solar within them, without touching a single non-agricultural parcel or a single project outside those areas. § 7-218(h)(4). If the Council's actual concern is agricultural land specifically, the direct fix is to use that existing authority, not to impose a blanket, county-wide hold that also freezes projects on land that has nothing to do with agricultural preservation. A moratorium this broad, in response to a concern this narrow, unnecessarily burdens landowners whose land was never at issue.

More broadly, a Howard County landowner who wishes to lease acreage for a compliant, 1.5-megawatt community solar project has a state-conferred right to do so under § 7-218, subject only

to the state's own siting and decommissioning standards. Bill 59-2026 would suspend that right for up to a year based on a report the Council has not yet seen and standards the Council has not yet written. I'd ask the County Attorney's Office to weigh in on whether a moratorium of this breadth and duration, applied to a use the General Assembly has affirmatively authorized on private land, raises regulatory-takings or equal-protection concerns under Article 24 of the Maryland Declaration of Rights, particularly for landowners who have already signed lease agreements or submitted applications in reliance on existing law.

VI. Whereas Clause 5 Misstates How RECA Facilities Are Actually Reviewed

The fifth Whereas clause asserts that Howard County's move away from the conditional use process lets sub-2-megawatt solar projects "proceed without public input, conditions, or evaluation similar to the PSC process." Both halves of that statement need correcting.

First, the County did not choose to abandon the conditional use process as a policy matter; RECA required it. Section 7-218(h)(1) flatly prohibits a local jurisdiction from denying a site development plan that meets the state's siting standards, and by its own terms this reaches the conditional use, special exception, and floating zone approvals the bill's own fourth Whereas clause references. The County's process changed because state law changed it, not because Howard County chose weaker review.

Second, the characterization that these projects proceed with no public input or conditions is not accurate. Section 7-218(d) requires notice to the residents and property owners within 1 mile of the proposed site, to the governing bodies of every county within 1 mile, and to every member of the General Assembly representing those areas, for every facility above 1 megawatt regardless of size. § 7-218(d)(1)-(5). Facilities sited in an overburdened or underserved community trigger a mandatory requirement for at least two public meetings to collect and address community feedback. § 7-218(e)(1)(2). Applicants must submit a viewshed analysis for effects on historic sites, parks, and preservation areas. § 7-218(f)(1)(vi)(2)(B). And every facility, regardless of size, is subject to the full siting, landscaping, and decommissioning package in § 7-218(f) and (g), verified by the County itself for sub-2-megawatt projects. § 7-218(e)(1). That is public notice, a public feedback process, and a defined evaluation standard: not the absence of any of the three.

VII. Whereas Clauses 6 and 8: The Decommissioning and PFAS Concerns Are Already Being Addressed, and the Underlying Fear Is Not What the Research Shows

The eighth Whereas clause raises unaddressed concerns about impacts on agricultural soils, decommissioning, and PFAS in solar panel materials. Some of these concerns already have statutory answers: § 7-218(f)(5) restricts topsoil removal and mandates native or non-invasive vegetative protection with a 90% survival threshold, and § 7-218(g) requires a decommissioning agreement and a surety bond of up to 125% of estimated decommissioning cost.

On PFAS specifically, the current peer-reviewed research does not support the premise that solar installations pose a meaningful contamination risk. A 2026 perspective article by researchers at Michigan State University and Oak Ridge National Laboratory, published in *MRS Energy & Sustainability*, reviewed the existing literature and found that while fluoropolymers, a specific and generally stable subset of the broader PFAS chemical family, may be used in a few limited panel components such as backsheets, coatings, or wire insulation, there is no confirmed evidence of PFAS leaching from commercially deployed solar modules. The researchers specifically caution against conflating these stable fluoropolymers with the more mobile, higher-toxicity PFAS compounds, such as PFOA, that drive most public health concern about "forever chemicals," and note that some manufacturers have already moved to PFAS-free panel designs. The premise behind the eighth Whereas clause, that solar panel materials pose an unaddressed contamination risk, is not what the current science shows.

To the extent open questions remain, they are squarely within the scope of the standard siting and design requirements the Power Plant Research Program was directed to develop under § 7-207.4(b), which PPRP submitted to the Commission on July 1, 2026, per Whereas Clause 6, and which the Commission must adopt as binding regulations by July 1, 2027. That is the process the General Assembly built to resolve exactly these questions, with public comment built in at both stages. § 7-207.4(b)(1), (c)(3). A county-level moratorium doesn't add anything to that process; it only stops permitting in Howard County while the state process runs on its own track.

VIII. Whereas Clause 9 Overlooks an Existing, and Recently Strengthened, Anti-Aggregation Rule

The ninth Whereas clause states that HB1036 does not prohibit a large solar project from being divided into multiple sub-2-megawatt projects on the same or adjacent parcels to avoid PSC review. That concern is already addressed by a separate anti-aggregation rule that predates RECA and was strengthened this year.

Section 7-306.2 of the Public Utilities Article, as amended by HB 908 (2023 Session) in establishing the permanent Community Solar Energy Generating Systems Program, and implemented at COMAR 20.62.03.08, caps the combined capacity of community solar energy generating systems on the same or adjacent parcel, with a narrow regulatory exception allowing up to 10 megawatts for projects that are majority LMI-serving or structured as agrivoltaics. This is exactly the anti-splitting mechanism the ninth Whereas clause says doesn't exist: a developer cannot subdivide a parcel and site several sub-2-megawatt community solar systems side by side to dodge a review threshold, because the co-location rule caps the combined capacity on adjacent land regardless of how the parcels are divided.

This year, the General Assembly revisited that cap directly. HB 1532 (2026 Regular Session, the Utility RELIEF (Reducing Energy Load Inflation for Everyday Families) Act) raised the cumulative capacity allowed on adjacent parcels to 20 megawatts, giving legitimate developers who inadvertently ended up siting adjacent projects some relief while keeping a firm ceiling in place. The premise of Whereas Clause 9, that nothing stops a developer from carving a large project into smaller pieces to avoid review, does not hold for community solar projects, which make up the bulk of the sub-2-megawatt projects the bill's own Whereas Clause 11 is concerned about. To the extent the Council believes a gap remains for non-community-solar, wholesale-market projects specifically, that is a narrower and more precise question than the blanket, county-wide moratorium Bill 59-2026 proposes.

IX. Additional Concerns

1. Legal exposure from pending applications. Section 5(F) of the bill suspends deadlines for the fifteen pending applications referenced in Whereas Clause 11 rather than exempting them outright. Applicants who have invested in site plans, engineering, interconnection studies, or land agreements in reliance on the County's existing process may have vested rights that a moratorium cannot simply suspend, increasing the County's litigation exposure.

2. Disruption to project financing. Developers depend on predictable permitting timelines to secure financing and hold interconnection queue positions. A one-year hold can cause financing commitments to lapse or queue positions to be lost in ways that outlast the stated Effective Period.

3. Selective treatment of one land use. Bill 59-2026 singles out solar facilities for a blanket hold while every other land use continues through the County's ordinary permitted-use and conditional-use processes. I'd ask the County Attorney's Office to review whether singling out one use category this way, absent a health, safety, or infrastructure emergency specific to solar, raises equal-protection or special-legislation concerns.

