

December 21, 2023

Senator Brian Feldman, Chair
Education, Energy and Environment
2 West Miller State Office Building
11 Bladen Street
Annapolis, MD 21401

Delegate Marc Korman, Chair
Environment and Transportation
251 Taylor Office Building
6 Bladen Street
Annapolis, MD 21401

Dear Senator Feldman and Delegate Korman,

The undersigned organizations, members of Maryland's land trust and land conservation community, seek to clearly articulate our position that conservation easements and commercial solar generation are inconsistent and competing land uses and we urge the General Assembly to reject attempts to allow the siting of commercial solar power generation on state-held or co-held conservation easements.

The Maryland General Assembly has long championed land and open space conservation and as recently as earlier this year, with passage of the Maryland the Beautiful Act, codified a visionary goal to conserve 40 percent of the state by 2040. Maryland boasts some of the finest land conservation programs in the nation, including the Department of Natural Resources' Program Open Space, Rural Legacy, and the Maryland Department of Agriculture's Maryland Agriculture Land Preservation Foundation, as well as the creation of the Maryland Environmental Trust. Combined, over the past 50 years, these programs have preserved hundreds of thousands of acres of farmland, forests, wetlands, historic, scenic, and environmentally sensitive places which not only help preserve the state's unique identity but serve vital functions of preserving biodiversity, providing carbon sinks and food security.

The strength of conservation easements is their permanence, enshrined in law, policy, and practice. The public trusts that conserved land will remain open space: the forests, farms, parks, urban gardens, greenways, and other open lands that safeguard our drinking water and reduce flooding; provide food and timber; offer hunting, fishing, nature watching, and other recreational opportunities; preserve scenic beauty; and deliver myriad other benefits. Any attempt to retroactively allow commercial solar generation on state-held or co-held easements, or to allow it on future easements, would throw the permanence of all conservation easements in Maryland in doubt and open a veritable Pandora's Box of implications for easement landowners, land trusts, and state agencies.

The land trust community urges the General Assembly to protect Maryland's conservation easements as it considers the best way to ensure a rapid transition to a renewable energy

economy. To be clear, the undersigned organizations support Maryland's efforts to reduce greenhouse gas emissions and increase renewable energy production. The guiding philosophy behind the permanent protection of land is one that aligns closely with the need for a swift deployment of renewable energy and should be held inviolate. Recognizing that both are essential components to help Maryland navigate towards a more sustainable society will help to guide the way and the land trust community stands ready as a partner in this effort.

Sincerely,

American Chestnut Land Trust
Catoctin Land Trust
Cecil Land Trust
The Conservation Fund
Delta Waterfowl
Ducks Unlimited
Eastern Shore Land Conservancy
Forever Maryland
Harford Land Trust
Land Preservation Trust
Lower Shore Land Trust
Maryland Farm Bureau
Maryland Forestry Foundation
Maryland Forests Association
Maryland Grain Producers Association
Preservation Maryland
Scenic Rivers Land Trust
The Valleys Planning Council