



Maryland Department of Agriculture

Agriculture | Maryland's Leading Industry

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Nutrient Management Planning in Maryland - 2011

Pursuant to §8-807 of the Annotated Code of Maryland, the Maryland Department of Agriculture (MDA) is reporting on the coverage, implementation and evaluation of nutrient management plans being used on Maryland farms in calendar year 2011.

Background

The Water Quality Improvement Act of 1998 requires all farmers grossing \$2,500 per year or more, or livestock producers with 8,000 pounds or more of live animal weight, to run their operations using a nutrient management plan. Nutrient management plans help farmers manage fertilizers, animal waste and other nutrient sources more efficiently in order to meet crop needs while protecting water quality in streams, rivers and the Chesapeake Bay. Plans that address both nitrogen and phosphorus inputs are required for all agricultural operations which produce plants, food, feed, fiber, animals or other agricultural products.

Farmers are required to keep their nutrient management plans current, take new soil samples a minimum of once every three years and file annual reports with MDA describing how they implemented their nutrient management plans during the previous year.

Farmers who own or manage 10 or more acres of agricultural land and apply their own nutrients are required to attend a two-hour MDA-sponsored education program on nutrient application once every three years. Professionals and farmers certified to prepare nutrient management plans are required to take continuing education courses in order to keep abreast of the latest nutrient management technologies and regulations.

Enforcement Activities

MDA's six nutrient management specialists work to ensure that farmers are complying with the law and that environmental objectives are being met. These specialists review nutrient management plans submitted by farmers, analyze annual reports describing how farmers implemented their plans during the previous year, and perform on-farm inspections to make certain that plans are up-to-date and being followed properly. MDA is authorized to issue fines and penalties, take administrative actions and pursue judicial actions, including civil and criminal proceedings. In calendar year 2017, MDA issued \$19,350 in fines to 75 individuals.

Nutrient Management Plan Submissions

Maryland farmers are required by law to submit nutrient management plans to MDA that have been developed by an MDA-certified consultant or farm operator who is trained and certified by

MDA to develop a plan solely for his or her operation. As of December 2011, following ramped up enforcement efforts, nutrient management plans have been submitted for approximately 99 percent (5,514 of 5,516) of eligible farms. This represents over 99 percent (1,291,780 acres) of the total farm acreage (1,304,697 acres) required to be protected by these plans. Progressive enforcement actions are being pursued against the farmers who remain out of compliance with the program.

Annual Implementation Reports

Farmers are required to maintain an updated nutrient management plan at the farm level to reflect changes in their operation. Annual Implementation Reports (AIRs) are required to be filed with MDA by March 1 of each year describing how nutrients were used on their operations. In calendar year 2011, MDA issued 1,276 warning letters to farmers who failed to file a required AIR by the March 1 deadline, followed by 439 notifications of pending fines. By December 2011, 98.58 percent (5,341) of Maryland farms (5,418) had submitted AIRs to MDA. Sixty-nine farmers remain out of compliance at the end of the calendar year and were sent to collections for a total of \$17,250.00 in fines.

On-Farm Plan Implementation Reviews and Inspections

MDA conducted 497 on-farm plan implementation reviews and inspections in calendar year 2017 to verify that farmers' nutrient application records and receipts were in line with their nutrient management plans. These inspections targeted a risk-based sampling of farms and included a visual spot-check of the farming operation. Approximately, 71 percent of those inspected were fully in compliance, 15 percent were determined to be out of compliance due to expired plans, 3 percent did not have a plan, 8 percent failed their inspections due to over application of nutrients and 3 percent failed due to inadequate records or incomplete plans. MDA is working to bring these farmers into compliance. Six farmers were fined for implementation violations for a total of \$2,100.00.