Conclusion

For these reasons, I respectfully ask the Council to reject Council Bill 59-2026. The bill conflicts with the plain language of Section 7-218 of the Public Utilities Article, rests on several mischaracterizations of what RECA actually requires and already provides for, restricts Howard County landowners' ability to use land the General Assembly has authorized for this purpose, and pauses solar development at the exact moment the state's own capacity market says Maryland can least afford it.

Sincerely,

Natalie Anne Young

Resident, Howard County Council District 4

Outlook

CB59-2026

From chellerg@verizon.net <chellerg@verizon.net>
Date Fri 10/2/2026 12:43 PM
To CouncilMail <CouncilMail@howardcountymd.gov>

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Dear HC Council Members,

I'm writing to ask for your support in opposing the referenced bill. Given the record breaking heat we've experienced locally this summer, and the heat, storms, floods, droughts, and fires occurring globally, we need to do all we can to address the crisis. And, solar energy is one of the key means of doing so.

Also, our count's residents and businesses are receiving higher utility bills because of rising prices for fossil fuels. Even a temporary pause of solar development under CB59 would likely make energy more expensive for all consumers. Our County Executive, Calvin Ball, has executed landmark solar-power purchase agreements that would save taxpayers $100 million in energy costs over the next 20 years.

Delaying community solar projects would likely kill their construction due to time limits imposed for federal investment tax credits. In addition to failing to reduce our climate goals, it would also prevent the opportunity for your constituents in the Low-to- Moderate income range to access the cost savings which would be offered with discounted community solar subscriptions.

With respect, I ask you to consider these facts, and vote to oppose CB59.

Rochelle Ginsburg,
Oakland Mills, Columbia, MD

Sent from AOL Mobile Mail

Outlook

CB59-2026 Testimony from Soltage, LLC

From Stephanie Sienkowski <ssienkowski@soltage.com>
Date Fri 10/2/2026 12:25 PM
To CouncilMail <CouncilMail@howardcountymd.gov>

1 attachment (211 KB)
Howard County CB59-2026 Testimony.pdf;

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Good Afternoon Councilmembers,

Please find attached Soltage, LLC's testimony in opposition of CB59-2026. Please let me know if there are any questions.

Sincerely,
Stephanie

Stephanie Sienkowski *She/Her/Hers*
Vice President - Development
333 Washington Street, Suite 401, Jersey City, NJ 07302
P: (201) 499-3514 **M:** (610) 405-5580
E: ssienkowski@soltage.com **W:** www.soltage.com

Soltage RENEWABLE ENERGY PROVIDER

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Soltage
RENEWABLE ENERGY PROVIDER

October 2, 2026

Written Testimony regarding **CB59-2026**

Prepared For:
Howard County Council
George Howard Building
3430 Court House Drive
Ellicott City, MD 21043
Submitted via Email to councilmail@howardcountymd.gov

Submitted By:
Stephanie Sienkowski
VP, Development
Soltage LLC
333 Washington Street, Suite 401
Jersey City, NJ 07302
ssienkowski@soltage.com

This testimony is respectfully submitted by Soltage, LLC ("Soltage, LLC") in opposition to CB59-2026 (the "Bill") regarding a temporary hold on Solar Collector Facilities. Soltage was formed in 2006 and had its first solar project commence operations in 2008. Since then, Soltage has developed, financed, constructed and operated over 100 solar projects in the US, the vast majority substantially similar in size and characteristics to the 1MWac+ projects that the Bill would prohibit. This Bill is in direct contradiction to Howard County's General Plan, HoCo By Design, approved in October 2023 (the "County's Plan"), which specifically calls for support of "new investment and job creation in emerging markets, especially those that reveal new opportunities for renewable energy and green technologies, including but not limited to solar arrays and canopies." Placing a 1-year ban on permitting solar projects would stifle the local job opportunities in solar energy construction, landscaping and maintenance that Howard County is looking to create.

The County's Plan discusses the importance of mitigating GHG emissions and taking action to help meet the State of Maryland's climate goal of having 50% of the energy generated or sold in Maryland be from renewable sources, including 14.5% from solar by 2030. Commercial-scale solar projects take multiple years to develop, permit and construct. To meet these near-term targets, the county cannot afford to delay solar projects for one year. The County's Plan discusses

Soltage
RENEWABLE ENERGY PROVIDER

reducing the use of fossil fuels through switching to renewable energy, citing Smart Growth policies that promote renewable energy making it easier to include solar and other on-site local renewable energy generation. CB59-2026 will simply stop solar development for projects over 1MW during the moratorium period. The Bill would also conflict with the Renewable Energy Certainty Act ("RECA"), which applies to solar projects over 1MW and requires the County to process site development plan applications for qualifying projects of up to 5MWac as a permitted use, subject to applicable review standards.

Solar energy technology is not new and solar projects are not new to Howard County. Since 2016, the Agricultural Land Preservation Program ("ALPP") has had a clear policy regarding siting commercial solar facilities on land encumbered with a Howard County ALPP easement. This policy, which is separate from RECA, allows for solar on ALPP land. Questions about administering or amending ALPP easements are distinct from the County's obligations under RECA when processing qualifying solar applications. Therefore, there is no need to pause all commercial solar projects to re-evaluate policies that are already functioning and reasonable.

More broadly, BGE's residential rates have increased by approximately 33% over the last 5 years. Solar projects can help reduce rate increases by paying for upgrades to local electric infrastructure and by keeping energy generation local, which can reduce the need for transmission upgrades. Howard County would be doing a disservice to the community by pausing solar projects that could save community members money on their electric bills. While Soltage cannot know the specifics of each solar project being developed in Howard County, it is likely that many of them are planning to participate in the Maryland Community Solar program. We trust that the Council is aware that this program requires the project to serve at least 40% of its kilowatt-hour output to low and moderate income ("LMI") utility customers. A pause in solar development will result in less capacity (and therefore less electric bill savings) available to such LMI utility customers.

Solar developers such as Soltage, LLC are eager to work alongside Howard County to develop quality solar projects, meeting the requirements that the County already has in place in addition to RECA's requirements. We do, however, need certainty that projects will not be halted mid-development, increasing project budgets and delaying project schedules, and CB59-2026 puts that in doubt. We ask you to please oppose CB59-2026, and to keep Howard County at the forefront of climate action and sustainable development in Maryland.

Respectfully Submitted,

Stephanie Sienkowski

Soltage, LLC

Outlook

CB59-2026

From Marlene Durholz <mdurholz@gmail.com>
Date Sat 10/3/2026 8:59 PM
To CouncilMail <CouncilMail@howardcountymd.gov>

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I am writing to voice my opposition to CB59-2026 Solar Collector Facilities - Temporary Hold. A temporary hold on solar collector facilities projects could potentially end the projects as the federal tax credits are ending. Projects that commence after July 4, 2026 must be placed in service by December 31, 2027 to access investment tax credits. It would be better to implement regulation to address concerns regarding the projects. Solar is important to farmers as a revenue source and important to Howard County's Climate Forward Action Plan.

Marlene Durholz
6329 Hanover Crossing Way
Hanover, MD 21076
Howard County resident, District 1

Outlook

Please drop CB59

From Wendy Hall <wlfh18@yahoo.com>
Date Sat 10/3/2026 11:24 AM
To CouncilMail <CouncilMail@howardcountymd.gov>

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Dear Council Members,

As a resident of Howard County, I'm delighted by our leadership in sustainability. Just 2 days ago our Office of Community Sustainability won the statewide Climate Champion Award from the Maryland League of Conservation Voters for our outstanding leadership in advancing clean energy.

