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Date: January 18, 2021
To: Members of the House Environment & Transportation Committee
From: Holly Porter, Executive Director
Re: HB 82 – Constitutional Amendment – Environmental Rights - **OPPOSE**

Delmarva Chicken Association or DCA (formerly Delmarva Poultry Industry, Inc.), the 1,600-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 HB 82 and urges an unfavorable committee report.

HB 82 has the appearance of being a bill that any resident of Maryland would want – a clean and healthy environment. And no one understands that want more than farmers who are often coined as the “first environmentalists.” Farmers make their living off the land and water that quite often they also live on, and clean water and air are important to them as well.

However, farmers are also under a lot of regulations and restrictions, especially chicken growers. The vast majority of commercial chicken growers are required to apply for a Concentrated Animal Feeding Operation permit which is a general discharge permit issued by the Maryland Department of the Environment (MDE). This permit and the Comprehensive Nutrient Management Plan that is required is written in a way that there is **no discharge** from a chicken farm. These permits already take weeks and even months to obtain, with a public participation process that has caused farmers even years in delay from receiving the permit. Usually those who participate in the public process provide very little substantive input to the permit that is being issued, but it does create stress to the farmer, a small business owner. As a matter of fact, in the ten years of MDE administering this permit for chicken growers, DCA is only aware of one public process that has led to a major change in the permit for the farmer.

If HB 82 were to pass, then the chicken community would anticipate even more frivolous public participation, perhaps even from those that have very little standing or even living in the area where the chicken farms are located. There are a number of laws and rules in place in Maryland to help protect the environment. Chicken farmers have abided by those laws, many of which cause additional expenses of operation than even those in neighboring states. However, we have grave concerns about what unintended consequences and pressures may be put on farmers by those that simply don't understand what laws, rules and processes are already in place, or sadly, don't care.

We urge an **unfavorable** vote on HB 82.

Should you have any additional questions, please feel free to contact me at porter@dcachicken.com or 302-222-4069 or Nick Manis, Manis Canning & Associates, 410-263-7882.