



# Maryland Department of Agriculture

Office of Resource Conservation

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To: Members of the Maryland General Assembly

From: Roger L. Richardson, Maryland Secretary of Agriculture

Date: December 31, 2007

RE: Implementation of Nutrient Management Plans in Maryland

Pursuant to §8-807 Annotated Code of Maryland, the Maryland Department of Agriculture is reporting on the coverage, implementation and evaluation of nutrient management plans.

The Water Quality Improvement Act of 1998 required most farmers to file nutrient management plans beginning December 31, 2001 and begin their implementation by December 31, 2002. Amendments to the law, which took effect when regulations were promulgated in December, 2004, streamlined the program. The regulations required farmers who had already filed a Nutrient Management Plan to submit an Annual Implementation Report by March 1 of each year which documented elements of plan implementation during the previous calendar year.

5,899 farmers have submitted nutrient management plans covering 1,295,338 acres as of December 31, 2007. This represents 97% of farmers and 98% of agricultural acreage estimated to be regulated by the Water Quality Improvement Act. The number of farmers subject to the Water Quality Improvement Act has been updated and modified from the approximately 8,000 originally projected. As MDA receives new information we have made adjustments and now estimate 6,078 farmers managing 1,318,088 acres to be subject to the law. We anticipate that there will be annual adjustments as agricultural operations change, we learn about other operations and development pressures impact land use.

In June of 2005, MDA began conducting enforcement procedures to bring into compliance over 2000 farmers identified as potentially being in violation of requirements for failing to submit a nutrient management plan. MDA began notifying each farmer of MDA's intent to first conduct a site inspection to verify whether the farmer is regulated under this law before taking additional enforcement actions. As of December 31, 2007 all remaining Non Responsive Operators have been contacted. Compliance and enforcement continues on the remaining 179 operators from the June 2005 list.

As part of the compliance requirement, all operators who have submitted their initial plan to the Department must file an Annual Implementation Report due on March 1<sup>st</sup> of each year documenting what nutrients were applied to their land in the previous growing season. In 2007, the Department received 5,707 reports covering 1,252,087 acres which represents 94% of the operators and 99% of the land that needed to file.

During 2007, field reviews were conducted by nutrient management specialists in 514 operations to determine whether operators were correctly implementing their plan. During these reviews MDA staff note any deficiencies and establish a timetable for the operation to correct the inconsistencies. These shortfalls are also recorded and tracked as a way to help pinpoint common problems and develop future trainings with which to address the reoccurring issues.