

## **House Bill 395 or Senate Bill 371**

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To whom it may Concern:

I appreciate the opportunity to provide my written testimony regarding the real-world impact of the CAFO permits being allowed to lapse which occurred due to the breakdown in coordination between the Federal Government and the State of Maryland.

During the period when CAFO permits were allowed to lapse, compliance became effectively impossible despite good-faith efforts to follow the law. As a result of the lapse, projects within Maryland were placed into regulatory limbo. Construction timelines halted, contracts delayed or suspended, financing arrangements were jeopardized, and professional services already performed could not advance to completion. These delays resulted in direct financial losses, including unrecoverable costs, extended overhead, and lost business opportunities.

In particular, the inability to secure or rely upon a valid CAFO permit prevented sales and transactions from moving forward. Properties that were otherwise ready for sale could not be transferred, and agreements contingent upon permitting were placed indefinitely on hold. In several cases, potential buyers withdrew entirely due to this uncertainty.

Additionally, the inability to complete sales eliminated anticipated state and local revenues associated with those transactions such as sales tax, recordation and transfer taxes, and other closing-related fees that were never realized. Properties that could not be sold also continued to accrue property tax obligations and holding costs, compounding the financial burden over time and further penalizing parties who were unable to proceed through no fault of their own.

What made the situation especially damaging was the absence of clear, actionable guidance. Repeated attempts to obtain direction from state and federal authorities resulted in generalized or conflicting responses that did not address whether projects could realistically proceed. This uncertainty made it impossible to plan responsibly or to provide accurate information to clients, lenders, and business partners.

I respectfully ask Maryland legislators to recognize that when permitting systems lapse without transition measures or contingency plans, the burden falls directly on Maryland residents and businesses. These impacts are not theoretical — they are immediate, personal, and damaging, so I urge the General Assembly to ensure that regulatory continuity and the necessary frameworks are in place so that Marylanders are never again placed in a position where compliance is lawfully expected but legally unattainable.

Thank you for your time and for considering the impact of this issue on those affected here in Maryland.

Respectfully,

Dominic L. Agresta PLS/RLS

Professional Land Surveyor