Nearshore Farming and Finance Act

The Nearshore Farming and Finance Act targets conservation practices and support to farmers in our most ecologically sensitive areas of the Chesapeake.

This bill prevents water pollution from agricultural fertilizer use that would otherwise be permitted 100 feet from Maryland tidal water, and land voluntarily enrolled in conservation will further increase nutrient reduction (31.39 lbs/acre for trees at edge of tide) on minimal acreage (no more than 0.19 percent, or 2,665 acres, which is the amount of Maryland farmland within 100 feet of tidal water).

This bill also creates the state's first incentive program that provides value to tenant farmers — the growing future for on-farm conservation — and works together with the targeting incentive and application setback to reduce nutrient losses, accelerate adoption of high-performing permanent buffers on nearshore property, and minimize the number of farm acres used in Maryland to achieve its Bay restoration goals.

Establishing a riparian buffer on 2,665 acres of farmland within 100 feet of tidal waters will reduce pollution delivered to the Bay
(per Chesapeake Assessment Scenario Tool estimates):

- Nitrogen pollution by **83,654 lbs/yr**
- Phosphorus pollution by **1,706 lbs/yr**
- Sediment pollution by **1,335,538 lbs/yr**

This iniative will maximize investments in restoration and protect valuable crop land, as planting trees on 2,665 acres of nearshore land achieves the same nitrogen reduction as taking 15,527 acres of upland farm fields out of production and converting them to forest.

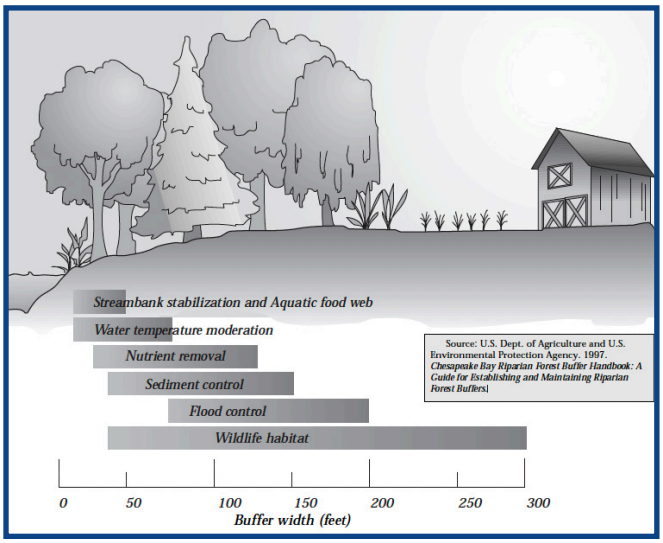

Figure #1. Credit: University of Maryland Cooperative Extension

According to an analysis by the Chesapeake Bay Foundation, there are 2,665 acres of crop and pasture land within 100-feet of tidal water in Maryland. Much of that land is located on the Eastern Shore, where both our natural lands and farms are experiencing pressures from climate impacts — surface and groundwater pollution, saltwater intrusion, and increasingly severe weather and rain events make farming productively on "nearshore" land a growing challenge.

ShoreRivers

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Saving a National Treasure

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Nearshore Farming and Finance Act

THIS BILL BENEFITS MARYLAND FARMERS BY:

- **Improving incentive programs for both owner operators and lease land operators**

  Forest buffers are recognized as the most beneficial BMP for Chesapeake Bay restoration, but they are a significant commitment in time and maintenance, and are not suited for all shorelines and land types. Buffer adopters should be paid the best prices for implementing the most beneficial BMP for their shoreline.

  According to census data, there are 3,309 farmers across the state who leaseland for farming operations. Incentive programs should compensate these farmers for the role they play as stewards of any farm in the Critical Area with implemented conservation buffers.

- **This bill maximizes environmental benefits while minimizing loss of agricultural land**

  Establishing riparian buffers along the 2,665 acres impacted by increased nutrient setbacks would result in significant nutrient reductions. To achieve the same on-farm nutrient reductions by planting forests upland of the 100 foot buffer, the state would need to target 15,527 acres of farmland.

- **Protecting farmland from accelerated erosion**

  The 2,665 acres impacted by this bill have experienced significant shoreline erosion over the last 100 years due to climate impacts and lack of natural buffers. Establishing appropriately sized buffers will slow erosion — protecting farmland across the state.

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THIS BILL BENEFITS THE CHESAPEAKE BAY BY:

- **Helping Maryland reach its 5 million tree goal by 2030**

  In 2021, Maryland's General Assembly appropriated a historic amount of funding to reach this important goal, and this bill will increase landowner subscription to incentive programs funded by Tree Solutions Now Act, 2021.

- **Targeting restoration in areas 6 times as effective for achieving Bay Agreement goals**

  The US Department of Agriculture states that nutrient reductions associated with tree buffers begin at 35 feet (current standard buffer size), while buffers of 100 feet achieve much more nutrient reductions in addition to sediment and flood control, and wildlife benefits. ***(See Figure #1)***

- **Removing nutrient loads from areas identified as high pollution delivery zones**

  Chesapeake WIPs identify Maryland's Critical Area to have an 80% nutrient delivery rate. Extending nutrient setbacks to 100 feet removes pollution loads from the most vulnerable areas and reduces the nutrient mass imbalance identified in the CESR report.

Owner operators who elect to enroll nearshore land in a state agricultural cost share program should receive premium payments for doing so, and establishment costs should be paid upfront to encourage the greatest participation while discouraging early contract termination. Tenant farmers should be eligible to receive rental rates of $150 per acre/per year via state incentive programs to compensate them when a landlord takes land out of production for BMPs in the Critical Area. Payments and buffer types should vary according to slope, soil type, and vulnerability to climate impacts, but buffers should be no less than 100 feet as suggested by the University of Maryland. Nearshore restoration is identified as a top priority in the Chesapeake Bay Program's CESR Report.