Sadly, Council Member Yungmann's bill, CB59, would prevent our continuing progress in making our energy programs cleaner and greener. Even with the amendment to drop the moratorium, the bill is still unacceptable.

We as a county have established ambitious carbon goals; this bill would harm our ability to meet them.

Thank you,

Dr. Wendy Hall, DVM, PhD
9100 Bellwart Way
Columbia
Yahoo Mail: Search, Organize, Conquer

Outlook

Solar

From Ann Moxley <oliver13205@gmail.com>
Date Sun 10/4/2026 7:29 PM
To CouncilMail <CouncilMail@howardcountymd.gov>

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This family is 100% against any more solar out in the Western end. This is not farming. It's a complete ruse. This is absolute destruction farmland that was supposed to remain farmland forever. Once the solar panels go in, that land is good for nothing. It's a crime.

It said that animals can be grazed under these panels. Anyone ever come out here and see how many animals are grazing under these panels?? Check it out. Do your due diligence.

Why aren't these panels going on buildings and parking lots/garages ? A politician told me because it was too expensive. So the land is cheap. Take it away. Ruin it. Do you know what made Western Howard County so beautiful? Not black panels.

Politicians paid, promises made, farmland lost. Shameful.

-Ann Moxley

Sent from my iPhone

Outlook

Testimony: CB59-2026 - Solar Collector Facilities- Temporary Hold- OPPOSE

From Betsy Singer <betsysing@gmail.com>
Date Sun 10/4/2026 11:30 PM
To CouncilMail <CouncilMail@howardcountymd.gov>

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I am writing in opposition to CB59, even if amendment 1 passes. The Renewable Energy Certainty Act (RECA) HB1036, passed in 2025, expressly prohibits this type of moratorium.
The transition from fossil fuels to solar energy is an urgent priority in Howard County and in the state of Maryland. Howard County residents and businesses are already paying more for utilities because of rising fossil-fuel prices. Stalling clean energy deployment creates more uncertainty and deprsses private investment in solar. Solar energy is one of the key solutions to the climate crisis playing out across the globe. Solar is substantially cleaner and cheaper than conventional fossil fuels or nuclear electricity and the quickest to deploy. Adding solar electricity to the grid quickly will buffer residents and businesses against the volatility of rising fossil fuel costs.
If farming integrity is an issue, solar can help farmers continue farming, especially during this time of major economic stress on the agricultural community.

CB59-2026 is an effort to interfere with the ongoing actions of our community to meet the urgent need to transition from fossil fuels to a clean and renewable source of energy. Our future depends on this transition and I urge you to vote NO.
--
Betsy Singer
6180 Devon Dr.
Columbia, MD 21044
443-812-2525

Outlook

Please support David Yungmann's bill related to Solar Panels on farms in Howard county

From David Levenstein <applehollowsheep@yahoo.com>
Date Sun 10/4/2026 7:59 PM
To CouncilMail <CouncilMail@howardcountymd.gov>

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My wife and I are residents of Western Howard County. We live on Woodbine Road and are concerned about the very limited public involvement and community input on solar farm projects. The community has also not been allowed to learn about Environmental Impacts of industrial solar projects - Or at least the one proposed for the farm across the road from my home.

Currently there are times when heavy rain will cause large quantities of water to come through drainage pipes under Woodbine Road and flood part of my property. (During winter storms Woodbine Road experiences flooding and icing when snow melts.). Large solar panels are likely to impact runoff and cause greater potential for flooding on my property and on Woodbine Road.
This flooding causes gully erosion at the rear of my property - causing increased sedimentation in a stream that starts on our property.

Thank you for supporting Mr. Yungmann's bill.

David and Robin Levenstein
3119 Woodbine Rd
Woodbine MD 22797
(301) 854-6266

Sent from my iPhone

Outlook

Solar

From Diane Iannarino <diannarino@gmail.com>
Date Sun 10/4/2026 8:48 PM
To CouncilMail <CouncilMail@howardcountymd.gov>

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I am strongly against moving ahead with solar panels at this time on Shepherds Lane and Howard County. I feel like this bill needs to be delayed until further information can be obtained. The surrounding houses have not had enough time to voice their opinions.
Diane Iannarino

Sent from my iPhone

Outlook

Solar Panels in Howard County

From Douglas Iannarino <djiannarino@gmail.com>
Date Sun 10/4/2026 9:04 PM
To CouncilMail <CouncilMail@howardcountymd.gov>

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I am a 40 year resident of Howard County and I believe the expansion of solar panels for our county is wrong. The false hope of solar energy on farm land being good use of our properties will be the long term ruination of God given gifts. Yields of crops are minimal for the land and there are much greater efficient resources such as nuclear that will better serve us in the long run without destroying the beauty and natural resources we have.
Please do not be short sited with these policies. Our county is also consciously deciding to ignore the state mandates and recommendations on solar policy which makes no sense.
Concerned citizen,
Doug Iannarino
Sent from my iPad

Outlook

Solar moratorium

From Emery McRill <ebmcrill@gmail.com>
Date Sun 10/4/2026 8:32 PM
To CouncilMail <CouncilMail@howardcountymd.gov>

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Hi-
I'm a resident of western Howard County.
I support a temporary moratorium for the commercial solar projects proposed in the County. A moratorium would allow the County time to develop regulations regarding requirements under the state law for site development, boundary requirements and ongoing maintenance responsibilities, among other important aspects of the state law that warrant more detail.
Sincerely,

Sent from my iPhone

Emery McRill
(M) 410.336.0766

Outlook

Bill proposal

From julie curbeam <crownjules7@gmail.com>
Date Sun 10/4/2026 7:46 PM
To CouncilMail <CouncilMail@howardcountymd.gov>

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I'm a resident of Woodbine. I support the idea of a bill that allows for more public input and other measures to be considered in the approval process of commercial solar projects/installations in western Howard County.
Sent from my iPhone

Outlook

I oppose CB59

From Melissa Huselton <msfennell@gmail.com>
Date Sun 10/4/2026 9:05 PM
To Jung, Debra <djung@howardcountymd.gov>
Cc CouncilMail <CouncilMail@howardcountymd.gov>

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Councilwoman Jung,

I recently learned that the council is considering a bill (CB59) that would slow down the development of solar energy projects in Howard County. I am strongly opposed to this bill. Our county is a leader in clean energy development, and we can't slow down, particularly as the federal government reverses clean energy progress. Howard County committed to reducing greenhouse gas emissions by 60% by 2030 and net zero by 2045. Replacing fossil fuel energy with solar energy whenever possible supports this overarching goal, and we've made progress by attaining 180MW of solar energy (we're at 41% of the 437MW by year 2030 goal), but there's still so much more to be done.
I urge you to reject CB59, even with Amendment 1! Even without a moratorium, this bill is still intended to hamper solar energy progress.

Sincerely,
Melissa Huselton
10344 College Sq
Columbia, MD 21044

Outlook

Solar panels

From Tricia Chancellor <tchancellor0430@gmail.com>
Date Sun 10/4/2026 8:42 PM
To CouncilMail <CouncilMail@howardcountymd.gov>

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Good Evening,

I am emailing to voice my concern about solar panels taking over our beautiful farms in west Howard County. Aside from the obvious fact that they are heinous, solar panel farms are destructive to the land and families they surround.

