

Maryland Department of Agriculture Nutrient Management Planning Producer Task Force

Final Report



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November 2023

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**Maryland Department of Agriculture
Nutrient Management Planning
Producer Task Force Meeting**

Executive Summary

Nutrient management planning (NMP) has been an integral part of the agricultural industry's response to Chesapeake Bay water quality improvement implementation and action. Many in the Bay agricultural community believe that NMP has resulted in clear improvement in best practices for water quality. NMP is a mandatory program and has been accepted as a way to pay closer attention to fertilizer and animal waste inputs. Maryland producers strongly support water quality improvements and accountability for any bad actors.

More recently, NMP in Maryland has seen a downward trend in the number of acres being planned by the University of Maryland (UMD) plan writers. UMD is the lead NMP writer along with private consultants and producers themselves. Staffing shortages at the University have been identified as a key contributor to this downward trend. In addition, the NMP position structure at the University has been questioned as to pay levels, benefits, and long-term growth potential for employees. Furthermore, the NUMAN computer-based model for NMP, has been called outdated and difficult to use. The NMP program has been operating in the same way for over 20 years and there remains substantial non-compliance.

The Maryland Secretary of Agriculture, in conjunction with the Dean of Agriculture at the University of Maryland, called for a Producer Task Force to evaluate the NMP program, review data, and make recommendations. The intent and goal for the task force is to build a more modern NMP program incorporating the latest research while still meeting environmental safeguards. Four meetings of the Task Force were held from mid-August to early October 2023. All four meetings were held in the Maryland Department of Agriculture (MDA) Central Office in Annapolis, Maryland. The facilitator and MDA NMP staff organized and implemented the Task Force meeting structure and topics.

Appendix One shows the producer task force participants. Three regional listening sessions and a virtual listening session occurred in early summer 2023. A NM Summit was held July 17, 2023, to discuss issues including announcing the continuation of UMD plan writers. MDA and the University have continued their annual Memorandum of Understanding to continue funding University plan writers for three more years. Appendix Two shows the overview presentation given by MDA staff during those listening sessions. A NMP Oversight Committee has been established to oversee the UMD NMP writers, develop an annual report and set goals for increasing the number of plans written.

The following goals and recommendations were agreed to on the fourth meeting date. They are presented below:

Goal One: Simplify NMP by adding flexibility for diverse producer operations including easing the minimum requirements for small operations or ones that do not apply nutrients:

- Recommendation #1: Review producer non-compliance to better ascertain a breakdown of where the non-compliance is occurring
- Recommendation #2 To simplify reporting,
 - scale cost-share and other assistance to producers
 - categorize crops for planning
 - address new crops such as hemp
- Recommendation #3: Implement precision agriculture advancement elements into the NMP
- Recommendation #4: Extend the length of the plan time for operations from three to five years
- Recommendation #5: Expand leniency on mid-year updates
- Recommendation #6: Increase accountability for “bad actors”
- Recommendation #7: For the AIR, allow an upload document for the import/export of the poultry litter source
- Recommendation #8: Focus on the key plan elements and reduce plan requirements
- Recommendation #9: Have the Soil and Water Conservation Districts provide producers with all setbacks and run the PMT if qualified and capable •
- Recommendation #10: Increase the amount of money that triggers the requirements

Goal Two: Increase education and outreach to producers, environmental groups, and legislators on nutrient management planning requirements:

- Recommendation #1: Increase the number of NM trainings for producer and consultants to develop their own NMP
- Recommendation #2: Organize a singular multi-level education and outreach group at the request of the Secretary of Agriculture
- Recommendation #3: Incentivize attendance for training and continuing education efforts
- Recommendation #4: Engage legislators through on-farm visits and presentations on NMP
- Recommendation #5: Improve water quality data transparency and internal producer communication
- Recommendation #6: Increase social media presence on NMP issues
- Recommendation #7: Focus educational and outreach efforts on school-age children and the public in a uniform and positive way

- Recommendation #8: Utilize existing organizational channels to offer training and information on NMP including PMT (e.g., DCA, MFB, Extension, NRCS, Milk Cooperatives, Lead Maryland)

Goal Three: Improve UMD plan writing efforts and increase private and producer generated nutrient management plans:

- Recommendation #1: Increase funding for writers in specialized areas such as equine, and vegetable and in communities such as the Mennonite
- Recommendation #2: Regarding cost share for NMP writing, revisit the plan writing accomplishment data in January 2024 and June 2024 to determine cost share need and program viability
- Recommendation #3: Properly compensate UMD plan writers and offer graduate student opportunities for NMP writing
- Recommendation #4: Increase access to other funding mechanisms through other state, federal, and private sources
- Recommendation #5: Develop more user-friendly (phosphorus management tool) PMT alternatives
- Recommendation #6: Conduct research and increase the number PSNT (pre side dress nitrate soil test on other soil types) recommendations other than dry land corn with manure
- Recommendation #7: Continue a simplified farmer training certification program (FTC)
 - Recommendation #8: Enhance research efforts on specialty crops and increase the number of continuing education/training opportunities for specialty crops
- Recommendation #9: Develop Confined Animal Feeding Operations (CAFO) NMP with the maximum capacity available to update only if nutrients increase

