



# CHESAPEAKE BAY FOUNDATION

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## Senate Bill 371 Water Pollution Control - Discharge Permits - Animal Feeding Operations

**Date:** April 1, 2026

**To:** Environment & Transportation Committee

**Position:** **FAVORABLE**

**From:** Matt Stegman,  
MD Staff Attorney

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The Chesapeake Bay Foundation (CBF) **DOES NOT OPPOSE Senate Bill 371**, which provides a narrow exception to the requirement that an operator obtain coverage under the Concentrated Animal Feeding Operation (CAFO) general discharge permit *before beginning construction* of any part of a new CAFO. In the event the Maryland CAFO General Permit is administratively extended, as is currently the case, the Maryland Department of the Environment (MDE) could permit an operator to begin construction under an approval process that ensures compliance with the requirements of the administratively continued permit and other relevant environmental protections.

The requirement to hold a discharge permit before constructing an industrial facility is well-established in Maryland law. If CAFO operations had been allowed to permanently bypass this requirement to alleviate a temporary inconvenience for the industry, it would have set a dangerous precedent for future factories, wastewater treatment facilities, data centers, and other dischargers who may seek similar treatment. Instead, as amended SB 371 sets out a narrow solution that balances the need to relieve harms being suffered by CAFO operators currently unable to obtain general permit coverage with the need to preserve hard-won clean water protections.

**CBF urges the Committee's FAVORABLE report on SB 371.** For more information, please contact Matt Stegman, Maryland Staff Attorney, at [mstegman@cbf.org](mailto:mstegman@cbf.org).

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The Chesapeake Bay Foundation (CBF) is a non-profit environmental education and advocacy organization dedicated to the restoration and protection of the Chesapeake Bay. With over 200,000 members and e-subscribers, including 71,000 in Maryland alone, CBF works to educate the public and to protect the interest of the Chesapeake and its resources.