Howard County is made up of many microclimates. Large dark panel surfaces absorb and radiate heat which can alter local temperatures. Solar panels only work when the sun shines. Therefore their reliability is dependent on the weather. Solar power output is adversely impacted by clouds, pollen, snow and ice, and extreme heat reducing output by 25%.

The beautiful farms of west Howard County make this area of Maryland so special. We want to preserve the beauty of these farms and support the crops they produce. Solar panel farms are not only really ugly but they are a detriment to our communities.

This is why my husband and I support Ryan O'Connor and his support for Council Bill 59-2026.

Tricia Chancellor

Outlook

Vote yes for Council Bill 59-2026

From Anita Ligon <aeligon@icloud.com>
Date Mon 10/5/2026 1:24 AM
To CouncilMail <CouncilMail@howardcountymd.gov>

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Dear Council Members,
We urge you vote in favor of
Council Bill 59-2026, Councilman David Yungmann's bill. Our farmland in Howard County is a precious resource and should not be wasted and permanently destroyed for commercial industrial.
Respectfully,
Anita Ligon
Woodbine, MD
Sent from my iPhone

Outlook

Council Bill 59-2026

From Connie Casamento <chcasamento@yahoo.com>
Date Mon 10/5/2026 11:07 AM
To CouncilMail <CouncilMail@howardcountymd.gov>

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I agree with Ryan O'Connor regarding CB 59-2026. Howard County needs clear rules, real local review and a plan before more preserved farmland becomes industrial solar.

Please support CB 59-2026!

Thank you,

Connie Casamento
17740 Foxmoor Dr.
Woodbine, MD 21797

Sent from Yahoo Mail for iPhone

Outlook

Proposed 35-Acre Solar Installation at Richland Farm - Support CB59

From Joe Lazzari <lazzarij@gmail.com>
Date Mon 10/5/2026 7:40 AM
To CouncilMail <CouncilMail@howardcountymd.gov>

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Good Morning Howard County Council,

I am writing today to express my family's position on the proposed large solar installation at Richland Farm. While we are very sensitive to the financial challenges of running a farm and very supportive of owner's land rights, the installation of large solar farm effects the surrounding land owners and the larger community.

1. Destruction of contiguous natural environments and wildlife corridors - Wildlife doesn't reside only on Richland Farm, them move across 100s of acres to and from the installation property and installing permanent electrical infrastructure, like a solar farm, will reduces the space for the wildlife and "crams them" into the surrounding properties.

2. Destruction of the established viewshed - These panels, especially because of the height, will be seen for miles.

Respectfully, this installation only makes sense because of the convoluted commercial tax incentives that do not benefit the local residents.

We need to stop turning "green land" into renewable energy...Howard county has plenty of already installed hardscape (existing roofs) that can support the installation of solar panels. Destroying our beautiful landscape instead of utilizing the existing hardscape, doesn't make sense financially or aesthetically.

Regards,
Joe Lazzari

Outlook

CB-59-2026 (Amended)- Testimony

From John Miller <johnlennonmiller@gmail.com>
Date Mon 10/5/2026 1:07 PM
To CouncilMail <CouncilMail@howardcountymd.gov>

1 attachment (164 KB)
CB59-2026 (Amended)- Against- John Lennon Miller Written Testimony.pdf;

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Hello,

Attached please find my written testimony to the amended version of CB-59-2026.

Thank you,

--

John Lennon Miller

WRITTEN COMMENTS ON COUNCIL BILL 59-2026 (AS AMENDED)

"Solar Collector Facilities - Conditional Use Required on Agricultural Land"

Submitted by: John Lennon Miller, Resident, Howard County Council District 5

To the Chairman and Members of the Howard County Council:

I am writing as an individual resident of District 5 about Council Bill 59-2026, as amended. I appreciate that the amendments removed the one-year hold on solar permitting that appeared in the original bill. That was a meaningful change, and I thank the sponsor and the Council for it.

I am writing because the amended bill still rests on Whereas clauses that, in my reading, misstate or misinterpret the Renewable Energy Certainty Act (RECA, HB 1036 of 2025). My central request is simple: please do not rush this bill. Take the time to verify the facts, and then either correct the legislation so that it is accurate or set it aside. I would be glad to help with that work.

SUMMARY

1. The factual record in the bill needs work. Of the thirteen Whereas clauses, I believe ten contain statements that are inaccurate, unsupported, or that conflate separate provisions of law. Part I responds to each clause in order.

2. New Section 1 pairs a premise I agree with and a remedy that does not follow from it. I agree that RECA does not override an executed Agricultural Land Preservation Program (ALPP) easement. But Section 1 does not exercise easement rights. It adds a zoning process, conditional use, for solar on ALPP land. Section 7-218(h) of the Public Utilities Article says a local jurisdiction may not deny a compliant site development plan and, for facilities up to 5 megawatts, must process the application as a permitted use. I ask the Office of Law to confirm in writing whether Section 1 can be applied to facilities over 1 megawatt consistent with that text. The County already has its easement terms and Agricultural Preservation Board (APB) review available to it, and has been using this review process since before RECA..

3. The bill legislates first and asks the legal questions second. Section 2 now adds the Attorney General and the Office of Law to its public meeting, which suggests the drafters see the legal

questions as open. Yet Section 1 would take effect before those questions are answered, and Section 2 shortens the report and presentation timelines and requires that legislation be introduced regardless of what the report finds.

4. The Department of Planning and Zoning (DPZ) already understands and has implemented RECA. DPZ issued a policy memorandum in July 2025, maintains a dedicated RECA webpage, requires an eligibility checklist with the first plan application, and publishes a map of commercial solar facilities current as of June 1, 2026.

5. State law should prevail. Section 3.F states that the Act prevails over other applicable law in a conflict. That should be reversed.

I recommend that the Council pause, verify the statements in the bill against the statute and DPZ's published guidance, and then correct or set aside the bill. Part III sets out specific next steps and my offer to assist.

PART I: RESPONSE TO THE WHEREAS CLAUSES

The clauses are numbered in the order they appear in the amended draft. The new property-rights clause is Clause 12.

Whereas Clause 1 *(the County has permitted solar for over a decade and has maintained authority over these projects)*

This is accurate as history, and I have no objection to it. It also shows that the County has long administered solar approvals, including the ALPP review process discussed under Clause 7.

Whereas Clause 2 *(HB 1036 "preempted" some of the County's authority)*

I respectfully disagree with describing RECA as having "preempted" County authority. In Maryland, the State grants and delegates planning, zoning, and permitting authority to counties and municipalities. When the General Assembly sets statewide standards for how that delegated authority is used for a category of facility, it is refining its own delegation, not displacing an independent County power. The framing matters because it colors the rest of the bill, and the bill's

title carries the same premise ("what County authority is preempted in HB1036"). I ask the Office of Law to confirm whether that characterization is accurate before it becomes a Council finding.

Whereas Clause 3 *(HB 1036 requires projects over 2 megawatts to be processed through the PSC)*

HB 1036 is not what required this. For many years, generating stations greater than 2 megawatts have been subject to a State-level Certificate of Public Convenience and Necessity (CPCN) rather than local zoning. HB 1036 did not set that up. Attributing it to RECA misstates what the law changed.

