



**The Maryland Department of the Environment
Secretary Serena McIlwain**

***Senate Bill 861
Environment - Stormwater Management - Agricultural Land***

Position: Support
Committee: Environment and Transportation
Date: April 2, 2026
From: Alex Butler, Deputy Director of Government Relations

The Maryland Department of the Environment (MDE) **SUPPORTS** SB 861.

Bill Summary

Senate Bill 861 requires MDE to alter its stormwater management (SWM) rules and regulations for agricultural lands. Under the bill, MDE must: (1) establish a comprehensive process for approving grading and sediment control plans and stormwater management plans; (2) incorporate the most recent data available; and (3) work in consultation with the Department of Agriculture to define agrotourism and consider best management practices for stormwater management for agrotourism.

Position Rationale

MDE supports SB 861 as amended. This legislation represents a collaborative evolution of Maryland's stormwater regulations, specifically tailored to the unique operational realities of the state's growing agritourism industry. By requiring MDE to update the Maryland Stormwater Design Manual to define agritourism and consider specialized Best Management Practices (BMPs), the bill ensures that working farms are not held to the same rigid engineering standards as high-density commercial shopping centers or urban developments.

Separate from the bill, MDE is drafting a major update to its SWM regulations and extended the public comment period specifically to seek additional input on agricultural concerns. MDE has also committed to creating a "standard plan" for temporary parking lots, one of the major concerns that gave rise to this bill. A standard plan will make permitting and SWM compliance easier for those farms that qualify.

MDE has worked with the bill's sponsors and the Maryland Department of Agriculture on amendment language that addresses MDE's concerns and synchronizes the bill with MDE's current regulatory efforts.

Accordingly, MDE requests the Committee give SB 861 a **FAVORABLE** report.

Contact: Alex Butler, Deputy Director of Government Relations
Phone: 443-695-7478, Email: alex.butler@maryland.gov