

**U.S. House of Representatives
Committee on Agriculture
Subcommittee of Conservation, Energy, and Forestry
Hearing on the Chesapeake Bay TMDL and agriculture conservation practices.**

**Comments from Lynne Hoot, Executive Director
Maryland Association of Soil Conservation Districts
Maryland Grain Producers Association**

March 16, 2011

Mr. Chairman, Members of the Committee, my name is Lynne Hoot and I serve as the Executive Director for the Maryland Association of Soil Conservation Districts and the Maryland Grain Producers Association. My task here today is a pleasant one – to discuss what Maryland farmers have done to support the cleanup of the Chesapeake Bay.

My time working on this issue goes back to the early 1980's when I was working for the Maryland Department of Agriculture and the first EPA report on the Chesapeake Bay, commissioned by US Senator Mac Mathias, was released. Under the leadership of Governor Harry Hughes and Secretary of Agriculture Wayne A. Cawley, the Maryland agricultural community came to the table accepted they were part of the problem and would be part of the solution. Farmers have been at the table since that time with the same mantra and their efforts are evident in the landscape.

If we wind forward 25 years, I am proud to announce the progress agriculture has made and is verified in the latest Chesapeake Bay model run. With state and federal support, as of 2007, Maryland farmers had reduced nitrogen loads by 62%, phosphorus loads by 73% and sediment loads to the Bay by 59%. We know our fellow farmers across the Bay watershed have been working towards the same common goal. In fact, the agriculture industry has consistently outpaced most other sectors in reducing nutrient loads.

In 2010 alone, Maryland farmers matched \$17 millions in Maryland Agricultural Cost-Share Program (MACS) funds and \$14 million in Federal (EQIP & CBWI) cost-share funds with roughly \$5 million of their own money to install 2,300 conservation projects on their farms to prevent 1.2 million pounds of nitrogen, 41,000 pounds of phosphorus and 17,000 tons of sediment from entering the Bay. This fall, Maryland farmers broke all records and installed roughly 400,000 acres of cover crops to protect water quality. This practice alone will achieve 2.4 million pounds of nitrogen reduction, but as with many practices, it is an annual practice, and farmers must maintain a significant level of performance every year.

Maryland passed the Water Quality Improvement Act in 1998, requiring farms with over \$2,500 gross income or more than 8 animal units to develop and implement a nutrient management plan. Although the first deadline for nutrient management planning was 2001, livestock and poultry producers had until July 2005 to prepare for nutrient applications based on soil phosphorus levels. In 2010, more than 99.9% of farmers had nutrient management plans for 1.3 million acres and 97.2% filed an Annual Implementation Report (AIR?) documenting use of nutrients and compliance with the law. Maryland Department of Agriculture conducts field audits of 8-10% of regulated farm operations annually.

Best management practices (BMPs) installed on farms are currently documented when they are implemented using federal and state cost-share funds. The information we do not have at present relates to the water quality benefits of BMPs that farmers across the Bay region have installed on their own, at their own cost, as a result of their strong stewardship ethic. Not all of these practices meet Natural Resource Conservation Service (NRCS) standards and specification and therefore they do not have an established nutrient reduction value for purposes of EPA Model accounting. For example – a 10' buffer along one of the many farm ditches on Maryland's Eastern Shore or an electric fence keeping animals out of a Western Maryland stream will both improve water quality; but as neither meets NRCS standards and specifications, they have not been assigned a nutrient and/or sediment reduction value. Why does this matter? EPA does not recognize BMPs that do not meet NRCS standards and specifications – in fact at this point, they do not recognize any BMPs that were installed without federal or state assistance because currently we have no mechanism by which to collect this important contribution to Bay water quality.

In 2009, the Maryland Department of Agriculture developed *Conservation Tracker*, a geo-referenced database system to record the location of BMPs installed on Maryland farms and to calculate the nutrient reduction credits. District staff

across the state scoured every soil conservation and water quality plan (SCWQP) in their offices and entered the data into *Conservation Tracker* on all the BMPs that have been installed with public support and are still functional. The system has the capacity to track farm data on all BMPs regardless of their funding source and whether or not they meet NRCS standards and specifications. Maryland is piloting a method to track this information with funding from an NRCS Conservation Innovation Grant and is working with the National Association of Conservation Districts (NACD), who is actively engaged across all six-Bay states, to determine a method to collect this data so it meets EPA requirements of accountability and verification.