Whereas Clause 4 *(HB 1036 appears to prohibit conditional use for projects of 1 megawatt or more, but sets no comparable standards for projects between 1 and 2 megawatts)*

This is wholly untrue. Section 7-218 applies the same siting, design, and decommissioning requirements to every solar energy generating station of more than 1 megawatt (AC). Md. Code Ann., Pub. Util. § 7-218(b)(1), (f), (g). The difference between the 1 to 2 megawatt range and projects above 2 megawatts is who confirms compliance: the Public Service Commission above 2 megawatts, and the local jurisdiction at or below 2 megawatts. § 7-218(c), (d)(2), (e)(1). The only size-based distinction within RECA that I am aware of concerns the siting of projects larger than 5 megawatts on land in certain priority growth areas, which has no bearing on the 1 to 2 megawatt range.

The clause also says RECA "appears to" prohibit conditional use requirements. The statute is more direct. A local jurisdiction may not "deny site development plans for solar energy generating stations that meet the requirements of subsection (f)," and for facilities of not more than 5 megawatts it must "process the site development plan application as a permitted use subject to the review standards in § 4-205 of the Land Use Article." § 7-218(h)(1)(ii), (h)(2)(ii).

Whereas Clause 5 *(the County abandoned conditional use, so projects under 2 megawatts proceed without public input, conditions, or evaluation)*

This is also untrue. First, the conditions and evaluations are the same for all projects over 1 megawatt. Above 2 megawatts the State confirms compliance, and between 1 and 2 megawatts the County confirms compliance. Second, RECA includes public notice and meeting requirements and

does not preclude public input. Projects sited in overburdened or underserved communities require at least two public meetings, § 7-218(e). DPZ has gone further in practice, issuing guidance that community meetings be held in a publicly accessible venue near the site, offer a virtual attendance option, and be recorded and posted for at least 21 days. The move away from conditional use for these projects was not an "abandonment." It follows from § 7-218(h).

Whereas Clause 6 *(the PPRP report and the PSC regulations expected by July 1, 2027)*

This clause mistakenly blends two separate items in HB 1036. The first is the Distributed Generation CPCN (DG-CPCN), a process for certain projects between 2 and 5 megawatts, which is the context for the Power Plant Research Program report and the resulting Commission regulations. The second is standardized decommissioning, which is the subject of a separate, active proceeding before the Commission (Case No. 9873). Describing them together suggests the County is waiting on a State process before it can act on projects in the 1 to 2 megawatt range. It is not. The standards in § 7-218 are in effect now, and DPZ is applying them.

Whereas Clause 7 *(HB 1036 prohibits solar on preserved agricultural land and allows Priority Preservation Areas; Howard County is an outlier)*

This is not accurate. HB 1036 does not explicitly prohibit solar energy facilities on land encumbered by agricultural preservation easements, and the clause cites no provision that does. HB 1036 also is not what "allowed" local jurisdictions to identify Priority Preservation Areas. That has been a process in Maryland for many years. The clause's further assertions, that Howard County is the only county in Maryland to allow solar on preserved parcels and one of only four counties without Priority Preservation Areas, are not sourced, and I ask that they be verified before they are adopted as findings.

More fundamentally, Howard County's own authorization of limited commercial solar on ALPP land long predates RECA. Council Bill 59-16 (2016) allowed commercial solar facilities on ALPP properties, subject to the criteria in Section 131.N.52 of the Zoning Regulations and APB advisory review. Those criteria include an owner-operator requirement, acreage limits tied to the size of the parcel, and a requirement for an accompanying agricultural or habitat use. That framework is a County decision, not a product of RECA.

Whereas Clause 8 *(public concern about agricultural soils, decommissioning, and PFAS has not been addressed)*

This is conjecture and is not grounded in science or fact. The bill cites no study, record, or data. On PFAS, the available peer-reviewed literature does not support the concern. A 2026 perspective article by researchers at Michigan State University and Oak Ridge National Laboratory, published in *MRS Energy & Sustainability*, found that fluoropolymers, a stable subset of the broader PFAS family, may be used in a few limited module components, but identified no confirmed evidence of PFAS leaching from commercially deployed solar modules. RECA also speaks directly to the other concerns. Section 7-218(f) restricts topsoil removal and requires vegetative cover maintained to a 90 percent survival threshold, and § 7-218(g) requires a decommissioning agreement and surety.

Whereas Clause 9 *(HB 1036 does not prevent dividing a large project into multiple projects under 2 megawatts)*

This is true as far as it goes, but a separate law deals with it. For community solar, Section 7-306.2 of the Public Utilities Article, as amended by HB 908 (2023) and implemented at COMAR 20.62.03.08, limits the combined capacity of co-located systems on the same or adjacent parcels. The 2026 Utility RELIEF Act (HB 1532) addressed the adjacent-parcel cap again this year, setting it at 20 megawatts cumulative. The concern is already covered by existing law and does not support action in this bill.

Whereas Clause 10 *(legislators and MACo are working on changes to HB 1036 for the 2027 session)*

I am not aware of any pre-filed legislation to change HB 1036. A finding that rests on anticipated and unspecified legislation is speculation, and the Council should not make findings about what the General Assembly may do. If the concern is that State law may change, that is an argument for waiting, not for legislating now.

Whereas Clause 11 *(15 pending projects under 2 megawatts avoid PSC review and are approved without public process or standards)*

This misconstrues the facts. The same standards that HB 1036 provides for projects over 2 megawatts apply to projects between 1 and 2 megawatts, and the County confirms compliance with them. Please see my responses to Clauses 4 and 5.

Whereas Clause 12 *(new: HB 1036 does not appear to preempt the County from exercising its property rights regarding land encumbered with ALPP easements)*

I agree with this clause to the extent it says RECA does not displace the County's rights under an executed ALPP easement. That is consistent with what I told the Council at the public hearing: RECA does not supersede an executed easement contract. The clause speaks of property rights, however, and Section 1 does not exercise them. It imposes a conditional use process, which is a zoning mechanism. The County's rights as easement holder operate through the easement's terms and the ALPP program, including APB review under Section 15.503(h)(2)(i)(d) of the Howard County Code, and those remain fully available. The clause's own wording, "does not appear to," acknowledges that the question is not settled. A question of that kind should be answered by the Office of Law before it is written into a finding.

Whereas Clause 13 *(the Council needs additional time to evaluate the County's authority and what revisions are needed)*

I do not believe this is a factual statement. DPZ issued a policy memorandum on RECA in July 2025 and, in my view, fully understands the State law. DPZ maintains a dedicated RECA webpage, requires an eligibility checklist with the first plan application, offers an expedited processing track for commercial solar facilities, and publishes a map of commercial solar facilities as of June 1, 2026. DPZ's Agricultural Land Preservation page also states how ALPP-encumbered properties are handled: commercial solar facilities are permitted on those easements in accordance with RECA and go to the APB for advisory comments. That is the record of a department that has already interpreted RECA and built a process around it.

PART II: THE OPERATIVE SECTIONS

Section 1 (conditional use required on ALPP land)

Section 1 provides that, "in exercising its property rights regarding land encumbered with an [ALPP] easement," the County shall require any solar energy facility on such land to go through the existing conditional use process for Solar Collector Facility, Commercial Ground-Mount. I raise four points.

First, the statute says a local jurisdiction may not deny a compliant site development plan and, for facilities of not more than 5 megawatts, must process the application as a permitted use. § 7-218(h). A conditional use is a discretionary approval, not a permitted use. I ask the Office of Law to confirm in writing whether Section 1 can be applied to facilities over 1 megawatt consistent with that text.

