



**TESTIMONY ON
HOUSE BILL 502
RELIABLE ENERGY SITING AND ELECTRIC TRANSITION BOARD**

Presented to the House Energy Committee

By
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Thank you for the opportunity to provide comments to the House Energy Committee on House Bill 502, which establishes the Reliable Energy Siting and Electric Transition (RESET) Board. My name is Sophie Eyer, and I am the Government Relations Associate at the County Commissioners Association of Pennsylvania (CCAP). CCAP is a non-profit, non-partisan organization that represents all 67 counties across the commonwealth.

Counties recognize the growing and evolving demands surrounding energy development, particularly with the increasing reliance on electricity driven by technologies such as artificial intelligence. Counties are open to thoughtful conversations on how Pennsylvania can address these challenges and create new opportunities for energy development through an economic development lens, while at the same time preserving the integrity of our communities and the environment.

House Bill 502 proposes a new state-level process for siting and approving large-scale energy generation and storage facilities. It would establish the RESET Board within the Department of Environmental Protection, granting it the authority to issue "Certificates to Reliable Energy Supply" to qualifying projects. While the intent to streamline energy infrastructure development is understandable, the bill raises several concerns from a local governance perspective.

This bill undermines long-standing principles of local land use authority by shifting decision-making power from municipalities and counties to the state. This conflicts with association policy, which opposes effort by the commonwealth to override local zoning ordinances, land development codes, or county planning functions. Local elected officials are uniquely positioned to assess their communities' infrastructure capacity, environmental considerations, and land use priorities. Removing their role from this process would disrupt the balance of planning authority as established by the Pennsylvania Municipalities Planning Code, Act 247 of 1969.

In addition, the bill fails to include local government representation on the RESET Board, which could result in decisions being made without a full understanding of the local context. The exclusion of conversation and environmental interests from core decision-making roles also limits the incorporation of perspectives related to environmental stewardship, sustainability, and public health. Moreover, the bill prevents host municipalities from collecting permit fees or imposing local conditions on siting approvals and directs all associated fees to a state wildlife grant. This means affected communities may bear the burdens of development without receiving corresponding benefits or resources for mitigation.

While the intent of this bill is to expedite the development of energy facilities across the commonwealth, its top-down siting approach overlooks the potential environmental and socio-economic impacts that can arise in the absence of appropriate guardrails. Currently, Pennsylvania lacks comprehensive statewide standards for solar energy development—particularly for utility-scale, community, and merchant solar projects. Counties have identified numerous concerns stemming from these emerging projects and believe clear, statewide policies are essential for responsible solar development. In the absence of such guidance, counties, local governments, and property owners are left to navigate the complex legal and

financial implications of solar development on their own. For instance, there are no uniform decommissioning standards, leaving critical decisions up to lease agreements or local ordinances. Prime farmland, in particular, should be protected from large-scale energy project siting, as these projects can dramatically alter land use and negatively impact rural economies. Without legislative standards, counties are forced to manage the complexities of solar development without state support. House Bill 502 does not provide the policy framework needed to ensure that energy development is responsible and beneficial to the community. Counties welcome continued dialogue with state agencies and lawmakers to create balanced, statewide policies that guide and support sustainable solar development across Pennsylvania.

The creation of the RESET Board, as proposed, would accelerate the implementation of energy projects- but in doing so, it could also enable projects to bypass local government input and approval altogether. This raises serious concerns about local authority and community oversight, and underscores the need for a more balanced and thoughtful approach. The implementation of the RESET Board carries significant implications that must be carefully considered to ensure responsible, equitable, and community-informed energy development.

To address these concerns, we respectfully offer several policy and procedural recommendations to House Bill 502. The bill should be amended to retain meaningful local oversight of local land use decisions by ensuring siting authority remains rooted in municipal and county planning frameworks. The Siting Advisory Council's role should be strengthened by granting it voting authority to support more balanced and inclusive decision-making. Additionally, the RESET Board should include a county representative from the county or municipality in which a proposed project would be located. Local engagement should also be enhanced by requiring- not simply allowing- community notice periods, public hearings, written responses to input, and clearly defined and meaningful opportunities for participation at every step of a potential project's siting and development.

We recommend eliminating the retroactive zoning provision to preserve local flexibility in planning and allow zoning decisions to reflect both current and future land use goals. The bill should also be revised to ensure that a portion of permit and application fees and other remuneration is directed to host municipalities for local mitigation projects. We further recommend the addition of environmental justice protections, including cumulative impact assessments and restrictions on siting in overburdened communities unless environmental and public health criteria are met. Lastly, all vague or undefined terms in the bill should be clarified to establish clear, measurable standards, and policymakers should consider energy siting authority within the Public Utility Commission to reduce administration duplication.

In conclusion, counties oppose House Bill 502 as currently drafted. We believe the legislation raises significant implications for counties and local governments. As conversations around energy development move forward, we respectfully request that discussions on this legislation continue in a collaborative manner. We welcome the opportunity to build a strong intergovernmental partnership by being included in ongoing dialogue to ensure that local

responsibilities are upheld, community voices are heard, and environmental protection remains a core guiding principle.

Thank you for the opportunity to offer these comments. We would welcome any additional questions members of the committee may have.