Goal Four: Using the latest science, revamp/modernize the nutrient management planning software (NUMAN). Meet UMD standards including consideration of mid Atlantic and/or Bay watershed recommendations. Use the latest science and secure funding to accomplish:

- Recommendation #1: Investigate and adapt other land-grant university NMP models for Maryland adoption (e.g., Clemson). Important elements include:
 - Updated technology includes web-based approaches, able to use on mobile devices
 - A robust field mapping program
 - Ability to split fields
 - Field by field yield records

- Field by field nutrient application records
 - Ability to scan receipts in
- AIR generated with ease
 - Plan review applicability with any changes easily addressed such as greater than 10% change in acreage or 30 acres whichever is less
 - Flexible and able to incorporate N model
 - Keep nutrient planning data and record keeping together but protected information
 - Determine quality vs. yield parameters
 - Adapt to regional differences
 - Confidential
 - Be able to account for organic fertilizers and cover crops in both tons, pounds, and gallons
 - Be able to summarize easier and lead to an AIR

The Four Task Force Meetings and Facilitation Process

As stated above, the four Task Force meetings were held from mid-August to early October 2023. **A meeting number #1 summary is shown below:**

Participant introductions followed with the facilitator asking if they would state their name, location where they farm and what type of operation they have. Lastly, the facilitator asked what they wanted to see as an outcome to these series of meetings. The following is the list of desired participant outcomes for this NMP dialogue process.

- Here to listen and learn
- Make it relevant and not complicated
- Streamline the program
- Make it usable on the front lines
- A great opportunity to adjust
- Our diversity of crops makes it hard to manage
- The NUMAN program is clumsy and hard to use
- Need flexibility-specific industries
- Update yield information and use it
- Make it user-friendly and explain it better to the producer
- Common-sense approach
- Modernize it
- Use other existing software like John Deere or CLIMATE
- Farmer-generated plans are better
- How can we incentivize NMP?
- It is inequitable-multi-cultural issues

- Mobile application
- Simplified application
- Consider manure export-dairy and horse
- What is PA doing?
- CAFO's do not need NMP's!
- Need agreement with MDE-who has program control?
- Issue of farmers doing it all-where are the other non-point sources and point sources in Maryland
- Can we do this regionally?
- Need to check the boxes or is this a legitimate exercise
- Highly scrutinized program!
- Farmers are businessmen/women too
- Education needed-outreach critical now to show what producers do
- Geography is important

Following the introductory set of comments, Bryan Harris of the MDA staff gave an overview of the nutrient management (NM) laws and regulations. All pertinent laws and regulations are available on the MDA web site and can be accessed by the link below:

https://mda.maryland.gov/resource_conservation/Pages/nutrient_management_overview.aspx

Both private and producer generated NMP's are allowed under Maryland law. Account identification numbers are how MDA tracks the NMP process and plan completion. NMP is overseen by the University of Maryland (UMD) Extension and NMP staff. Phosphorus continues to be an important element in NMP. Task force members were encouraged to review the law and regulations as the group moves forward with recommendations.

Mr. Dwight Dotterer, NMP Program Manager, presented the NMP writing component of this effort and critical information surrounding the required NM changes. Currently, UMD has 20 staff with seven vacancies. The federal funding support for NMP program has been "flat" for many years now. Farmer/producer self-certification is a growing phenomenon with 68 taking the latest test. UMD is now evaluating more full-time positions and higher pay to keep NMP writers on board.

Mr. Dotterer followed the plan writing discussion with comments on the current technology and NUMAN software issues. Mr. Harris assisted in the presentation and answered participant questions. Participants discussed the other software applications available such as the John Deere and CLIMTE applications. Participants offered comments on why NUMAN does not serve the Maryland producer community well such as not being able to utilize/calculate animal units on pasture.

Following the foundational information and set of presentations by MDA staff, the facilitator led a conversation that began to draw out what the desired future condition

of the NM program could be. What is the Vision for this program? Participants gave the following responses:

- Flexible
- Open-minded approaches
- KISS approach
- Focus on different operations
 - CAFO?
 - Manure brokers
- Water quality should remain the focus overall
- Need a sub-plan approach to capture the operational diversity
- Geographically based as well
- Can we adopt an interim approach? Prior to possible NUMAN revision • We thought the Conservation Stewardship Program (CSP) was going to help with this?
- Established criteria and lengthen the time for inspection frequency
- Factor in the risk
- Simplify the “P” level information-PMT so cumbersome
- Simplicity!
- Record-keeping is simple too!
- Credit for continued practices already in place
- For vegetable operations, much smaller units, soil testing should be ok to utilize
- Constant, periodic review

With this initial background information plus the last several months of meetings and discussion, task force participants were asked to identify one “bucket” of work or area of work that they are going to study/evaluate and make recommendations. The following initial group responses were captured by the facilitator:

- Meet Watershed Implementation Plan (WIP) goals-acres and numbers of operations
- How to meet the needs of different, diverse operations-equine for example
- Use of private consultants that provide continuity and consistency ○ Use of UMD plan writers
- Technology, a revamped NUMAN, and third-party software
 - Accessibility
- UMD language and recommendations
- Minimum requirements for NM writing (Identified as a priority)
 - Pool of funding
- How do we integrate the approach?
- Education and Outreach

- Annual Implementation Report (AIR)
- Certification Process-CAFO and other operations which do not apply nutrients

The **second meeting of the producer task force** for nutrient management planning began with a discussion on the core values for the group. Core value discussion is utilized to “get at the heart” of the discussion and process. Based on the Visioning exercise noted above, the facilitator offered a core value list as a starting place for the Task Force on the listing of core values. They are shown below:

Core Value: Maintain agricultural industry and producer commitment to the Watershed Implementation Plan (WIP) commitments, water quality and the health of the Chesapeake Bay.

Core Value: Meet producer business needs for profit and ease of implementation.

Core Value: Through the University of Maryland (UMD), the Chesapeake Bay Program (CBP) and other scientific sources, continue using the latest research to improve NMP efforts and on the ground recommendations.

Task force members made several comments related to the original core value statements. Task force members wanted to keep the core value statements simple. For example, many participants expressed that including the WIP commitments in the core value statement was not appropriate as this statement reflected nutrient management planning as a part of watershed health but did not directly pertain to the WIP.

Additionally, members wanted to keep the names of UMD Extension and Bay Program out of the statements as well. Small revisions were made in core value statements two and three and are reflected below in *italics*. Hence, the following revised statements are listed here:

Final Core Value Statements

Core Value: Maintain agricultural industry and producer commitment to water quality and the health of the Chesapeake Bay.

Core Value: Meet producer business needs for profit and ease of implementation and access to plan writing in an affordable and timely manner.

Core Value: Continue using the latest research to improve nutrient management planning (NMP) efforts and on the ground recommendations to meet UMD approved standards.

The bulk of the second meeting was to begin our work of adding recommendations to the four main topics or “buckets of work.” A carousel approach was utilized to begin addressing the “how to accomplish” portion of this task force’s work effort. The task force was divided into four groups, each spending 15-20 minutes at each station addressing the goal and how to accomplish it. Each goal statement was considered first, and no changes were recommended by the task force. Through this process and work effort, four goal statements or “buckets of work” were identified and listed. They are shown below with the original draft recommendations shown below:

Goal One: Simplify NMP by adding flexibility for diverse producer operations including easing the minimum requirements for small operations or ones that do not apply nutrients:

- Recommendation #1: Review producer non-compliance to better ascertain a breakdown of where the non-compliance is occurring
- Recommendation #2: Scale assistance to producers and categorize crops by family to simplify reporting
- Recommendation #3: Implement precision agriculture advancement elements into the NMP
- Recommendation #4: Extend the length of the plan time for small operations and ones with no nutrients applied
- Recommendation #5: Expand leniency on mid-year updates
- Recommendation #6: Increase accountability for “bad actors”
- Recommendation #7: Develop an index-yield goal-based approach •
- Recommendation #8: For specialty crops, allow a maximum nutrient load per acre
- Recommendation #9: For the AIR, allow an upload document for poultry litter source
- Recommendation #10: Focus on the key plan elements and reduce plan requirements
- Recommendation #11: Have the laboratories give the MD requirements for all nutrients except nitrogen
- Recommendation #12: Have the Soil and Water Conservation Districts provide producers with all setbacks

Goal Two: Increase education and outreach to producers, environmental groups, and legislators on nutrient management planning requirements:

- Recommendation #1: Increase the number of NM trainings for producer and consultants to develop their own NMP
- Recommendation #2: Incentivize attendance for training and continuing education efforts

- Recommendation #3: Engage legislators through on-farm visits and presentations on NMP
- Recommendation #4: Improve water quality data transparency and internal producer communication
- Recommendation #5: Increase social media information presence on NMP issues
- Recommendation #6: Utilize existing organizational channels to offer training and information on NMP (e.g., DPI, MFB, Extension, NRCS, Milk Cooperatives, Lead Maryland)

Goal Three: Improve UMD plan writing efforts and Increase private and producer generated nutrient management plans:

- Recommendation #1: Target cost-share to non-compliant producer communities
- Recommendation #2: Increase funding for an writers in specialized areas such as equine, turf and vegetable and in communities such as the Mennonite
- Recommendation #3: Properly compensate UMD plan writers and offer graduate student opportunities for NMP writing
- Recommendation #4: Provide cost-share for producer-written plans
- Recommendation #5: Increase access to funds through other state, federal, and private funds
- Recommendation #6: Develop more user-friendly (phosphorus management tool) PMT alternatives
- Recommendation #7: Increase the number PSNT (pre-side dress nitrate soil test) recommendations other than dry land corn with manure
- Recommendation #8: Institute a simplified farmer training certification program (FTC)
- Recommendation #9: Increase the number of continuing education/training opportunities for specialty crops
- Recommendation #10: Develop Confined Animal Feeding Operations (CAFO) NMP with the maximum nutrient capacity available so as to update only if nutrients increase

