



**Testimony in Opposition of SB371: Water Pollution Control -
Discharge Permits - Concentrated Animal Feeding Operations**

Education, Energy, and the
Environment Committee

Position: Oppose

Dear Chair Feldman and Members of the Education, Energy, and the Environment Committee,

On behalf of Sentinels of Eastern Shore Health (SESH), we submit this testimony in **strong opposition to SB371**.

SESH is a collective voice for positive solutions and inclusiveness in representation in environmental and public health issues. For decades, SESH has worked alongside residents to protect local communities from industrial contamination, equitably participate in public processes, and shine a light on the unjust and disproportionate harm concentrated animal feeding operations (CAFOs) inflict on our neighbors.

This emergency bill proposes to repeal the requirement that a person hold a CAFO discharge permit issued by the Maryland Department of the Environment (MDE) **before** beginning construction on any part of a new CAFO. The most recent CAFO general permit expired on July 7, 2025, and MDE will **soon be issuing the new general permit**. This effort reflects a permanent change to a temporary problem – causing far more harm than benefit.

MDE notes that “a discharge permit for construction may be needed, and that the addition of animals would likely need to wait until the CAFO GD Permit is finalized.” **This provision seeks to solely repeal only the parts of the process which specifically and exclusively include public participation and community notification** – this discharge permit is the **only** opportunity where a community or resident can request a hearing or voice their concerns, and the **only** instance in which environmental justice is considered, through the applicant’s determination of an EJ score for the census tract where they are seeking a permit. What is the purpose of an after-the-fact EJ score, if the bulldozer has already shown up, capital is already invested, and the opportunity for public input occurs **after construction has already begun? We know very well the likelihood (rather, the lack thereof) that a facility is stopped post-ground breaking.**

This emergency bill effectively achieves nothing in regard to getting new CAFOs operational sooner than the upcoming release of the general permit, as a permit would likely be necessary for the addition of animals. It simply disallows community members the right and

opportunity to participate in the public process, to even be notified of a CAFO's intent to move in next door, and deems the hard work of Governor Moore's Executive Order on environmental justice, Valuing Opportunity, Inclusion, and Community Equity (VOICE), meaningless. *Maryland has demonstrated a fundamental commitment to prosperity and opportunity for all, including by advancing laws, regulations, policies and priority actions that advance Environmental Justice and equal protections of all Marylanders¹ - not just industries.* Further, state agencies "can and should take additional actions to embed explicit analysis of equity considerations in policies and practices... and reviewing community engagement strategies with a focus on Marylanders who reside in communities that have historically been overburdened and marginalized including coastal, rural, tribal and urban populations. Our great state of Maryland affirms here principle seven of the 17 Principles of Environmental Justice: **Environmental justice demands the right to participate as equal partners at every level of decision-making including needs assessment, planning, implementation, enforcement and evaluation.** State agencies "shall prioritize opportunities for meaningful engagement with impacted communities on policies and priorities related to Environmental Justice and that enable these communities to meaningfully inform State Agency decision-making" – we, as communities and the constituents of which you represent, are informing you that this attempt at stifling community participation is **an egregious step backwards, undermines the very outcome it seeks to achieve, and catastrophically endangers our public health, safety, and welfare.**

MDE's own agency asserts that this discharge permit prevents pollution of waterways by requiring specific operating conditions, and conserves resources and reduces paperwork. Eastern shore communities already lack transparency and access to the information they have a right to – this bill further enmeshes that bad practice into the status quo, devastating public participation rights of those who are truly impacted. Regardless of purported efficiency, CAFOs pose a threat to public health AND safety to communities statewide – especially those in environmental justice communities, rural communities, and the Eastern shore. Environmental impacts, community representation, and justice are egregiously overlooked in this proposed bill.

On behalf of eastern shore communities, we urge you to oppose and reject SB371 – do not remove our *only* opportunity to protect our public health, safety, environment, and wellness. Included with our testimony is comment from our local community.

Respectfully submitted,
Maria Payan and Rachel Casteel
Sentinels of Eastern Shore Health (SESH)

¹ EO 01.01.2025.17 Valuing Opportunity, Inclusion, and Community Equity (VOICE)_Accessible.pdf

I, Tyler Tallent, on behalf of the Tallent family of Julia, Greg, and Aaron Tallent, submit this comment in strong opposition to SB371. We are against lifting important regulations of CAFO permits due to proven dangers displayed by these practices that would be encouraged.

I have fought for the last year and a half against the attempt to turn a poultry operation into a bio-refinery less than 200ft from my front door. My home has been in my family's name for close to 50 years, and today we can barely go outside due to the smell or the flies that are filled with blood that cover our windows on warm days above 20F. We learned about it from another neighbour telling us, from sitting in a hearing, we have had to learn just how corrupt, dangerous, and harmful these “projects” can be. Examples include how state agencies handled a few local projects such as the DAF tanks and the biorefinery – essentially allowing them to pop up next to peoples’ homes, endanger their health and silence local departments, citizens, planning and zoning, and other authorities that would stop this with viable due cause. I ask: is an economy where peoples’ lives are in danger worth it? Is “progress” in agriculture taking a step to ignore the public and our communities, and past mistakes made by industry?

Just like any other business the permit system and regulations are in place for a reason: to keep the citizens safe. Permits that need to be renewed both notify departments of their activity, demonstrate they are following regulations and laws, and to notify the people in these areas of what is going on. CAFOs are a delicate system that need regulations to ensure safety – it's why you spend the money and the time to fill out paperwork to acknowledge you know what you're doing and your intent.

If it was not for permits and regulations we would have had a massive CAFO operation on top of the main water source of my area in Maryland, the Paleo Water Channel. But our neighborhood had the opportunity to participate in the process and oppose it, protecting our community. We should not lower quality insurance for a minor convenience as it is the CAFO's responsibility to meet our state standards. Just like any other business or industry, there is accountability and responsibility.

Why do we need to ignore the problems CAFOs cause by simply ignoring them rather than fixing them? We could be patching these problems, establishing regulations to not take this massive step backwards – as if instead of addressing known dangers of CAFOs, the floodgates should be opened outright to allow construction before a permit is even applied for. Where are the checks and balances and oversight? Who would benefit the most from taking the power and autonomy away from citizens to ensure the safety and health of ourselves and our environment?

Would you want this treatment with food at restaurants? Where they just lift certain requirements and what you get on the table is what you eat, you cannot voice your opinion but feel free to leave the table. Hands can be dirty touching your food, expiration dates on ingredients mean nothing, and they can tell you whatever to your face – but there are no opportunities to speak on it, so dig in. This is opening a figurative Pandora's box to harming people and the environment around us. Our farming community finds this proposal dangerous and wrong. In closing, I, Tyler Tallent, on behalf of my family strongly urge your opposition to SB371. Thank you.