



Maryland Farm Bureau

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February 21, 2025

To: Senate Education, Energy, and the Environment Committee

From: Maryland Farm Bureau, Inc.

RE: Opposition to SB978 - Environmental Permits - Requirements for Public Participation and Impact and Burden Analyses (Cumulative Harms to Environmental Restoration for Improving Shared Health - CHERISH Our Communities Act)

On behalf of the nearly 8,000 member families of the Maryland Farm Bureau, I submit written testimony respectfully opposing SB978 Environmental Permits - Requirements for Public Participation and Impact and Burden Analyses (Cumulative Harms to Environmental Restoration for Improving Shared Health - CHERISH Our Communities Act).

SB 978 would require applicants for at least 22 different permits to submit an extensive Environmental Impact Analysis if their project is deemed to have an “increased potential for adverse community environmental and public health impact.” This analysis must include a broad assessment of public health effects, alternatives to the permit, resource commitments, and mitigation measures. Furthermore, if a project is located within 1.5 miles of an “at-risk” census tract—defined as having a Maryland Environmental Justice (EJ) Score above the 75th percentile—the applicant must also submit an Existing Burden Report evaluating current pollution sources in the community.

A significant concern for our members is that SB 978 applies to CAFO permits, which every chicken farmer in the state must obtain. These permits fall under the National Pollutant Discharge Elimination System (NPDES) and are issued under a general permit system administered by the Maryland Department of the Environment (MDE). Under the current Code of Maryland Regulations (COMAR) 26.08.03.09, one general permit covers all chicken farms statewide, regardless of their geographic location or the socioeconomic status of surrounding communities. This general permit recognizes that chicken farms do not discharge pollutants, and the requirements for these permits already include strict environmental safeguards. Imposing additional environmental and socioeconomic evaluations on CAFO applicants contradicts the established permitting structure and the findings of the U.S. Environmental Protection Agency (EPA), which has determined that poultry farms do not discharge pollutants.

Furthermore, the increased permitting requirements would impose significant financial and administrative burdens on family-owned farms, which make up nearly all of Maryland’s 500 CAFO permit holders. The current permitting process is already complex, requiring farmers to submit extensive documentation annually. The additional reporting mandates in SB 978 would exacerbate these challenges, potentially delaying or preventing farm operations from securing necessary permits.

This bill is likely to harm the very communities it aims to protect. Maryland's Delmarva chicken growers are 23% minority, compared to 4.5% of all farmers nationally, and many operate in regions that would be classified as "at-risk" under the Environmental Justice Score system. By increasing regulatory burdens on these farmers, SB 978 could jeopardize the economic stability of minority farmers and rural communities that rely on agriculture.

In summary, while we appreciate the intent behind SB 978, we urge the General Assembly to recognize that CAFOs are already heavily regulated with no discharge of pollutants under existing regulations, that the additional permitting process will create unnecessary financial and administrative hardships for family farmers, and that rural communities, including minority farmers, will be disproportionately harmed by these regulations.

For these reasons, we respectfully request your opposition to SB 978. Maryland farmers are committed to environmental stewardship, but policies must balance environmental concerns with economic realities. We look forward to working with lawmakers to develop fair and effective policies that support both environmental protection and the viability of Maryland's farming community.

Sincerely,

A handwritten signature in black ink, appearing to read "Tyler Hough", is written over a horizontal line.

Tyler Hough
Director of Government Relations

Please reach out to Tyler Hough, tylough@marylandfb.org, with any questions