Goal Four: Revamp the nutrient management planning software (NUMAN) and offer other platform options that meet UMD standards including a consideration of mid Atlantic and/or Bay watershed recommendations. The other platform options can be utilized on an interim basis:

- Recommendation #1: Investigate and adapt other land-grant university NMP models for Maryland adoption (e.g., Clemson)
 - Important elements include:
 - Updated technology includes web-based approaches
 - Able to use on mobile devices
 - A robust field mapping program¹

- Ability to split fields
- Field by field yield records
 - Field by field nutrient application records
 - Ability to scan receipts in
- AIR generated with ease
 - Plan review applicability with any changes easily addressed such as greater than 10% change in acreage or 30 acres whichever is less
- Flexible and able to incorporate N model
- Adapt to regional differences
- Determine quality vs. yield parameters
 - Keep nutrient planning data and record keeping together

The second meeting ended at this stage with no further refinements to the goals/buckets of work or recommendations underneath.

As with the previous meetings, **Meeting #3 began** with participant introductions followed by the facilitator asking if they would state their name, location where they farm and what type of operation they have. Discussion began with a review of Meeting Number two notes and restating of the task force's core values. Following the meeting number two notes review, no additional changes were offered by Task Force participants on the notes or core values.

Mr. Bryan Harris, MDA NMP staff, gave a status report on the phosphorus management tool (PMT) as it related to last meeting's discussion on its viability and implementation. Mr. Harris noted that many producers do not understand the tool but that it is not used widely or needed across most of the state. Mr. Harris stated that only about 10% of the acreage needs to use the PMT. Task Force comments were as follows:

- Always need to evaluate any part of NUMAN by region
 - Most higher Phosphorus (P) concentrations are on the lower shore
 - Leads to a negative stigma on the use of P
 - P movement in the soil is very slow and tied to sediment
 - In areas of artificial drainage, the tool automatically outs you in the high range
 - Mechanics of PMT is ok but needs revising
 - There is a micronutrient issue related to P and the tool
 - The question should be "...are we adequately meeting the needs of the crop?"
 - There is a resulting question of the carbon footprint and cost of moving fertilizer/manure
 - Can we ask NRCS/SWCD to run it only for individual fields?

The bulk of the remaining time in the meeting was the refinement of our goals and recommendations generated at meeting number two. In alignment with the four goals, easels were placed in the four corners of the meeting space and task force members

were asked to move to their goal they were most interested in continuing to work on in the refinement process. The facilitator and MDA staff members also participated as active members of the process.

Task force members were asked to respond to these questions during this review and refinement process. They are as follows:

- Are the statements clear?
- Are they technically correct?
- Are there any recommendations that are duplicative? Can you consolidate any of the information?
- Are there any recommendations for “gaps” under the goal?

None of the four goals listed were changed, only the recommendations underneath. Any changes are shown in *italics or are strike-through*. Goal comments shown on the easel pad sheets that did not cause a change in the recommendation are not shown below.

The following information shows the revised goals and recommendations stemming from the response to the above questions and work at meeting number three:

Goal One: Simplify NMP by adding flexibility for diverse producer operations including easing the minimum requirements for small operations or ones that do not apply nutrients:

- Recommendation #1: Review producer non-compliance to better ascertain a breakdown of where the non-compliance is occurring
- Recommendation #2 To simplify reporting,
 - *scale cost-share and other assistance to producers*
 - *categorize crops-for planning*
 - *address new crops such as hemp*
- Recommendation #3: Implement precision agriculture advancement elements into the NMP
- Recommendation #4: Extend the length of the plan time for operations-*from three to five years*
- Recommendation #5: Expand leniency on mid-year updates
- Recommendation #6: Increase accountability for “bad actors”
- Recommendation #7: For the AIR, allow an upload document *for the import/export* of the poultry litter source
- Recommendation #8: Focus on the key plan elements and reduce plan requirements

- Recommendation #9: Have the Soil and Water Conservation Districts provide producers with all setbacks *and run the PMT if qualified and capable* •
- Recommendation #10: *Increase the amount of money that triggers the requirements*

Goal Two: Increase education and outreach to producers, environmental groups, and legislators on nutrient management planning requirements:

- Recommendation #1: Increase the number of NM trainings for producer and consultants to develop their own NMP
- *Recommendation #2: Organize a singular multi-level education and outreach group at the request of the Secretary of Agriculture*
- Recommendation #3: Incentivize attendance for training and continuing education efforts
- Recommendation #4: Engage legislators through on-farm visits and presentations on NMP
- Recommendation #5: Improve water quality data transparency and internal producer communication
- Recommendation #6: Increase social media information presence on NMP issues
- *Recommendation #7: Focus educational and outreach efforts on school-age children and the public in a uniform and positive way*
- Recommendation #8: Utilize existing organizational channels to offer training and information on NMP *including PMT* (e.g., DCA, MFB, Extension, NRCS, Milk Cooperatives)