It is imperative to our farmers that EPA accepts this information and provides credit in the Bay model for all farm BMPs, not just those funded with public cost-share and that they provide nutrient and sediment reduction values for these BMPs. We recognize that BMPs that do not meet NRCS standards will have lower nutrient reductions – but they must be counted. Without a true accounting in the Bay model of what has already been achieved – there cannot be an accurate determination of what more can, or needs to, be done.

Maryland's Phase I Watershed Implementation Plan (WIP) has been approved by EPA to meet the Total Daily Maximum Load (TMDL) allocations. We believe that the agricultural BMPs identified in Maryland's Phase I WIP and the two-year milestones are reasonable if, and only if, farmers and conservation agencies are provided with adequate technical and financial resources. We are concerned that the current economic decline and its impact on federal and state budgets will reduce the necessary level of support. What happens then? We have concerns with EPA's indication that they will expand NPDES/CAFO requirements to smaller poultry and livestock producers if implementation lags and that they will try to regulate other agricultural operations. This creates inequities between Chesapeake Bay farmers and farmers in other states and impacts their competitiveness in national and international markets.

As we enter Phase II, Maryland must develop 58 WIPs, for every county and for all Bay sub-watersheds in each county. Yet EPA has not provided allocation information for these plans to be developed and has indicated that this information will not be available until July. Allowing less than 6 months to develop Phase II WIPs is unrealistic. In the meantime, Maryland's soil conservation districts are establishing agricultural working groups to get feedback and develop consensus among farmers that any proposed WIP II agricultural BMPs are reasonable.

We believe this process is impacting the willingness of the next generation to continue farming. The average age of farmers is 58; as the next generation looks at the new regulations facing their parents, the development pressure on farmland, and are bombarded by the negative rhetoric in the press, many are deciding against a future in agriculture. This is a major concern as farmland provides local food security and offers the best and most cost effective means for protecting Bay water quality.

To ensure the viability of agricultural enterprises in the Bay region, Maryland grain farmers have spent \$2.9 million, of the \$12.5 million Checkoff funds collected since 1991, to fund research on projects to explore management, new products and technologies that support agricultural production and water quality. The funds are collected through the Maryland Grain Checkoff program from farmer contributions of half of one percent (½%) of their net income from grain. The Checkoff funded research has enhanced the states cover crop program, reduced fall fertilizer use on small grains, assessed the value of slow release fertilizers, and evaluated the use of new equipment like vertical tillage to incorporate poultry litter in no-till cropping systems and GPS with variable rate nitrogen applicator equipment, such as the GreenSeeker™ to apply crop nutrients at different levels throughout each field. This farmer funded research shows our commitment to clean water and will help the state reach the goals set out in the WIP.

Conservation practices like no-till have costs and benefits for the farmer. Maryland boasts having over 80% no-till cultivation, which is one the highest adoption rates of any state in the country. Other conservation measures such as stream buffers, diversions and grassed waterways take land out of production and add implementation and maintenance costs as well as reducing income producing land. While farmers are committed conservation stewards, expansion and continuation of these efforts will require federal cost-share programs and technical assistance.

We commend you for your past support and encourage you to continue to support the allocation of conservation funding for the Chesapeake Bay as well as conservation programs and operating funds to support technical staff as part of the next Farm Bill. The country is watching us; we want to prove that agriculture can do what is necessary as long as it is reasonable, science-based and we are provided with adequate technical and financial assistance. Thank you.

