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Testimony before the Education, Energy,
and the Environment Committee
Maryland Senate
Annapolis, Maryland

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Dear Chair Feldman and members of this committee,

We greatly appreciate the opportunity to share our story with you, and to speak strongly in support of SB861, which would help thoughtfully regulate stormwater management on farms like ours.

My wife and I opened Song Dog Farm Distillery in Montgomery County's beautiful agricultural reserve this past October. Our eleven-year path to opening was a complex and arduous one, but perhaps the most challenging issue was stormwater management, and navigating a system that treats our farm the same as an urban strip mall.

In late 2023, after eight years of work and planning, we thought we were on the cusp of breaking ground on our farm distillery building – until we learned that our planned small gravel parking lot would prevent us from working on stormwater management with our capable Soil Conservation District, and we would instead have to go through an extensive planning process with Montgomery County's Department of Permitting Services, guided by the existing Stormwater Design Manual which does not make any accommodation for agricultural land. This process added many months to our timeline, and cost more than \$200,000 in actual stormwater infrastructure construction – not including the six-figure investment in engineering, permitting, myriad bonds and added forest conservation requirements. We had to build these stormwater management features even though we are surrounded with acres of permeable surfaces and open ground. Just as important, we lost months of time that we could have been open and generating income and tax revenue.

Agricultural land use differs substantially from traditional business land use. Treating our open farmland's stormwater requirements the same as that of a Starbucks or a Walmart makes no sense. Doing so doesn't recognize the nature of our farmland and abundance of permeable surface, and moreover, it incentivizes us to pave over these areas. That's not what we want to do, and presumably that's not what anyone wants to see in Montgomery County's rolling farmland.

Maryland's Soil Conservation Districts across the state are ready and willing to work with farmers on stormwater management issues related to building agricultural and accessory use structures and other changes to farmland required for sustaining an agricultural business. Soil Conservation Districts were designed to assist farmers in conserving their land, soil, and other natural resources – exactly what stormwater management aims to do. We care deeply about our farm and the land and water around it. Our goal is not to circumvent requirements that help conserve these resources, but to make it more feasible for farmers and farm businesses to practice conservation in a reasonable, affordable, and timely manner.

We are glad to be open and shining a bright light on Maryland's amazing agriculture, but the last year before opening – in which we were hit with many hundreds of thousands of dollars in engineering and stormwater management construction bills – made our opening almost impossible. This process imperils many farm businesses, including ours. This legislation is a very necessary first step, along with modifying the State's Stormwater Design Manual to consider cropland as a treatment area for stormwater management, and to allow occasional parking on grass and other permeable surfaces. Taken together, these steps will make it easier for agricultural and value-added businesses to thrive at a time when such businesses are often struggling.

Please support SB861 and help empower our state's capable Soil Conservation Districts to help guide farmers and farm businesses like ours through common-sense stormwater management.