



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

Position: Favorable with AMENDMENTS

March 30, 2026

Thank you for the opportunity to submit testimony in favor with amendments of SB 371 on behalf of ShoreRivers. ShoreRivers is a river protection organization serving Maryland's Eastern Shore with more than 2,000 members. Our mission is to protect Eastern Shore waterways through science-based advocacy, restoration, education, and engagement.

SB 371 proposes to exempt Concentrated Animal Feeding Operations (CAFOs), including poultry operations, from the requirement to obtain Clean Water Act General Discharge Permit coverage prior to beginning construction. **This legislation is intended to address a situation created by the Maryland Department of the Environment's (MDE) failure to renew its five-year CAFO general permit on time.** ShoreRivers appreciates the amendments adopted thus far that reinstate a codified environmental review process. Maintaining a clear, enforceable review structure is critical to ensuring that water quality protections are not entirely bypassed during this interim period. These amendments are an important step in preserving environmental oversight.

However, the bill as currently structured does not address the root cause of the problem: MDE's administrative delay in permit issuance. Without addressing this underlying issue, the same situation is likely to occur again. This creates ongoing uncertainty not only for environmental protection, but also for farmers and landowners who rely on a predictable and timely permitting process. The absence of proactive communication from MDE exacerbates these challenges. Greater transparency is essential. **The Department should be required to notify the General Assembly and the public in advance of anticipated permit delays or expirations, rather than allowing permits to lapse without warning. Early communication would allow for timely, targeted solutions without weakening environmental safeguards.**

For these reasons, ShoreRivers respectfully urges the committee to adopt additional amendments to SB 371 that require advance public and legislative notification when permit delays are anticipated (see page 2 for the proposed amendment). Maryland's permitting framework exists to protect water quality while providing clarity and consistency for regulated entities. Addressing administrative delays directly—rather than removing key requirements—will better serve both environmental and agricultural stakeholders.

ShoreRivers supports SB 371 with amendments that preserve environmental review and meaningfully address agency accountability. Without such changes, this legislation risks solving a temporary administrative issue with a long-term weakening of environmental protections.

Sincerely,
Annie Richards, Chester Riverkeeper on behalf of:

ShoreRivers

Scott Budden, Executive Director
Annie Richards, Chester Riverkeeper | Matt Pluta, Choptank Riverkeeper
Ben Ford, Miles Wye Riverkeeper | Zack Kelleher, Sassafras Riverkeeper

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(3) IF THE DEPARTMENT HAS NOT SUBMITTED A GENERAL PERMIT TO THE ENVIRONMENTAL PROTECTION AGENCY FOR APPROVAL WITHIN 180 DAYS OF THE GENERAL PERMIT'S EXPIRATION DATE, THE DEPARTMENT SHALL:

**(I) NOTIFY THE GENERAL ASSEMBLY AND THE OFFICE OF THE ATTORNEY GENERAL;
AND**

(II) PUBLISH NOTICE IN ACCORDANCE WITH §§ 1-602(A)(1) AND (B)(1) OF THIS ARTICLE.