



# Maryland Department of Agriculture

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## MARYLAND DEPARTMENT OF AGRICULTURE

### LEGISLATIVE COMMENT

**DATE:** March 11, 2020

**BILL NUMBER:** SENATE BILL 841

**SHORT TITLE:** WATER POLLUTION CONTROL - DISCHARGE PERMITS - INDUSTRIAL  
POULTRY OPERATIONS

**MDA POSITION:** OPPOSE

#### **EXPLANATION:**

SB 841 prohibits the Department of the Environment from issuing discharge permits for new, extending, and/or expanding poultry Concentrated Animal Feeding Operations (CAFOs).

#### **BACKGROUND INFORMATION:**

The poultry industry is an economic driver of both the Eastern Shore of Maryland and the broader grain markets of the mid-Atlantic region. Maryland environmental regulations and legislation have minimized negative impacts from livestock production while supporting local communities and providing tax revenue for local and state governments. Maryland farmers must adhere to some of the most restrictive environmental regulations in the country. State and federal cost-share assistance programs help provide funding to offset the added expenses of those regulations.

The Phosphorus Management Tool (PMT), which restricts phosphorous (P) applications on fields with saturated P soil levels was signed into law in 2015, and it is currently going through a transition period to include more farms. Despite a study by BEACON at Salisbury University that showed a potential lack in the resources needed to move forward, the PMT Advisory Committee recommended to the Maryland Secretary of Agriculture that state move forward with no delay in transition to the next phase-in. The secretary concurred with the committee's recommendations and the department has issued next steps to support the management of litter and manure.

SB 841 completely disregards these current transitional efforts that provide a balanced approach to environmental enhancements and livestock production. SB 841 singles out poultry and negatively impacts an industry that supports local communities of the Eastern Shore. A complete prohibition on issuing discharge permits for new, extending, and/or expanding poultry CAFOs could be the beginning of the end for Maryland's poultry industry, which is the state's top agricultural commodity. The loss of this important industry would have far-reaching impacts that would touch every aspect of life for many communities on the Eastern Shore and beyond.

Under this proposed legislation, current CAFO owners would not be able to sell their poultry operation to individuals since new operators would not be able to obtain a new CAFO permit and would likely lead to bankruptcies. Maryland farmers already face more regulatory obstacles than their counterparts in neighboring states. It has become increasingly difficult to maintain a profitable growing operation to hand down to the next generation of farmers. SB 841 would make this even more difficult and could eliminate this agricultural industry altogether.

If you have additional questions, please contact Cassie Shirk, Director of Legislation and Governmental Affairs, at [cassie.shirk@maryland.gov](mailto:cassie.shirk@maryland.gov) or 410-841-5886.