Second, the County's easement rights and the APB's advisory review already exist and are already in use. If the concern is the protection of preserved farmland, those tools address it directly, and they do not depend on a zoning process that RECA speaks to.

Third, Section 1 would revive the pre-RECA conditional use criteria, which appear to include an owner-operator requirement and acreage limits. Whether those criteria can be applied to facilities that RECA subjects to uniform State standards is a legal question that should be answered before enactment.

Fourth, Section 1 applies to "any solar energy facility," and Section 3.D defines that term to include four separate land uses, including accessory ground-mount systems, while Section 3.C, carried over from the original hold, exempts projects under 1 megawatt. The interaction of these provisions should be clarified.

Section 2 (public meeting, report, and legislation)

Adding the Attorney General and the Office of Law to the Section 2 meeting is a sound instinct, and it confirms that the legal questions are open. The sequence is backwards, though. If the Council wants the Attorney General's reading of RECA, a written opinion obtained through the appropriate

channel would be more reliable than a representative at a public meeting, and the Council should have that answer before legislating, not after.

The amended timelines also work against careful review. The report is now due 30 days after the meeting, down from 120 days after enactment, and it must cover five detailed subjects. The presentation to the Council is due 10 days after the report, down from 60. Section 2(iii) then requires that legislation be introduced "to consider such recommendations." I ask whether an Act can require the introduction of future legislation, and what that legislation would address if, as appears to be the case, the County is already in compliance with HB 1036.

Section 3 (short title, purpose, and conflict with existing law)

Section 3.A still names the measure the "Temporary Solar Facility Hold" Act, although the hold has been removed and the bill's short title now refers to conditional use on agricultural land. Section 3.B (purpose) and Section 3.C (applicability) also carry over language from the original hold. These leftovers are a sign the bill is being revised faster than it can be reviewed.

Section 3.F provides that, in a conflict between the Act and other applicable law, "this Act shall prevail." State law should supersede this law, not the other way around. A County act cannot override a State statute, and the provision should say that State law prevails. I ask the Office of Law to confirm.

PART III: BROADER CONTEXT AND RECOMMENDATION

Why accuracy matters now

Maryland's electricity position makes careful, accurate lawmaking on solar especially important. PJM's capacity auction for the 2026/2027 delivery year cleared at $329.17 per megawatt-day, the auction's price cap, up 22 percent from $269.92 for 2025/2026, which was itself nearly ten times the $28.92 cleared for 2024/2025. Maryland's BGE zone cleared at $466.35 per megawatt-day in the 2025/2026 auction. Maryland also imports roughly 40 percent of the electricity it consumes, and some recent estimates run closer to 46 percent. A measure that adds process to a use the General Assembly has authorized should rest on findings that are correct.

The same is true for landowners. Howard County families who want to use part of their land for solar, including preserved farms that have worked with the County's ALPP program for years, are entitled to a process built on accurate premises.

Recommendation

I respectfully recommend the following.

1. Pause the bill. Do not advance it until each Whereas clause has been checked against the statute and DPZ's published guidance.

2. Ask DPZ to brief the Council publicly on how it is implementing RECA today, including the July 2025 policy memorandum, the eligibility checklist, expedited processing, and the facility map.

3. Obtain the Office of Law's written views on three questions: whether "preempted" is an accurate description of RECA, whether Section 1 is consistent with § 7-218(h) for facilities over 1 megawatt, and the conflict provision in Section 3.F.

4. If concerns remain about solar on ALPP land specifically, address them in a targeted way using the easement terms and APB review, and, if the Council wishes, a narrowly drafted measure confirmed to be consistent with State law.

5. Correct or strike the inaccurate Whereas clauses, or set the bill aside.

An offer to help

As a District 5 resident, I would be happy to work with the Council. I can walk members and staff through the relevant provisions of RECA, provide clause-by-clause comments in whatever format is most useful, and meet at the Council's convenience. Getting this right is more important than getting it done quickly.

Respectfully submitted,

John Lennon Miller, Resident, Howard County Council District 5

Outlook

Opposition to CB59-2026 - Feighner

From Liz Feighner <liz.feighner@gmail.com>
Date Mon 10/5/2026 11:40 AM
To CouncilMail <CouncilMail@howardcountymd.gov>

1 attachment (258 KB)
CB59-2026-Testimony-Oppose - Feighner.pdf;

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Hello,

Please accept my testimony opposing CB59-2026.

Regards,

Liz Feighner

"Winning Slowly Is the Same as Losing" ~ Bill McKibben
"We do not inherit the Earth from our Ancestors; we borrow it from our children" ~ Native American Proverb

Testimony: CB59-2026 - Solar Collector Facilities - Temporary Hold
Hearing Date: Sept. 22, 2026
Bill Sponsor: Councilmember David Yungmann
Submitting: Liz Feighner, D3
Position: Unfavorable

I'm Liz Feighner, a 34-year resident of Laurel, District 3, and a member of HoCo Climate Action. I'm testifying as a concerned citizen and activist about the climate emergency. We see the climate crisis happening right before our eyes, and solar is one of the key answers in preventing the worst impacts of the climate crisis. **Therefore, I respectfully request that you vote unfavorably for CB59 with or without amendment 1**. This bill would essentially kill many solar projects in the works as a delay will threaten the viability of these projects whether or not the amendment passes.

Howard County released its Climate Action Plan in 2023, committing to reduce greenhouse gas emissions by 60% by 2030 and to achieve net zero by 2045. To date, we have achieved a 26% reduction in our community-wide greenhouse gas emissions, with the annual rate of these reductions increasing from 2.7% to 3.7%. To date we have installed 180MW of solar which is about 41% of our goal of **437MW of solar by 2030.** Any delays make these goals less attainable.

The Trump administration is working to block solar-energy deployment and other renewables and boost profits of oil and gas industry polluters. The Big Ugly Bill set strict deadlines for solar projects to qualify for federal investment tax credits, which can account for as much as 30-50% of project costs. The proposed delay due to CB59 would make those projects more expensive to build without the federal tax credits and more importantly, less likely to build at all.

Many projects have a **deadline to be operational by December 31, 2027 (only 15 months from now) and could lose out on 30 – 50% of the cost of the project.** Projects intended to benefit the low-to-middle income (LMI) households would lose out on 40 - 50% of the costs, practically killing the projects and causing LMI households to lose out on discounted electricity rates of 25% or more. At a time when many households are struggling, they would be denied this needed and

urgent relief because many in the county are only concerned about their own viewshed.

In addition, PJM's mismanagement, our regional grid manager, has created huge delays for renewable energy projects and we can't afford anymore unnecessary delays. Fortunately, Howard County had the foresight to enter into landmark solar-power purchase agreements in 2020 and in 2026 that will save county taxpayers more than $100 million in energy costs over the next two decades and combat rising energy costs.

Solar is substantially cleaner and cheaper than conventional fossil fuels or nuclear electricity and the quickest to deploy. Delaying solar development will be detrimental to our pocket books and to our fight preventing the worst impacts of the climate crisis. As Bill McKibben has said: Winning slowly is the same as losing. We must stick to our goals for the sake of ourselves, our children and grandchildren by accelerating key solutions, not unnecessarily delaying them.

