

Maryland Agricultural Certainty Program

Program Description

The Maryland Agricultural Certainty Program was created in 2013. Administered by the Maryland Department of Agriculture (MDA) in coordination with the Maryland Department of the Environment, this voluntary program gives farmers a 10-year exemption from new state and local environmental regulation in return for the installation or adoption of best management practices that enable their farms to already meet Chesapeake Bay 2025 water quality protection goals.

Maryland is one of 10 states in the nation that currently have an agricultural certainty program of some type or are in the process of developing one.

To become a certified participant in Maryland's program, the farm operation has to undergo a thorough review, including a farm inspection, an examination of the farm's Nutrient Management and Soil Conservation and Water Quality plans, and an evaluation using the Maryland Nutrient Tracking Tool to determine baseline compliance with the applicable watershed segment loading rates for nitrogen, phosphorus and sediment. Farms that satisfy the requirements of the Maryland Agricultural Certainty Program are also pre-qualified for nutrient and sediment trading.

Program Objectives

The Maryland Agricultural Certainty Program was established to accelerate the implementation of conservation practices to meet local, state and Chesapeake Bay pollution reduction targets while rewarding farmers for being environmental stewards, and showing leadership in preventing and controlling soil erosion and nutrient runoff. In addition, it allows farmers to make the long-term commitments and business decisions necessary in planning for the future by giving them assurance of regulatory predictability during the 10-year enrollment period.

Implementation Milestones

- Following enactment of the legislation, the Agricultural Certainty Oversight Committee spent the next year and a half working with state agency personnel to draft regulations governing the program.
- Regulations were finalized in November 2014, and adopted in January 2015.
- Marketing materials and training modules for the required certified verifiers were developed and a large pop-up display was designed in anticipation of the rollout of the program in summer/fall 2015.
- During fall 2015, and spring 2016, training sessions were held for those interested in becoming certified verifiers. As a result of these efforts, six individuals passed the qualifying tests and were certified.

- During this same time, a mass mailing was sent to all farmers with Nutrient Management Plans, and staff participated in a variety of agricultural events and meetings to promote the program.
- The first “Certainty Farm” was enrolled in Prince George’s County in September 2016, followed by a second in Frederick County in May 2017.
- A successful media event was held in Frederick County in mid-December 2017 to publicize the program and stimulate additional interest.

Enhancement Opportunities

Although MDA responds to interested farmers, the program has not grown in the last fiscal year. MDA continues to consider potential regulatory and administrative changes, and is currently collaborating with the Maryland Association of Soil Conservation Districts regarding a renewed Maryland Farm Stewardship Certification and Assessment Program to generate more interest in the program.

Funding

The development and initial stages of the Maryland Agricultural Certainty Program were funded by a U.S. Department of Agriculture Natural Resources Conservation Service Conservation Innovation Grant. With the expiration of that grant in September 2016, support for the program comes from state general funds. As a result of an reorganization of the Office of Resource Conservation, the program is now administered through the Conservation Grants Program as part of the Ecosystem Incentives Program.

Challenges

The primary challenge for the Maryland Agricultural Certainty Program has been a lack of interest by the agricultural community. The benefits afforded to Maryland farmers through program participation do not appear to outweigh the additional oversight and scrutiny required under a 10-year commitment. Nationwide, the program has proven to be most successful in states that, unlike Maryland, have low rates of adoption of conservation practices. The state may need to consider enhancing incentives and/or reducing existing regulatory burdens to encourage greater participation.