

Friday, March 8, 2024

TO: Brian Feldman, Chair of the Senate Education, Energy, and the Environment Committee, and Committee Members

FROM: Cait Kerr, The Nature Conservancy, State Policy Manager; Michelle Dietz, The Nature Conservancy, Director of Government Relations

POSITION: Support SB 932 Maryland Agricultural BMP Best in Show Program - Established

The Nature Conservancy (TNC) supports with amendments SB 932 offered by Senator Elfreth. TNC is a global conservation organization working to conserve the lands and waters on which all life depends. In Maryland, our work focuses on delivering science-based, on-the-ground solutions that secure clean water and healthy living environments for our communities, reducing greenhouse gas emissions and increasing resilience in the face of a changing climate. Our Regenerative Agriculture program team focuses on supporting an agricultural economy where farms provide healthy food, clean water, are resilient to climate change and support a healthy Chesapeake Bay where people and nature thrive.

SB 932 will establish the Maryland Agricultural BMP Best in Show Program to provide and prioritize funding to incentivize using best management practices in agricultural operations to produce cost-effective environmental, social, resiliency, and health benefits. These benefits include improved water quality, protections for living resources, and better human and environmental health.

The Chesapeake Bay's health is intricately linked to the health of more than 83,000 farms that operate in its watershed. Fertilizers are key to growing our food, but when lost from farm fields, fertilizers contribute excess nutrients to the Bay's waterways, degrading water quality and harming aquatic life, including fish, oysters, crabs, and underwater grasses. Adding to this challenge, climate change is making fertilizer management even more difficult due to heavier rain events and prolonged droughts. Working alongside a diverse population of agricultural producers—from small to large scale—is critical to achieving TNC's central strategies of infield nutrient management and edge of field/downstream habitat restoration.

In the past 30 years, farmers have significantly increased the amount of food produced on every acre while also reducing the amount of nutrients making it to the Bay. To build on this progress, farmers will need to adopt more advanced nutrient management practices (e.g., precision use of fertilizer), to accelerate Bay restoration, increase climate resiliency, and improve the economic sustainability of farms. TNC helped establish the Mid Atlantic 4R Nutrient Stewardship Association—a collaboration of agribusinesses, government agencies, researchers, and conservation groups—to increase the adoption of these practices. Our Association's shared goal is to see 2 million acres of cropland in the Bay watershed adopt climate-smart nutrient, soil, and water management practices. SB 932 aims to increase funding for these types of practices; however, we would like to respectfully request amendments that we believe would increase the program's success.

Recommended Amendments: (Page 6-7, lines 31 and 1-14)

(II) PRIORITY BEST MANAGEMENT PRACTICES INCLUDE:

- 1. VEGETATIVE ENVIRONMENTAL BUFFERS, HEDGEROWS, WINDBREAKS, OR OTHER PRACTICES DESIGNED TO REDUCE THE TRANSPORT OF AIR EMISSIONS AND DEPOSITION;**
- 2. STREAM EXCLUSION FENCING;**
- 3. RIPARIAN TREE PLANTING AND OTHER HIGH-IMPACT 3 FIXED NATURAL FILTER PRACTICES AS DEFINED IN § 8-701 OF THIS ARTICLE;**
- 4. WETLAND RESTORATION OR ESTABLISHMENT;**
- 5. LAND RETIREMENT AND CONSERVATION;**
- 6. SMALL-SCALE ~~URBAN~~^(Amendment 1) AGRICULTURAL PRACTICES;**
- 7. AGRICULTURAL LAND TRANSITION PRACTICES;**
- 8. MUSSEL RESTORATION;**
- 9. BIORETENTION; ~~AND~~**
- 10. AGRICULTURAL DITCH MANAGEMENT PRACTICES, INCLUDING ~~DENITRIFYING BIOREACTORS~~ PRECISION WATER MANAGEMENT, THAT ACHIEVE CONSERVATION BENEFITS.^(Amendment 2) ~~AND~~**
- 11. PRECISION NUTRIENT MANAGEMENT^(Amendment 3)**

Amendment 1: By removing “urban” this program can become accessible to and inclusive of small farms in other locations.

Amendment 2: Denitrifying bioreactors has proven not to be a cost-effective practice. Instead, TNC recommends adding language directing these practices to achieve conservation benefits and recognizing precision water management, which improves yields and reduces nutrient loss by maintaining ideal soil moisture conditions, as an example of one of these practices.

Amendment 3: Precision nutrient management is a priority best management practice that is currently missing from this bill. Precision nutrient application, the core premise behind “4R” nutrient management, aims to match fertilizer applications to crop needs. The “4Rs” are: using the right source of fertilizer, applied at the right time, right rate, and right place. Applying just what the plants need when they need it means fewer nutrients leaving the field and savings for farmers.

TNC thanks Senator Elfreth for introducing this bill and respectfully requests your consideration for our amendments. We believe these amendments would make this program more accessible to small farms across Maryland, as well as increase the cost-effectiveness and success rates for the bill’s priority BMPs in achieving their intended environmental, social, resiliency, and health benefits.

Therefore, we urge a favorable with amendments report on SB 932.