



## DELMARVA POULTRY INDUSTRY, INC.

16686 COUNTY SEAT HIGHWAY • GEORGETOWN, DELAWARE 19947-4881

PHONE: 302-856-9037 E-MAIL: dpi@dpichicken.com

[www.dpichicken.org](http://www.dpichicken.org)

Date: February 25, 2020

To: Members of the Senate Education, Health & Environmental Affairs

From: Holly Porter, Executive Director

Re: SB 964 – Agriculture – Hemp Research & Production - Prohibitions - **Oppose**

Delmarva Poultry Industry, Inc. (DPI), the 1,700-member trade association representing the meat-chicken growers, processing companies and allied business members on the Eastern Shore of Maryland, the Eastern Shore of Virginia, and Delaware opposes SB 964 and urges an unfavorable committee report.

SB 964 would prohibit the Maryland Department of Agriculture from issuing a license for a hemp farmer or registering a site for research of hemp if the farm is located within two miles of a residential community with 10 or more residences.

DPI has major concerns about the precedence this bill could be setting. Currently the authority for determining siting and location of farms is at the local, county level within the planning and zoning codes. The counties have the authority to determine agricultural districts and/or agricultural zoned areas, as well as any exemptions, setbacks or other requirements. The state should not be determining where farming operations are located.

In addition, Maryland is a Right-to-Farm state, with laws protecting farmers from nuisance lawsuits due to dust, odor, noise, slow moving equipment and more. This law requires all farms to abide by federal, state and local regulations and permitting. All counties in Maryland have adopted local right-to-farm ordinances as well. These ordinances allow for a process in which neighbors can make complaints and how those disputes can be resolved. SB 964 would be a path that others may use to avoid current laws and dispute procedures that are already established.

Chicken farming is no different than other agricultural practices – there are smells, there is dust, there are noises in the middle of the night, or any number of other things that some may consider nuisances. With more people moving to the Eastern Shore of Maryland to enjoy country living but forgetting that farming also occurs in those country settings, this places additional burdens on our growers to be good neighbors. In fact, over the past ten years, a number of counties have adopted additional planning and zoning requirements for farms, but they have done so in cooperation with the farming community that live and work in those areas. The largest setback for chicken farms is 600 feet from a property line and several counties have included requirements for vegetative buffers. None have been as restrictive as SB 964 is proposing.

Counties should continue to be able to set zoning requirements and if neighbors have concerns about agricultural operations, they should share those complaints through the process that is already established with right-to-farm ordinances.

Maryland's number one industry is agriculture. If Maryland lawmakers want to encourage that heritage and one of the states' biggest economic driver, they should not put additional restrictions on farming, especially for a

relatively new industry such as hemp. This bill could shut down some operations before they've even had a chance to really get started in farming, closing a small business.

We urge an unfavorable vote on SB 964.

Should you have any additional questions, please feel free to contact me at [porter@dpickicken.com](mailto:porter@dpickicken.com) or 302-222-4069 or Nick Manis, Manis Canning & Associates, 410-263-7882.