



## House Bill 460

### *Solar Energy - Construction of Generating Stations in Priority Preservation Areas and Study*

MACo Position: **SUPPORT**

To: Environment & Transportation Committee

Date: February 10, 2026

From: Dominic J. Butchko

The Maryland Association of Counties (MACo) **SUPPORTS HB 460**. This bill recalibrates guardrails within the Renewable Energy Certainty Act of 2025 to better ensure that agricultural land within a county's Priority Preservation Areas (PPAs) remains in productive agricultural use.

Last session, MACo was deeply involved in negotiating the Renewable Energy Certainty Act of 2025, which aimed to advance Maryland's solar development goals while establishing reasonable limits to avoid overwhelming local communities. Counties spent much of the 2024 interim and a substantial portion of the 2025 legislative session working with industry stakeholders and legislative leaders to craft a practical, balanced pathway forward.

A central feature of those negotiations was the need to reconcile two important—and sometimes competing—state priorities: expanding renewable energy generation and preserving Maryland's best farmland. Under the 2025 framework, solar development is capped at five percent of a county's PPA, the primary tool used to safeguard agricultural land for long-term preservation. While five percent may appear modest at first glance, it is not five percent of all land statewide—and importantly, it does not apply to land added to a PPA after January 1, 2025. PPAs are intended to capture Maryland's most productive agricultural lands, and once these acres are converted, it is incredibly difficult and in some cases impossible to be meaningfully restored to active farm use.

HB 460 would reduce the cap from five percent to two percent. Counties estimate that this adjustment would reduce the solar-eligible acreage within PPAs by roughly one-third to one-half, depending on the county. Even with this refinement, Maryland retains ample opportunity to meet its renewable energy targets both with PPAs and through other locations — such as land outside PPAs, underutilized rights-of-way, roadway and utility corridors, parking lots, rooftops, and other disturbed or built environments—without placing disproportionate pressure on Maryland's most valuable agricultural preservation lands.

By better balancing agricultural preservation with renewable energy development, HB 460 would address a key area of continuing tension left unresolved by the 2025 framework. Accordingly, MACo urges the Committee to issue a **FAVORABLE** report for HB 460.