Goal Three: Improve UMD plan writing efforts and increase private and producer generated nutrient management plans:

- Recommendation #1: Target cost-share to non-compliant producer communities •
- Recommendation #2: Increase funding for writers in specialized areas such as equine, ~~turf~~ and vegetable and in communities such as the Mennonite •
- Recommendation #3: Properly compensate UMD plan writers and offer graduate student opportunities for NMP writing
- Recommendation #4: Provide cost-share for producer-written plans •
- Recommendation #5: Increase access to funds through other state, federal, and private funds
- Recommendation #6: Develop more user-friendly (phosphorus management tool) PMT alternatives
- Recommendation #7: *Conduct research and* increase the number PSNT (pre side dress nitrate soil test *on other soil types*) recommendations other than dry land corn with manure

- Recommendation #8: Institute a simplified farmer training certification program (FTC)
- Recommendation #9: *Enhance research efforts on specialty crops and* increase the number of continuing education/training opportunities for specialty crops •
- Recommendation #10: Develop Confined Animal Feeding Operations (CAFO) NMP with the maximum capacity available to update only if nutrients increase

Goal Four: Using the latest science, revamp/modernize the nutrient management planning software (NUMAN). Meet UMD standards including consideration of mid Atlantic and/or Bay watershed recommendations. Use the latest science and secure funding to accomplish this:

- Recommendation #1: Investigate and adapt other land-grant university NMP models for Maryland adoption (e.g., Clemson)
 - Important elements include:
 - Updated technology includes web-based approaches
 - Able to use on mobile devices
 - A robust field mapping program
 - Ability to split fields
 - Field by field yield records
 - Field by field nutrient application records
 - Ability to scan receipts in
 - AIR generated with ease
 - Plan review applicability with any changes easily addressed such as greater than 10% change in acreage or 30 acres whichever is less
 - Flexible and able to incorporate N model
 - Keep nutrient planning data and record keeping together
 - Determine quality vs. yield parameters
 - Adapt to regional differences
 - Confidential
 - Be able to account for organic fertilizers and cover crops in both tons, pounds, and gallons
 - Be able to summarize easier and lead to an AIR

The fourth and final meeting of the NMP Producer Task force focused on the refinement of the four goal areas with recommendations. Additionally, the topic of whether to recommend cost share NMP plan writing was discussed during meeting number four.

Please see below a summary of the cost share discussion and decision:

NMP Plan Writing Cost-Share Discussion

Based on the group process work and the discussion within Goal Three, task force

members believe a critical part of the NMP improvement process and improving compliance rates is the concept of cost-share payment for plan writing. Appendix Three shows the results of an informal survey conducted by the producer task force. The one recommendation related to this issue is under Goal three. A significant part of meeting # four constituted a task force member discussion and interplay with MDA staff on this issue.

Between meetings three and four, an electronic survey was sent to members of the task force. The questions were developed by the facilitator and MDA NMP program staff. In general, the results were clear that most members believe cost sharing would increase NMP compliance, particularly for producer-written plans. However, after the initial agreement that cost sharing could aid in compliance, other questions related to cost share and how it is implemented and at what level, received mixed responses. Other members believe it should be an equitable distribution of the cost-share funding. Discussion occurred on whether existing cost share programs which put actual best management practices on the ground should be reduced to institute a NMP cost share program. Questions on rates and whether there should be a distinction for what plans UMD staff develop versus private vs. producer-generated plans remains in question.

While the initial task force discussion leaned to a recommendation to implement a cost share for NMP, the task force agreed to pause this recommendation and revisit the NMP writing data at both the six month and 12-month interval to determine if plan writing was increasing without a cost share program.

Final Task Force Goals and Recommendations

Goal One: Simplify NMP by adding flexibility for diverse producer operations including easing the minimum requirements for small operations or ones that do not apply nutrients:

- Recommendation #1: Review producer non-compliance to better ascertain a breakdown of where the non-compliance is occurring
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- Recommendation #6: Conduct research and increase the number PSNT (pre side dress nitrate soil test on other soil types) recommendations other than dry land corn with manure
- Recommendation #7: Continue the simplified farmer training certification program (FTC)
- Recommendation #8: Enhance research efforts on specialty crops and increase the number of continuing education/training opportunities for specialty crops •
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Appendix One
Producer Task Force Participants and Operation Type

