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Budget and Taxation Committee
Chair, Capital Budget Subcommittee

Chair, Senate Democratic Caucus

THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

Testimony of Senator Craig J. Zucker
Senate Bill 861-Environment - Stormwater Management - Agricultural Land
March 3, 2026
1:00pm
Position: Favorable With Amendments

Good afternoon, Chair Feldman, Vice Chair Kagan, and distinguished members of the Education, Energy and the Environment Committee. It is my pleasure to testify in support of **Senate Bill 861-Environment - Stormwater Management - Agricultural Land**. Thank you Senator Feldman for co-sponsoring this legislation.

SB861 requires the Maryland Department of the Environment (MDE), in consultation with the Maryland Department of Agriculture (MDA), to define agritourism and consider best management practices for stormwater management for agritourism operations. Those best management practices include the creation of a standard plan for temporary parking areas and the use of pasture, meadows, and cropland for the treatment of stormwater runoff. The bill also affirms that each county or municipality may provide by ordinance for the review and approval of stormwater management plans by the local Soil Conservation District, giving localities a clear pathway to leverage SCD expertise in this process. Finally, the bill directs Montgomery County and the Montgomery Soil Conservation District, in consultation with MDE, to jointly review the county's current process for approving stormwater management plans for agritourism, examine how other counties handle the same, identify challenges and opportunities for improvement, and report their findings to the Governor and the General Assembly by December 31, 2026.

This bill addresses a problem that both the District 14 and District 15 delegations have heard about from farmers and agricultural businesses in Montgomery County's agricultural reserve. Maryland's stormwater management framework was designed for urban and suburban development, and applying those same standards uniformly to working farms creates compliance burdens that do not reflect the realities of agricultural operations.

Current guidance does not distinguish between agricultural land uses and commercial development. Temporary grass parking for seasonal events, cropland and pasture used for stormwater calculations, and rotational farming activities are fundamentally

different from a parking lot or a shopping center, yet farmers are being held to the same standards. This leaves little room for site-appropriate solutions.

After constituents raised these concerns to the District 15 delegation, the District 15 delegation wrote jointly to MDE and MDA to elevate the issue. Prior to session, the District 14 delegation joined the effort, and together we have been working with constituents, Montgomery County, MDE, and MDA on a path forward. We have included amendments to more precisely address the changes needed, and both MDE and MDA have agreed to these amendments. We are still in conversations with stakeholders that might require further amendments.

SB 861 does not weaken environmental protections. It ensures the standards we apply to agricultural land are appropriate for the land and the people working it.

I respectfully urge a **favorable with amendments report on Senate Bill 507**. Thank you for your consideration.