



SENATE BILL 0898 - Nutrient Management – Tidal Buffer – Vegetative Buffers and Restriction on Fertilizer Application

POSITION: FAVORABLE

February 14, 2025

Dear Chair Feldman and Honorable Members of this Committee,

Assateague Coastal Trust writes in **SUPPORT** of **Senate Bill 0898**, which addresses establishing and enhancing vegetative buffers within the 100-foot tidal buffer zone and restricting fertilizer application in this sensitive area, to better manage nutrient pollution for protection of the Coastal Bays and Chesapeake Bay waterways.

According to the Chesapeake Bay Foundation, there are 2,665 acres of crop and pastureland within 100 feet of tidal waters in Maryland. Much of this land is concentrated on the Eastern Shore, where agricultural operations are feeling the impacts of climate change. Surface and groundwater pollution, saltwater intrusion, and increasingly severe weather events have made farming in these nearshore areas more challenging than ever. The 100-foot tidal buffer zone, which is located on the edge of these tidal waters, is one of the most critical areas for managing nutrient pollution.

As farming productivity continues to be strained in these regions, it is imperative that we take proactive steps to protect both our agricultural lands and our waterways. Senate Bill 0898 is a critical measure for safeguarding Maryland's agricultural productivity while addressing nutrient pollution. Research has shown that vegetative buffers within 100 feet of tidal waters are six times more effective at reducing nitrogen pollution compared to trees planted in upland areas. By restricting fertilizer application within the tidal buffer zone and supporting the establishment of vegetative buffers, this bill will significantly reduce nutrient pollution flowing into the Coastal Bays and Chesapeake Bay.

The numbers speak for themselves. Establishing riparian buffers on the 2,665 acres of farmland within 100 feet of tidal waters will result in:

- A reduction of **83,654 pounds of nitrogen pollution per year.**
- A reduction of **1,706 pounds of phosphorus pollution per year.**
- A reduction of **1,335,538 pounds of sediment pollution per year.**

Notably, forests planted further than 100 feet from tidal waters are only 15 percent as effective as riparian buffers in trapping nutrient pollution, underscoring the importance of targeting our efforts within the tidal buffer.

Importantly, the impact of this initiative on farmers will be minimal. **On the Lower Eastern Shore, only 65 acres in Somerset County, 65 acres in Wicomico County, and 12 acres in Worcester County will be directly affected.** This represents a small proportion of Maryland's farmland, but the environmental and economic benefits of these conservation measures will be far-reaching.

State agricultural cost-share programs are a powerful tool that will help farmers implement these best management practices (BMPs) with minimal disruption to their productivity. **By increasing incentives for ecosystem services rendered by farmers in environmentally sensitive areas and compensating them for their conservation efforts, this bill balances the interests of the agricultural community with the urgent need for environmental protection.** To maximize participation, the bill recommends premium payments for nearshore land enrolled in the cost-share program, and upfront payments to cover establishment costs. Tenant farmers, who may be disproportionately affected, should also receive tax credits or other financial benefits when their landlords take land out of production for BMPs.

The Nearshore Farming and Finance Act, as outlined in this bill, will ensure that Maryland is making strategic investments in riparian buffer zones, which are identified as a top priority in the Chesapeake Bay Program's Chesapeake Enhanced Scenario Report (CESR). By implementing these buffers, Maryland will not only reduce pollution but will also protect valuable agricultural land from the long-term impacts of climate change.

In conclusion, we strongly urge this committee to adopt a **FAVORABLE** report on **Senate Bill 0898** and urge this committee to do the same. The bill offers a forward-thinking solution that provides measurable benefits to water quality while preserving productive farmland. By prioritizing conservation in the tidal buffer zone, we will make a substantial impact on reducing pollution entering our waterways and protecting our agricultural future.

Thank you for your consideration of this important legislation.

Sincerely,

Taylor Swanson
Assateague Coastal Trust
Executive Director & Assateague Coastkeeper
PO Box 731, Berlin, MD 21811
Taylor@actforbays.org
www.ACTforBays.org