Dave Burrier-grain
Daniel Rayne-grain
Ben Butler-orchard
William Layton-vineyard
Bill Rasche-beef
Gary Dell-beef
Mike Harrison-beef
Geraldo Martinez-urban agriculture (UA)
Jon Berger-UA
Nia Bloom-UA
Ann Sutton-UA
Amy Posey-equine
Ian Reikie-beef
Robrt Butts-equine T
Tracey Gay-equine
Emma Jagoz-produce
Joe Sam Swann-produce
Kayla Griffith-produce
Tom Albright-greenhouses
Sara Rider-diverse operation
Joel Greenwell-diverse operation
Jennifer Debnam-swine
Steve Ernst-swine/specialty
Matt Hoff-dairy
Bob Miller-dairy
Doug Leichlider-turf
Ernst Adkins-poultry, no land
Christy Brown-poultry
Jim Lewis-UMD Extension
Brian Sweeney-UMD Extension
Buddy Bowling-hay
Steve Kraszewski-organic grain
Alan Jones-nursery

Maryland Department of Agriculture Staff
Hans Schmidt
Dwight Dotterer
Bryan Harris
Tom Filbert

Appendix Two July 2023 Listening Session Presentation Overview

On June 1, 2023 MDA announced that the Nutrient Management Planning would transition to a new model by summer's end. Secretary Atticks hosted four regional listening sessions across the state to share the agency's plan and to garner feedback from Maryland farmers.

Press Release

The Maryland Department of Agriculture today announced a shift in its Nutrient Management Plan Writing Program that will focus on a new approach to education, training, and farmer empowerment. The decision to move to this new options-rich model comes as a greater demand for plan writing has increased following the COVID-19 pandemic.

“The Maryland Department of Agriculture and the University of Maryland have enjoyed a long-standing partnership regarding Nutrient Management Plan writing and that will continue with this new program,” said Maryland Department of Agriculture Secretary Kevin Atticks. “In addition to new incentives for farmers, this program will align with Chesapeake Bay goals while giving Maryland farmers the tools they need to succeed as strong stewards of the environment.”

Maryland law requires all farmers grossing \$2,500 a year or more or livestock producers with 8,000 pounds or more of live animal weight to follow nutrient management plans when fertilizing crops and managing animal manure. Nutrient management plans specify how much fertilizer, manure or other nutrient sources may be safely applied to crops to achieve yields and prevent excess nutrients from impacting waterways.

Because of their complexity, these plans must be prepared by a certified University of Maryland specialist, certified private consultant, or farmer who is trained and certified by the department to prepare his or her own plan. Driven by input from industry, the nutrient plan writing program will expand Maryland farmers' access to nutrient management plan writers and plan writing services, helping farmers meet their environmental stewardship needs and grow compliance with statewide regulations.

The transition is anchored by a valued partnership and educational and training expertise provided by The University of Maryland's College of Agriculture and Natural Resources, access to new, beneficial cost-share programs and plan-writing services offered by industry professionals.

The new program features a progressive approach that includes the following:

- Access to beneficial cost-share programs that will provide partial funding to all eligible farmers in Maryland to access plan-writing services from industry professionals;

- Opportunities and workshops to help nutrient management advisors become aware of plan writing employment through the private sector;
- Assisting current University of Maryland planners obtain business licenses to write plans privately;
- MDA funded UMD specialists providing expanded nutrient management plan writing workshops across the state for ALL Maryland farmers (underserved, small, medium, and large). Support may also be provided to write nutrient management plans for smaller operations;
- New opportunities for Maryland-based agricultural organizations to build alliances with privatized nutrient management planning services.

“The time is right to privatize and move in the direction that the department envisioned years ago, and we are supportive of this decision,” said University of Maryland’s College of Agriculture and Natural Resources Dean Craig Beyroudy. “As is our role and duty as a land-grant institution, AGNR is highly motivated to stay involved and help plan writers and producers with nutrient management education, tools, and advice.”

“We would like to recognize the University of Maryland’s College of Agriculture and Natural Resources and its Department of Environmental Science and Technology for their success and contributions over the years,” said Atticks. “We look forward to building upon their strong foundation to take this already successful program to new heights.”

The following listening sessions were held:

1. Western Maryland

June 22, 2023 from 7-9 pm at the Washington County Agricultural Education Center

2. Southern Maryland

June 30th, 2023 from 5:30 pm - 7:30 pm at the Charles County Soil Conservation District Office

3. Mid Shore Maryland

Thursday, July 13, 2023 from 5 pm - 7 pm at the Talbot County Community Center

4. Central Maryland

July 17, 2023 from 9-12 pm at Anne Arundel Community College

The information shared via PowerPoint is as follows:

Proposed Nutrient Management New Model

MDA will provide funding to UMD to hire 4 FTE (\$541,636)

1 Specialist will provide maintenance and revisions to the Numan Pro software including integrated and standalone versions of the Maryland PMT. This position will provide guidance and assistance regarding the technology associated with plan writing to certified consultants, certified farmers, agency staff, and other

2 Specialists will be responsible for writing nutrient management plans for small farms (under 50 acres), urban farms, and operators specifically determined to be underserved. (Goal 190 operators)

1 Specialist will provide technical guidance to certified consultants, certified farmers, industry professionals, and others regarding nutrient management planning. This position will also conduct the Farmer Training Certification Program (FTC) to reach departmental goals of encouraging farmers to write their own plans. This position will also be available to write nutrient management plans for the above mentioned operators as needed. (12 FTC sessions, 1 per month)

MDA will hire a Training Coordinator

- June 1, MDA announced , effective Aug 31, 2023, MDA will not provide grant funds to UMD for the sole purpose to hire nutrient management plan writers

- Challenges heard by MDA across the state

- Timeliness of farmers receiving NMP from UMD

- UMD vacancies

- MDA felt it was time to explore a new approach that includes a broader emphasis on education, training, and empowering farmers to succeed.