During this time of incredible economic stress on the agriculture community, solar can help farmers continue farming. Agrivoltaics is a bonus, putting land under solar arrays to use for crops or grazing. 3000MW of solar on ag land affects less than 1.5% of all farmland in Maryland. In contrast, development has destroyed almost half of all farmland in Maryland over the past 50 years. Farms with consistent solar income are less likely to need to sell out to developers.

I respectfully request that you vote unfavorable for CB59 as it is not only an unwise bill but contrary to State law (HB1036). Section §7–218 - (h) states the local jurisdictions may not adopt laws or regulations that prohibit the construction or operation; or deny site development plans of solar energy generating stations that meet the state law's requirements.

Respectfully Submitted,

Liz Feighner

Outlook

HoCo Climate Action's Opposition Testimony for CB59-2026

From HoCo Climate Action <hococlimateaction@gmail.com>
Date Mon 10/5/2026 11:35 AM
To CouncilMail <CouncilMail@howardcountymd.gov>

1 attachment (179 KB)
CB59-2026-Testimony-HoCoCA.pdf;

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Dear Councilmembers,

Please accept the attached updated comments from HoCo Climate Action opposing CB59-2026.

Respectfully,

HoCo Climate Action

HoCoClimateAction.org
Howard County, Maryland

Testimony: CB59-2026 - Solar Collector Facilities - Temporary Hold
Hearing Date: Sept. 22, 2026
Bill Sponsor: Councilmember David Yungmann
Submitting: Liz Feighner, Ruth Alice White for Howard County Climate Action
Position: Unfavorable

Updated Testimony – Oct. 4, 2026

*We are writing to **oppose CB59 even if amendment 1 passes** as the proposed amendment does not change the detrimental effect this legislation will have on solar projects urgently needed in Howard County.*

***RECA was passed in 2025**, so Howard County has been operating under this law for over a year. If any supposedly issues exist with this law, then those should have been addressed during the 2026 Maryland legislative session. Any delays now will effectively kill many of the solar projects seeking to proceed and would likely make energy more expensive for Howard County consumers.*

*The Trump Administration passed the Big Ugly Bill and imposed strict deadlines for completing a solar project. If these deadlines are not met, then solar projects will lose the federal investment tax credits (ITC). **Many projects have a deadline to be operational by December 31, 2027 (only 15 months from now) and could lose out on 30 – 50% of the cost of the project. Projects intended to benefit the low-to-middle income (LMI) households would lose out on 40 - 50% of the costs, practically killing the projects and causing LMI households to lose out on discounted electricity rates of 25% or more.** At a time when many households are struggling, they would be denied this needed and urgent relief. (Details on the Big Ugly Bill's restrictions are at the end of this testimony.)*

While we applaud that the amendment removes the moratorium, unfortunately it specifies that any projects on ALPP easement properties must go through a conditional use process. Any proposal that imposes a conditional use process for ANY property is prohibited by state law. Passing this bill invites legal actions that would waste time and taxpayers funds to defend this bill which is quite clearly contrary to the Maryland code.

***We urge the council to reject CB59** if it requires a moratorium or imposes a conditional-use process that is quite clearly contrary to the Maryland code and costly to Howard County households.*

As long-time residents of Howard County, we are testifying for HoCo Climate Action, a 350.org local chapter and a grassroots organization representing approximately 1,400 subscribers. We are also a member of the Climate Justice Wing of the Maryland Legislative Coalition. The climate crisis is playing out before our eyes catastrophically across the globe, and solar is one of the key answers here. Therefore, we respectfully request that you vote unfavorably for CB59, an irresponsible bill.

Howard County released its Climate Action Plan in 2023, committing to reduce greenhouse gas emissions by 60% by 2030 and to achieve net zero by 2045. To date, we have achieved a 26% reduction in our community-wide greenhouse gas emissions, with the annual rate of these reductions increasing from 2.7% to 3.7%. To date we have installed 180MW of solar which is about 41% of our goal of 437MW of solar by 2030**.** Any delays make these goals less attainable.

The Trump administration is working to block solar-energy deployment and other renewables and boost profits of oil and gas industry polluters. The Big Ugly Bill set strict deadlines for solar projects to qualify for federal investment tax credits, which can account for as much as 30% of project costs. The proposed delay due to CB59 will jeopardize solar projects meeting these deadlines in order to qualify for the incentives. It would make those projects more expensive to build without the federal tax credits and more importantly, less likely to build at all. In addition, PJM's mismanagement, our regional grid manager, has created huge delays for renewable energy projects and we can't afford any more unnecessary delays. Fortunately, Howard County had the foresight to enter into landmark solar-power purchase agreements in 2020 and in 2026 that will save county taxpayers more than $100 million in energy costs over the next two decades and combat rising energy costs.

Solar is substantially cleaner and cheaper than conventional fossil fuels or nuclear electricity and the quickest to deploy. Delaying solar development will be detrimental to our pocket books and to our fight preventing the worst impacts of the climate crisis. As Bill McKibben has said: Winning slowly is the same as losing. We must stick to our goals for the sake of ourselves, our children and grandchildren by accelerating key solutions such as solar, not unnecessarily delaying them.

I respectfully request that you reject CB59 as it is not only an irresponsible bill but is contrary to state law **(HB1036)**. Section **§7–218** of the Public Utilities Article says explicitly that local jurisdictions may not adopt laws or regulations that prohibit the construction or operation, or deny site development plans, of solar energy generating stations that meet the state law's requirements and furthermore must expedite the review and approval of site development plans that meet those requirements.

Respectfully Submitted,

Howard County Climate Action
Submitted by Ruth Alice White, Liz Feighner,Steering and Advocacy Committee
www.HoCoClimateAction.org
HoCoClimateAction@gmail.com

Rules for federal investment tax credits (ITC):

Federal ITC ended Dec. 31, 2025 for residential solar due to the Big Ugly Bill but are still available for commercial solar. The Big Ugly Bill put more restrictions on commercial solar with shorter deadlines than the Inflation Reduction Act had instituted.

- If you “start construction” (physically or a putting down a “safe harbor” 5% deposit of final costs) by Dec. 31, 2025, you have 4 years to complete the project and fall under the old rules of the Inflation Reduction Act (IRA) for domestic content/foreign content – Prohibited Foreign Entity (PFE). Putting down a “safe harbor” deposit is for only systems less than 1.5 MW. If larger than 1.5 MW, then only physical work qualifies as starting construction.
- Projects that start construction after Dec. 31, 2025 but before July 4, 2026 still qualify under the old timeline of 4 years, but must meet the more restrictive PFE requirements to qualify.
- **Projects that commence after July 4, 2026 must be placed in service by December 31, 2027 to access investment tax credits.**

Here is some information provided by L4GG about all of this. Any delay for those projects that started after July 4 would probably kill the project due to the loss of fed tax credits as those could be as much as 30 - 50% of the cost of the system and harm the Low-to-Moderate community.

LMI households in our area would lose out on utility bill savings that come with discounted community-solar subscriptions which could be 25% or more. Any community solar farm that meets certain criteria for serving a LMI community are eligible for an additional 10 - 20% bonus on top of the federal ITC of 30%. Any delay in meeting strict deadlines will be costly to the LMI community if these projects are cancelled due the loss of the federal ITC which could be 50% of the total cost of the project.