**Committee on Agriculture
U.S. House of Representatives
Information Requires from Nongovernmental Witnesses**

Lynne C. Hoot

Lynne Hoot started Maryland Agricultural Associates, an agricultural association management business in 1989 after serving for 8 years as the Executive Secretary for the Maryland Agricultural Commission within the Maryland Department of Agriculture. In her current capacity, Lynne serves as Executive Director/Administrator to six agricultural associations. The organizations she works with are:

Maryland Association of Soil Conservation Districts - this association represents the 24 soil conservation districts throughout the state. SCD's are responsible for working with landowners to design and install best management practices on the land. Districts work with both agricultural and urban constituents. The association is affiliated with the National Association of Conservation Districts.

Maryland Grain Producers Association - this is a membership organization representing growers of corn, wheat, barley, oats, sorghum and canola. The association is affiliated with the National Association of Wheat Growers, National Barley Growers Association, and the National Corn Growers Association.

Maryland Grain Producers Utilization Board - this Board collects a ½% checkoff from the sale of grain within the state which is used to promote the expanded utilization of grain through market development, research and education. One of the major projects of this organization is to expand the use of ethanol.

Maryland Pork Producers Association - this is both a membership organization of swine producers and it also manages the state's portion of the national pork checkoff program. The expanded use of nutritious pork is promoted at fairs, trade shows, and other events. The National Pork Board, which developed the famous logo "Pork the Other White Meat" is funded from 50% of the proceeds of the national checkoff.

Delaware-Maryland Agribusiness Association - this membership organization primarily represents the fertilizer retailers and allied businesses within the states of Delaware and Maryland. Lynne's role with this group is limited to legislative activities and serving as a liaison on Maryland issues.

Mid-Atlantic Certified Crop Advisor Program - Lynne serves as administrator for the Mid-Atlantic Certified Crop Advisor program. This program is affiliated with the American Society of Agronomy and provides a certification program for individuals who provide technical information to farmers. The program includes exams and continuing education requirements.

Although her role with each organization varies Lynne generally carries out all administrative duties, serves as an advocate and spokesperson, promotes the checkoff programs, generates newsletters, and is registered as a state lobbyist for four of the organizations. She became an American citizen in 1999.

Lynne has a BS honors degree in Agriculture, which she obtained from Nottingham University in England. Prior to coming to the USA in 1981 she served as Cattle Sales Director for George Morrell and Sons, an agricultural merchant; she was responsible for expanding cattle feed sales in the Yorkshire region of England. She provided technical assistance and developed promotional campaigns for the eight field representatives working in the area. She lives in Edgewater, Maryland.

Committee on Agriculture
U.S. House of Representatives
Required Witness Disclosure Form

House Rules* require nongovernmental witnesses to disclose the amount and source of Federal grants received since October 1, 2008.

Name: Lynne Hoot

Organization you represent (if any): Maryland Association of Soil Conservation Districts (MASCD) & Maryland Grain Producers Association (MGPA)

1. Please list any federal grants or contracts (including subgrants and subcontracts) you have received since October 1, 2008, as well as the source and the amount of each grant or contract. House Rules do NOT require disclosure of federal payments to individuals, such as Social Security or Medicare benefits, farm program payments, or assistance to agricultural producers:

Source: _____ Amount: _____

Source: _____ Amount: _____

2. If you are appearing on behalf of an organization, please list any federal grants or contracts (including subgrants and subcontracts) the organization has received since October 1, 2008, as well as the source and the amount of each grant or contract:

Source: NRCS CIG Grant (MASCD) Amount: \$75,000

Source: NFWF Grant (MASCD) Amount: \$345,000

Please check here if this form is NOT applicable to you: _____

Signature: 

* Rule XI, clause 2(g)(4) of the U.S. House of Representatives provides: *Each committee shall, to the greatest extent practicable, require witnesses who appear before it to submit in advance written statements of proposed testimony and to limit their initial presentations to the committee to brief summaries thereof. In the case of a witness appearing in a nongovernmental capacity, a written statement of proposed testimony shall include a curriculum vitae and a disclosure of the amount and source (by agency and program) of each Federal grant (or subgrant thereof) or contract (or subcontract thereof) received during the current fiscal year or either of the two previous fiscal years by the witness or by any entity represented by the witness.*

PLEASE ATTACH DISCLOSURE FORM TO EACH COPY OF TESTIMONY.