



PRINCE GEORGE'S
SOIL CONSERVATION DISTRICT

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March 24, 2025

The Honorable Delegate Marc Korman Chair
Environment and Transportation Committee

Re: HB140/SB176

Agriculture-Soil Conservation and Water Quality Plan-Uses of Information

Position: **OPPOSE**

Chair Korman, Vice Chair Boyce and Distinguished Members of the Committee:

The Prince George's Soil Conservation District (District) Board of Supervisors has concerns about HB140/SB176. This legislation will enable the Maryland Department of Agriculture (MDA) to have access to farmers' Soil Conservation and Water Quality Plans (SCWQP) in certain enforcement situations and for statistical purposes.

Soil Conservation Districts (SCDs) develop these plans in close collaboration and cooperation with the producer in a strictly "voluntary" process. We are concerned that the legislation will create an overreach of regulation that will have a negative impact on our continued ability to promote conservation in the agricultural community, and we are not convinced that MDA has thoroughly considered all these implications.

Prince George's Soil Conservation District has been assisting farmers and landowners with their conservation initiatives since our founding on April 7, 1941. The work we do with the agricultural community is based on voluntary participation as well as an understanding that the farmer's information will be secure and kept private. SCWQPs are developed by the District using USDA planning software and are thus protected under Federal Law. Soil Conservation Districts have signed Memorandum of Agreements (MOA) with USDA-Natural Resource Conservation Service (NRCS), to protect the privacy of our agricultural clients. We have serious concerns regarding the legal jeopardy that may result from being forced to provide SCWQPs to MDA.

Another concern regarding this legislation surrounds the MDA presentation given to the House Environment and Transportation Committee in February. Reference was made that the SCWQPs would only be requested when MDA needs to go after "bad actors" as it relates to nutrient management, specifically livestock exclusion into streams. We feel there are already safeguards in place to deal with the small number of bad actors who are allowing livestock to access streams without compromising the trust Districts have developed over the past 80 years. MDA has not made it clear what constitutes a violation, so there needs to be more clarity in the legislation to address this concern.

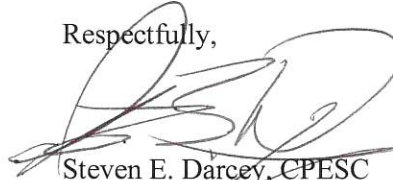
Farmers coordinate with SCDs to develop a voluntary SCWQP to help guide their conservation strategy over the course of many years. Practices get implemented based on the farmer's business plan, production schedule, funding availability, soil types, topography, physical location to waters of the state and a myriad of other factors. As mentioned, the SCWQP is the building block for all the conservation efforts on agricultural land throughout the state. Farmers trust the SCDs to give them technical guidance and help with these conservation efforts, without threat of regulations or enforcement mandating the practices in a SCWQP. This is a critical point of trust between farmers and the SCDs, and it is why Maryland's efforts to restore the Chesapeake Bay have been so successful. Our greatest fear is that MDA, with this legislation, will compromise our long-standing cooperative relationship with the agricultural community due to the fear of the SCWQP being used for enforcement purposes.

The partnership between SCDs, USDA-NRCS, and MDA works because farmers trust the SCDs to protect their information and give sound voluntary conservation guidance on addressing their resource concerns. HB140/SB176 has the potential to disrupt this relationship and unravel almost a century of cooperation between the agricultural community and SCDs.

Farmers take great pride in implementing best management practices to solve soil and water conservation issues and the SCWQP is the first step in that process. If farmers know MDA can gain access to their SCWQPs to look for potential issues that may bring enforcement action against them, they will just stop cooperating with their local SCD. The loss of trust created by this legislation will undermine the tremendous work Maryland Agriculture has accomplished in the Chesapeake Bay restoration efforts.

We oppose HB140/SB176 based on the reasons stated above and the potential problems it may create versus what it is designed to address (which has still not been made completely clear) and we respectfully ask that you oppose it as well on behalf of Maryland farmers and the SCDs that work with them!

Respectfully,



Steven E. Darcey, CPESC
Executive Director

cc: Prince George's Soil Conservation Board of Supervisors