- We believe now is the right time to pivot in an enhanced direction that builds on expansion on the education and technical training support by MDA and the UMD and allows the private nutrient management plan writing sector to grow

Where do we go from here?

MDA will sign into an agreement with UMD to fund 4 Specialists (General and CBTF funds):

1 Specialist- Numan software development and training

3 Specialists- Farmer Certification Training (monthly workshops) (virtual and in-person)

Provide technical training for plan writing

Write NM plans for farm operations less than 50 acres for free

Agronomy Days- NM updates

- MDA will hire a Training Coordinator to work with specialists on organizing training needs

- MDA has a list of NM plan writers:

https://mda.maryland.gov/resource_conservation/counties/NM_CONSULTANT_FOR_HIRE_DIRECTORY.pdf

- MDA will release a RFP to provide 2 grants (\$25,000 each) to nonprofits, government organizations, etc. to hire plan writers in targeted areas (western and southern Maryland) and 2 grants (\$25,000 each) for general across the state (CBRAP funds)

- Cost-share:

0-125 acres- \$250

Larger than 125 acres- \$2/A cap at \$1000

- CAFO are already paying MDE fees for their permits. SCDs are currently writing the CNMPs and MDA will provide regional staff to write the NMPs for land and no-land operations

- MDA has developed a stakeholder workgroup to work out the transition to this new model

- Our focus moving forward will be to work with the agricultural industry to expand Maryland farmers access to plan writing services.

- Our goal is to incentivize farmers with more control, knowledge and management of their operations, incorporating their nutrient management plan as part of their own business plan.

Appendix Three Nutrient Management Planning Cost Share Survey Results Summer 2023

Q1 - Do you believe the MDA/state should offer cost-share assistance for NMP writing?

Answer % Count

No 4.76% 1
Yes 80.95% 17
Maybe 14.29% 3
Total 100% 21

Q2 - Please share any thoughts on the question and your response below

If the farmer intends to use the plan.
Basic cost of business. Would rather more cost share go towards BMPs/conservation practices, which can become quite expensive.
I'm not sure cost share vs. not is the right question? Yes, in general cost share is a good idea.
I feel that paying for your crop advisor (and having your NMP written) is a normal business practice for a farmer and should not have a cost share. Adopting a cost-share program for all will just drive up the cost of plan with no water quality benefits. Public funding should be spent in areas with real benefits like the cover crop program.
I can agree that there may be some instances where the state could offer incentives to get NMP compliance. Smaller farms, specialty crops and some regions of the state probably have limited access to plan writers. I think that this is where the UMD plan writers can be effective. However, I think there should be a fee charged for these plans. No more free plans.

I believe the Maryland farmers have already weighed in on this subject very heavily. There was an outcry when the contract with UMD was terminated.

I think a cost share for producer written plans will reduce the load on UMD plan writers and empower small scale producers, without giving further state subsidy to the wealthiest producers that are already paying market rate for more sophisticated private NMP consultants. The argument was made that a cost share for private plan writers would also increase their prices, and I find that compelling. I don't want MDA to cut out the UMD plan writers without drastically raising the requirements for who has to have a plan, because that will adversely affect smaller and specialty crops producers.

The cost- share should be fair, equitable, reasonable and common sense thought out.

MD started out cost sharing programs when we had a model to FOLLOW. Limits could be placed. Lancaster County pa just started a new cost share program. We should look at that one as well

if the state mandates nmp to be done it should not be the burden of the farmer after starting out as voluntary

These plans take a lot of time and should help fund the process

The main question that has not been answered is:

Was the cost shared, promised by the State in 1998, intended to be forever?

If yes, my answer is yes, cost share should be available to whomever is required to have one and it should be a simple streamline approach to obtaining cost share.

If no, then my answer is no because it is/should go away.

Since this is required by the state and was previously done at their expense I believe the state should continue to cover the entire amount.

Q3 - Who do you believe should get this cost-share? (Check that all applies)

Answer % Count

Private plan writers	44.44% 16
Producer written plans	55.56% 20
	Total 100% 36

Q4 - Please share any thoughts on the question and your response below

.25

Every little helps
I would like to see more funds go into farmer training to write their own plans AND to then cost share all plans.
you need to be fair, place limits on total cost so larger operations would have to pay a larger portion based on the operation size .
Farmers have told me they don't want the burden of more paperwork so add that to what the private writers can do as a service to the farmer. At the same time incentive the farmer if they write their own
Farmers are always being asked to take on more expenditures. With commodity prices increasing along with inputs, I.e. fertilizer, seed, repairs, taxes, etc. there needs to be some common sense taken into consideration into this factor related to nutrient management.
Incentive farmers to learn the system and write their own plans.

if there is cost share then farmers who do their own should be compensated
If cost share is done all should qualify
Cost share should be available to whomever is required to have one and it should be a simple streamlined approach to obtaining cost share.