Outlook

CB59

From Regina Schneider <rbs55@icloud.com>
Date Mon 10/5/2026 3:08 PM
To CouncilMail <CouncilMail@howardcountymd.gov>

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Dear Council members,

As a long-time resident of AE Mullinix Road in Western Howard County I greatly value the quickly disappearing rural character of the area and the Preserved Farms that make the area unique and beautiful.

A preserved farm borders my property. If an industrial solar project were to replace it my neighbors and I would all face a significant financial loss of property value and diminished quality of life as a result.

I urge you to pass CB59 and to take the necessary measures to protect the farms and agricultural use of the land that helps feed us and are essential to the character of our community.

Respectfully,
Regina Schneider

Sent from my iPhone

Outlook

OPPOSE CB59

From Steve Pantano <spantano28@gmail.com>
Date Mon 10/5/2026 8:56 AM
To CouncilMail <CouncilMail@howardcountymd.gov>

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Dear Members of the Howard County Council,

I am writing to urge you to vote NO on CB59-2026. Howard County has committed through its Climate Forward Action Plan to reach 437 MW of solar by 2030, yet we have installed only about 180 MW, roughly 41% of that goal. Meeting the target means bringing about 250 MW more online in the next four years, and that will not happen if we stop accepting and approving projects for up to a year. This is about more than climate goals. It is about what residents and businesses will pay for electricity over the next decade. Demand on our regional grid is rising, and large new generation faces years of delay in PJM's interconnection queue. Locally sited solar that connects at the distribution level is one of the few resources that can add supply quickly enough to protect Howard County residents from increasingly volatile fossil fuel prices. I am a community solar customer and enjoy monthly energy bill savings that would not be available were it not for large scale solar developments in and around Howard County. This bill would freeze similar community solar projects that make solar available to residents in apartments and rental properties, and serve low- and moderate-income subscribers at guaranteed savings. Delaying these projects shifts the cost of inaction onto the households least able to absorb higher bills.

I share the Council's interest in protecting preserved farmland and ensuring meaningful public input. But the review in Section 5 of this bill can and should proceed without a moratorium. Pausing development while the County studies its options puts at risk projects with federal tax credit deadlines and state program commitments, roughly $83 million in planned investment according to the County's own fiscal analysis, and the local jobs that come with them.

Rather than slowing down solar deployment and adding policy uncertainty to Howard County's clean energy future, the Council should be doing everything in its power to remove unnecessary delays and permitting barriers to solar and other clean energy technologies. We cannot afford not to.

Respectfully,
Stephen Pantano
District 4 resident

Outlook

Solar Panel Farm

From arodmike@aol.com <arodmike@aol.com>
Date Mon 10/5/2026 8:10 AM
To CouncilMail <CouncilMail@howardcountymd.gov>

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Hello,

This email is from Susan and Michael Scheffres owner of the 26.5 acre farm located at 4300 Heritage Hill Lane in Ellicott City. The Richland Farm (the proposed site for the solar panel installation) sits directly next to our farm where we currently have 12 thoroughbred race horses. We bought the farm in 2021 for the purposes of breeding, raising foals and recovery from injuries due to racing. The installation, noise, glare, water run off and visual presence can heavily disrupt equine environments. Putting this aside, our farm features beautiful views and it would be a shame to destroy the fabulous scenery due to a poor decision.

Thank you for reading,
Susan and Michael Scheffres
(Susan's cell phone 301 767 7141)

Outlook

please vote NO on CB59

From Jeff Soulen <soulen23@jeffsoulen.com>
Date Sat 10/24/2026 10:01 PM
To CouncilMail <CouncilMail@howardcountymd.gov>

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Dear HoCo Council members,

As a Howard County resident and your constituent, I am writing to urge you to vote NO on CB59-2026 at your meeting this week.

As you know, the Maryland Renewable Energy Certainty Act (HB1036) of 2025, henceforth “RECA," expressly prohibits the placement of a moratorium on solar projects of certain sizes.

Lynda Eisenberg, Director of the Howard County Department of Planning and Zoning, expressly stated in her letter of July 11, 2025 that "This new law does away with the conditional use process for smaller solar projects that are between 1 MW and 2MW as well as 5 MW with larger projects subject to the PSC CPCN process.”

So the moratorium proposed in CB59-2026 is literally illegal. And the proposed language in Amendment 1, substituting a requirement for Conditional Use process in place of the word moratorium, also fails to meet the legal requirement of RECA.

In addition to the legal issues, it is imperative that we as a society implement as much clean energy as we can, as quickly as we can, if our children’s children are to have a habitable planet. CB59 would slow down solar development, causing the following negative consequences:

- keeping our community dependent on fossil fuels for longer
- depress private investment in solar energy in MD
- inhibit the growth of Community Solar which benefits low to moderate income households
- leave farmers more vulnerable to needing to sell out to developers (because of losing the income stream of solar sited on their land)

- substantially increase the risk that projects commenced after 7/4/26 in anticipation of tax credits dependent on completion by the end of 2027 would become unworkable if they could not be completed by that time

For all of these reasons, I urge you to vote NO on CB59-2026.

Thank you,

Jeffrey Soulen'
2833 Montclair Dr.
Ellicott City, MD 21043

Outlook

Vote no on Council Bill 59-2026.

From Carl Latkin <clatkin2000@gmail.com>
Date Sat 10/24/2026 9:52 AM
To CouncilMail <CouncilMail@howardcountymd.gov>

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Dear Members of the Howard County Council,

I have been a Howard County resident for 30 years, and I respectfully urge you to vote no on Council Bill 59-2026. Whether framed as a temporary hold, a new review process, or additional requirements for solar projects on Agricultural Land Preservation Program easements, this bill would create uncertainty and delay for solar development at exactly the wrong time. The Council should not establish new procedures affecting projects already under review while it simultaneously seeks an opinion from the Maryland Attorney General on whether the County has legal authority to impose them under the Renewable Energy Certainty Act, HB 1036. State law expressly limits local jurisdictions from adopting laws or regulations that prohibit solar generating stations or deny qualifying site-development plans. Passing legally uncertain restrictions risks litigation at taxpayer expense and creates a harmful precedent for clean-energy development in Howard County and beyond.

Even a “temporary” delay can end projects permanently. Solar projects already face long interconnection delays through PJM, financing uncertainty, and strict federal tax-credit deadlines. A County-created delay could cause projects to lose federal investment tax credits, potentially 30 to 50 percent of project costs, making them financially infeasible. This is particularly concerning for community-solar projects, which can provide discounted electricity to low- and moderate-income households. Howard County cannot afford to make clean energy more difficult or more expensive when residents and businesses are already exposed to volatile fossil-fuel costs. Solar is among the fastest, cleanest, and most affordable resources available to strengthen local energy resilience and reduce future costs.

CB59-2026 would also undermine Howard County’s own Climate Forward Action Plan: the County seeks to reach 437 MW of solar by 2030, reduce greenhouse-gas emissions 60 percent by 2030, and achieve net-zero emissions by 2045. With approximately 180 MW installed so far, we need to accelerate, not obstruct, responsible solar development. Solar can also help preserve farming by providing reliable income that reduces pressure to sell farmland for permanent development, while agrivoltaic approaches can support grazing or crop production where appropriate. Please reject CB59-2026 and refrain from adopting any new solar-development procedures until the County has clear, authoritative legal guidance and has fully considered the consequences for residents, farmers, climate commitments, and energy affordability.

Sincerely,

Carl Latkin,
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