



# Maryland Department of Agriculture

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## Maryland Department of Agriculture

### Legislative Comment

**DATE:** February 18, 2025

**BILL NUMBER:** SB 898/HB 1175

**SHORT TITLE:** Nutrient Management- Tidal Buffer – Vegetative Buffers and Restriction on Fertilizer Application

**MDA POSITION:** INFORMATION

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This legislation requires the Maryland Department of Agriculture (MDA) to adopt technical specifications to manage cost-share funding for installing vegetative buffer practices on land within the 100 ft tidal buffer of an agricultural operation. Additionally, it prohibits anyone applying certain fertilizer to land within that 100 ft tidal buffer from renewing their Nutrient Management Plan. It increases the one-time signing bonus a landowner receives for installing a forested streamside buffer from \$1000 per acre of land to \$1250 per acre of land over the next five years.

While the intent is to incentivize landowners to install buffers utilizing a variety of annual per acre bonuses and reimbursements for eligible costs, it also requires MDA to develop a tiered system to assess per acre bonus rates. MDA is already in the process of establishing a new incentive program, the Leaders in Environmentally Engaged Farming (LEEF) program which the Governor's budget includes an annual appropriation for. Various incentives that are working successfully across the state will be given credits based on a tiered ranking system. Our other cost share programs will be maximized to rank farms and grant them a certain LEEF certification ranking which will qualify them for greater benefits, reduced permitting fees, etc.

LEEF is part of SB 428/HB 506 The Chesapeake Bay Legacy Act, which is one of the Governor's priority bills. MDA would be willing and able to incorporate some of the tenants of the bill into LEEF as an eligible practice for which landowners would not only receive cost share payments for, but they would also be recognized as a leader in environmentally responsible practices through the program.

The bill would also use as a funding mechanism the Tree Solutions Now Fund. The fund currently allows MDA to utilize cost share for applicants to plant trees on their land. The Fund was established in 2021 with an annual appropriation of \$2.5 million dollars. The budget cuts for FY 26 and beyond reduce the Fund to \$500,000 annually. On average, over the past 4 years MDA didn't allocate more than \$500,000 for tree plantings because we didn't receive applications for an amount greater than that. This legislation expands the allowable uses for the Fund to include the buffers, bonuses, and reimbursements. This would result in even less trees planted utilizing the Fund.

MDA appreciates the Committee's consideration of the above information.

If you have additional questions, please contact Rachel Jones, Director of Government Relations, at [rachel.jones2@maryland.gov](mailto:rachel.jones2@maryland.gov) or 410-841-5886.