

Maryland Policy Update

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**Director of Government Relations
Maryland Department of Agriculture
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Phosphorous Management Tool(PMT)

- MDA has submitted three sets of regulations, including “emergency” regs in July and revised regs in October.
- 3 public hearings were held.
- On November 15, MDA announced it would withdraw its proposed regulation to implement the new PMT from consideration by the AELR Committee.

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Phosphorous Management Tool

- The Department will consider all comments and critical issues raised by stakeholders, develop an approach that addresses concerns raised to date during the public comment period.
- MDA met with agriculture stakeholders on November 25 to give them an opportunity to discuss the proposal that they presented to MDA earlier this month.
- MDA will resubmit a proposal to AELR in 2014 that includes a phased in implementation schedule for the new tool.

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2013 General Assembly Session

- The Maryland Agricultural Certainty Program and Advisory Committee.
- Spay and Neuter Fund and Advisory Board.
- Maryland Pesticide Reporting and Information Workgroup.

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Maryland Agricultural Certainty Program

- SB 1029 Maryland Agricultural Certainty Program.
- Allows farmers who voluntarily implement additional BMPs to conduct businesses without additional state environmental regulations for ten years.
- Requires farmers certified in the program to meet a baseline of nutrient reduction equal to exceeding their share of the agricultural sector load reduction targets.

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Maryland Agricultural Certainty Program (Continued)

- After 10 years farmers must be in full compliance with all regulations in effect at that time.
- Goal is to help speed up Bay restoration efforts by encouraging farmers to more quickly implement BMPs while providing them with a predictable regulatory environment.

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Maryland Ag Certainty Oversight Committee

- Will develop regulations necessary to implement the program and continue to evaluate it as it moves forward. Next meeting is Thursday, December 5, 2013. Draft regulations expected in early 2014.
- Committee Members are representatives from government, agriculture and environment.
- MDA Point of Contact -- Royden Powell.

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Spay and Neuter Fund

- SB 820/HB 767 Animal Welfare – Spay/Neuter Fund – Establishment.
- Will provide grants to local governments and animal welfare organizations for spay and neuter services and outreach. Goal -- reduce number of unwanted dogs and cats euthanized every year.
- Emphasis is on efforts that serve low income communities.
- Program funded by fee levied on registered dog and cat food. \$400,000 first year up to \$800,000 annually beginning in the third year.

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Spay/Neuter Advisory Board

- Recommend guidelines and regulations needed to implement the fund and advise the Secretary on how fund should be administered.
- Reps from MVMA, private animal shelter, animal welfare advocacy, MDA and local animal control. First meeting is Friday, December 6, 2013.
- MDA Point of Contact is Pat McMillan

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Maryland Pesticide Information and Reporting Workgroup

- HB 775/SB 675 – Originally called the Maryland Pesticide Information and Reporting Act.
- Amended in the waning days of the Session to turn it into a workgroup.
- Co-chaired by Delegate Steve Lafferty and Senator Roger Manno with staffing by MDA.
- Five meetings held since July.

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Maryland Pesticide Reporting and Information Workgroup (cont')

- Membership composed of representatives from government, General Assembly, academics, agriculture, environmentalists, pesticide manufacturers, pest control companies.
- Right now there is some consensus on need for additional pesticide use data to compliment existing monitoring efforts.
- Lack of consensus on what form that should take.
- Interim Report due December 31, final due July, 2014.
- MDA Point of Contact Carol Holko/Dennis Howard

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Ongoing MDA Workgroups/Policy Issues

- Maryland Nutrient and Sediment Trading Program and Workgroup.
- Invasive Plants Prevention and Control Law and Advisory Committee.
- Animal Waste Technology Fund and Advisory Committee.
- Lawn Fertilizer Law.

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Maryland Nutrient and Sediment Trading Program and Advisory Committee

- Established by the General Assembly in 2010; amended to add “sediment” in 2012.
- Provides farmers with credits for implementing conservation methods that reduce nutrients and sediment runoff beyond the farm’s baseline requirements.
- Farmers can sell credits.

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Nutrient Trading Program Nominated

- Program one of four programs nationwide nominated for a Growing Blue Award.
- Award recognizes individuals, organizations, and government entities for advancing public understanding of how water is as essential to social and economic growth as it is to sustaining the environment.
- MDA Points of Contact: John Rhoderick and Susan Payne

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Invasive Plants Prevention and Control Law

- Passed in 2011.
- Included the establishment of the Invasive Plant Advisory Committee (IPAC) to advise Secretary in adopting regulations for invasive plants.
- Regulations have been promulgated to establish a science-based risk assessment protocol for invasive plants.

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Invasive Plants Upcoming Regulations

- IPAC is working on regulations to:
 - Establish list of tier 1 and tier 2 plants – MDA received specialty crop block grant funding to assist with list development.
 - Establish classification or declassification procedure of invasive plants.
 - Establish procedure for disposal of tier 1 plants.
 - Signage for Tier 2 plants.
 - MDA Point of Contact is Carol Holko

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Animal Waste Technology Fund

- HB 1304 – Department of Agriculture – Animal Waste Technology Fund and Projects (2012 session).
- Bill transferred animal waste technology projects part of the Maryland Economic Development Assistance Fund from DBED to MDA.
- Projects funded either by grant or loan.

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Animal Waste Technology Fund (cont'd)

- Funded with \$2.5 million capitol budget from the Chesapeake Bay Trust Fund and overseen by a committee.
- MDA issued a Request for Information with completed questionnaires due October 16, 2013.
- MDA is now finalizing the RFP with DBM, expecting to move forward in late December or early January, with awards expected by June 2014.

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Lawn Fertilizer Law

- With this law, enacted in 2011, Maryland became the first state in the Chesapeake Bay region to set nutrient limits on lawns managed by professionals and homeowners.
- Everyone needs to do their part in protecting the Chesapeake Bay.

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Lawn Fertilizer Law

For Fertilizer Manufacturers and Distributors

- Will impact all lawn fertilizer products sold and distributed in Maryland by requiring label changes.
- The State Chemist will require further detail pertaining to non-farm tonnage reporting.

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Lawn Fertilizer Law

For Lawn Care Professionals:

- As of October 1, 2013, all lawn care professionals must be certified to apply turf fertilizer in Maryland.
- For more information on the law's requirements go to MDA's Homepage mda.maryland.gov.
- MDA Points of Contact: Phil Davidson (Labeling) and Dwight Dotterer (certification/application)

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2014 Legislative Session

- MDA Departmental Bills.
- Other Potential Issues.

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2014 MDA Departmental Bills

- Lawn Fertilizer.
- MALPF bill.
- Manure Transport.

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Other Potential Issues

- Stormwater.
- Budget Issues.
- Issues Impacting Animal Agriculture (animal welfare, antibiotics issues).
- Legislation related to PMT.
- Pesticide Reporting.
- Chicken tax to provide funding for the Bay Restoration Fund.

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Questions?

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