



Montgomery County

Office of Intergovernmental Relations

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SB 861

DATE: April 2, 2026

SPONSOR: Senators Zucker and Feldman

ASSIGNED TO: Environment and Transportation

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POSITION: Support (Montgomery County Office of Agriculture)

Environment – Stormwater Management for Agritourism

Senate Bill 861 would require the Maryland Department of the Environment (MDE) in consultation with the Department of Agriculture to include in the rules and regulations for stormwater management a definition of “agritourism” and best management practices for stormwater management for ag tourism that create a standard plan related to parking and the use of pasture, meadows, and cropland for treatment of stormwater runoff. The legislation would also attempt to address an issue specific to Montgomery County related to the County’s process for management of stormwater mitigation for ag tourism and the appropriate role of its Soil Conservation District in reviewing and approving stormwater management plans. In an effort to address complaints from several owners of wineries located in the County’s Agricultural Reserve, a revised Memorandum of Understanding was recently issued that shifted responsibility for final review and approval of stormwater management plans for agricultural properties from the County’s Department of Permitting Services to its Soil Conservation District, which is the common practice in other parts of the State.

While the Montgomery County Office of Agriculture supports this legislation as a step in the right direction, the Office believes that there is still more work to be done to create greater clarity in the regulations, toward the goal of ensuring equitable and consistent treatment across the State for ag tourism proprietors as it relates to stormwater management. Striking the right balance between environmental stewardship and recognizing that the standards for mitigating stormwater issues for a parking lot at a new Walmart should not be the same as the 20 parking spaces located on grassland for a small winery open to the public on weekends, is important. Further, the regulations should be drafted in a manner to acknowledge that for more than 80 years, Soil Conservation Districts have been providing leadership in soil and water conservation. In many instances, the MDE’s own regulations have been patterned after the standards and specifications developed by the Natural Resource Conservation Service and implemented at the District level. This should not be overlooked or discounted and should weigh heavily into the decision-making process.

The Montgomery County Office of Agriculture respectfully requests the Committee to advance Senate Bill 861. The Office is hopeful that discussions will continue among the stakeholders to further improve the stormwater regulations that are in the drafting stage now.