



SB932 - Maryland Agricultural BMP Best in Show Program – Established

Hearing Date: Friday, March 8, 2024

Position: FAVORABLE

To Chair Feldman and Members of the Education, Energy and the Environment Committee:

Thank you for this opportunity to submit FAVORABLE testimony for SB932 with sponsor amendments on behalf of Waterkeepers Chesapeake and the below signed Waterkeeper organizations. Waterkeepers Chesapeake is a coalition of Waterkeeper programs in the Chesapeake and Coastal Bays region that work with their communities to protect local waterways.

The Chesapeake Bay Program's [CESR Report](#)—A Comprehensive Evaluation of System Response demonstrates that the region is falling short on restoration goals and we need bold, innovative and targeted strategies to address nutrient, sediment and bacteria pollution loads. The CESR report outlines the following key points:

- Runoff pollution in our rivers comes from only 5–20% of our land—and we need to effectively target our restoration work on that land.
- Nonpoint source pollution is our last and largest obstacle to meeting our restoration goals—and agriculture is the largest nonpoint source in the Chesapeake watershed.
- We need to increase our monitoring efforts to improve the efficacy of future restoration beyond 2025—this will take funding and government support to implement effectively.
- Restoration practices have not kept pace with the imbalance of nutrients introduced to the watershed—we need large-scale behavior change that will reduce the amount of nutrients introduced to the watershed.

To address recommendations within the CESR report, which will be pivotal in addressing nonpoint source pollution to accelerate water quality restoration across the state, SB932 will:

- Provide increased funding for coordinated and targeted restoration practices across one or multiple agricultural operations;
- Prioritize state funds to support best management practices in locations most likely to have a short-term benefit to water quality, habitat, and public health;
- Establish monitoring and verification requirements to evaluate the effectiveness of implemented projects, including impacts to resilience, nutrient reductions, and sediment reduction outcomes;
- Establish a process for scoring projects based on their public health and environmental justice benefits.

Following the recommendations of the CESR report, SB932 will direct cost share funds to projects that not only target areas of high nutrient delivery, but will prioritize projects that increase shallow water system responses and near-shore habitat—ultimately increasing pollution reduction outcomes, particularly in near-shore areas where

impacts are most clearly seen and experienced by members of the public. The sponsor amendments that reduce the number of required best management practices from five to three will allow smaller farms, including urban farms, to apply; source \$2 million for the program through the Clean Water Commerce Account, instead of the Bay Restoration Fund, will introduce new money for cost share programs, rather than redirect existing funds; and prioritize farm land in Critical Areas will address land threatened by rising tides and increased storm surge due to climate impacts.

We would like to highlight the significance of one of the practices eligible for receiving incentive payments -- “vegetative environmental buffers” and other projects that reduce the deposition to land and water of nutrients from the air. According to recent estimates, there are millions of pounds of a form of nitrogen that are deposited to the land and waters of the Eastern Shore with virtually no controls in place today. Yet the solution to this massive problem is as cheap as planting certain species of trees, shrubs, and grasses in just the right locations to intercept those gaseous emissions and begin soaking up those nutrients. By our estimate there is no other water pollution control project or practice with a greater cost-effectiveness value than these. More importantly, while these vegetative buffers reduce nutrient runoff to the Chesapeake and Coastal Bays and their tributaries, they also substantially reduce hazardous air pollutants in certain communities, especially the overburdened communities in places like Somerset, Wicomico, and western Worcester counties that are often surrounded by high concentrations of ammonia and particulate matter pollution.

Another innovative practice on the list of priorities is mussel restoration. Sixteen species of freshwater mussels are native to Maryland rivers, and once existed in the millions, similar to the oyster populations in the Chesapeake Bay. Like oysters, mussels are effective at removing nutrients and toxins, filtering out sediments and improving water quality. Scientific opinion is unanimous that mussel recovery is an important part of improving the water quality in the Chesapeake Bay and its tributaries.

To invest in soil health and agricultural practices that reduce runoff is to invest in water quality. This legislation creates an innovative and targeted avenue for farmers to make the biggest and best impact to the Chesapeake and its tributaries while protecting their own investments and livelihoods. We urge a favorable report for SB932.

Sincerely,
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