Q5 - Should the state increase the amount of cost-share funding and increase the amount allocated for NMP writing?

Answer % Count

No 23.81% 5
Yes 76.19% 16
Total 100% 21

Q6 - Please share any thoughts on the question and your response below

The cost share should come from funds. Currently going to UMD for plan writing.
See answer on first question
Of course we would love to have the state increase cost share funding. But specifically for NMP writing, I say no.
The funding for the UMD plan writers needs to be on a permanent basis, so the employees are not under annual contracts. How can UMD ever retain employees in this fashion?
As farmers we cannot pass the costs of production on so general public needs to help bear costs
The amount from the legislature needs to be increased
If the state, along with the administration and the legislators want nutrient management then Maryland should bear the brunt of the costs associated with this program. Farmers are always being asked to bear the costs however, we are the minority along with feeding the world and are expected to pay more than our share of input costs.

Q7 - What cost-share percentage should plan writers receive?

Answer % Count

0 to 20% 9.52%
20% to 40% 4.76% 1
40% to 60% 33.33% 7
60% to 87.5% 52.38% 11 (Maximum cost-share amount as designated by law)
Total 100% 21

Q8 - Should it be a tiered approach where acreage amounts receive different cost-share percentages? or a specialty crop basis?

Answer % Count

Agree to a tiered approach by specialty crop	4.76% 1 response
Agree to a tiered cost share approach by acreage	23.81% 5 responses
Agree to a tiered cost share approach by acreage	23.81% 5 responses
Agree to a tiered approach with acreage and specialty crops considered	71.43% 15 responses
Total 100% 21 responses	

Q9 - Please share any thoughts on the previous question in your response below:

Small operations cost of writing would be a larger percentage of operation costs versus a large operation and large acreage
Couldn't unselect the answer but I think sometimes acreage is not a useful metric to and a certain crop doesn't make the plan more or less valuable
I am opposed to the cost-share. However, I do believe that access to the UMD plan writers could be on a tiered basis based on acres and specialty crops
All crops whether specialty or grain, vegetables along with livestock should be treated fair, equitable no matter what they are growing or the amount. We all eat three meals a day and more.
Higher rates for smaller operations, with a bonus rate increase for operations with particularly complex plan writing requirements.
I do not think it should matter the amount of acres or crops... so my answer would be neither.
My understanding of private plan writers is they charge by the acre, which means larger operations obviously pay more.
Specialty crops can be just as expensive due to variety and they tend to be smaller operations.
I believe specialty crops & acreage should go to a point system to determine percentages awarded. This concept will require a general consensus of plan writers input on the difficulty level of each

Q10 - Should there be a minimum acreage threshold?

Answer % Count

No 60.00% 12
Yes 40.00% 8
Total 100% 20

Q11 - What is your recommendation for that minimum acreage threshold?

Answer % Count

1 10-20 acres 29.41% 5

2 20-30 acres 5.88% 1
3 30-40 acres 5.88% 1
4 40-50 acres 11.76% 2
5 50 and above acres 5.88% 1
6 0 acres 41.18% 7
Total 100% 17

Q12 - How should we differentiate who writes what type of NMP?
(Check that all apply)

Answer % Count

1 Everybody writes all plans 29.41% 10

2 Producers can write all acreage plans	17.65% 6
3 UMD writes smaller acres and/or specialty crops	23.53% 8
4 Private plan writers write all levels of plans	26.47% 9
5 Others? 2.94% 1	
Total 100% 34	

Q13 - What other comments would you have related to this issue?

<p>UMD is not a reliable source of plan writing, so should be left out of the equation.</p>
<p>If someone wants to bear the cost they should be able to do what they want</p>
<p>A nutrient management plan is a nutrient management plan whether it be plant or animal based. Nutrient Management Specialists should have the knowledge, skills and ability to write both plant and animal based plan. Again, I stress using common sense and logic.</p>
<p>I don't understand the minimum acreage threshold - to be required to have a plan? To be eligible for cost share?</p>
<p>A majority of no land plans (CAFO) are written by UMD.</p>
<p>Most "seed" farmers write their own or hire it out.</p>
<p>Maybe keep UMD writing CAFO's (No Land) and smaller operations or those who have a history with UMD.</p>
<p>Private plan writers have the right to write whatever plans they choose to, so. I do not believe we can limit or impose an unlimited option to private plan writers</p>

After taking the feedback from the listening sessions and the survey under consideration, it was decided that no changes would be made to the Nutrient Management Planning process at this time.