

LINDA FOLEY
Legislative District 15
Montgomery County

Environment and Transportation
Committee

Chair, Non-Energy Utilities
Subcommittee



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THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

Testimony: HB1071- Environment - Stormwater Management - Agricultural Land

Committee: Environment and Transportation

Hearing Date: March 4, 2026

Position: Favorable

Good afternoon Chair Korman, Vice Chair Guyton, and colleagues on the Environment and Transportation Committee. For the record, I am Delegate Linda Foley and I am presenting HB1071 - Environment - Stormwater Management - Agricultural Land.

This bill derives from an issue that both the District 14 and District 15 delegations have been hearing about from constituents in Montgomery County's agricultural reserve. Maryland's Stormwater Management framework, originally designed for urban and suburban development, is being applied strictly and inflexibly to working farms, creating untenable compliance burdens that threaten agricultural viability on our land.

Current guidance applies urban stormwater management standards for agricultural land uses, with no meaningful flexibility for grass parking (temporary/seasonal), cropland or pasture used as treatment areas for stormwater calculations, or temporary or rotational agricultural uses.

These interpretations ignore the realities of farming and eliminate innovative, site-appropriate solutions.

The effort to address this issue began after constituents tried working with local officials to have the enforcement of regulations adjusted to meet the needs of the community. After this failed to progress, a letter signed by the District 15 delegation was sent to the Maryland Department of the Environment (MDE) and the Maryland Department of Agriculture (MDA) expressing a need to address the concerns.

While MDE has been collecting feedback on the regulations through public comment, it was not until the District 14 and District 15 delegations considered legislative action that conversations began to move forward.

All stakeholders agree that the status quo is not the intent of the regulations nor beneficial for farmers.

We have been working with farmers, constituents, MDA, MDE, and Montgomery County on this issue and have a sponsor amendment to address this issue more precisely. MDE and MDA have agreed on these amendments.

Agricultural and value-added uses are expanding across our region, often with government support to strengthen local food systems. However, our environmental regulations—particularly those governing stormwater—have not kept pace with this growth.

MDE's current Maryland Stormwater Design Manual was developed with residential and commercial development in mind. Applying its standards uniformly to agricultural operations creates confusion and compliance burdens for farmers. Agricultural land uses require tailored stormwater solutions that reflect their unique characteristics and seasonal dynamics.

Most importantly, Soil Conservation Districts should be empowered and promoted as the primary resource for farmers seeking compliance with erosion, sediment control, and stormwater regulations. With over 80 years of experience, Soil Conservation Districts understand the business of farming and are best positioned to guide agricultural producers through practical, site-specific solutions.

I have submitted a sponsor amendment that was written with agreement from MDA and MDE, and I am proud that we now have a bill that will work for agricultural land and the stakeholders on this issue.

We believe these updates will support environmental goals while sustaining the viability of Maryland's farms. We believe an updated stormwater design manual and policy will allow more viable treatment options for agricultural operations.

I urge a favorable report on HB1071. Thank you.