



Maryland Farm Bureau, Inc.

3358 Davidsonville Road • Davidsonville, MD 21035 • (410) 922-3426

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Good News on Bay Clean Up Effort But Out-of State Environmental Activists Can't Stop Attacking

The most recent analysis by the EPA Chesapeake Bay Program office shows that Maryland is on target to meet the 2025 Bay restoration goals. In fact, we are ahead of schedule. A look at the agricultural sector shows that Maryland farmers are reducing nitrogen, phosphorus and sediment.

“According to our Maryland progress data, we achieved our 2013 milestone reduction targets for nitrogen, phosphorus and sediment pollution,” said Maryland Department of the Environment Secretary Robert M. Summers. “In fact, Maryland finished this 2012-2013 period more than 3.5 million pounds reduced ahead of schedule for nitrogen, nearly 147,000 pounds reduced ahead of schedule for phosphorus and nearly 90 million pounds reduced ahead of schedule for sediment which places us on the right trajectory to reach our 2017 and 2025 goals.”

Maryland Secretary of Agriculture Buddy Hance said, “Maryland agriculture has exceeded its nutrient and sediment reduction goals for 2013. Our farmers have a long and proud tradition of environmental stewardship.” He notes that even more progress will be recorded for agriculture once the Bay Model is updated to reflect current land use, livestock production and Best Management Practice (BMP) use.

In Hance's June 28th column in the *Lancaster Farming*, he outlines the success of Maryland farmers in the nutrient reduction effort and spotlights many of the flaws in the Bay Model. Hance calls on EPA to update the model in three ways – (1) Recognize and credit the BMPs that farmers are already implementing but are not currently counted; (2) Provide credit for new and innovative BMPs and technology currently in use but not counted (11 out of 36 BMPs); and (3) Use up-to-date data about crops and livestock –

not data from 1995 that is misleading and allows EPA to conclude we will miss the mark in 2025.

But even with all this progress, the Environmental Integrity Project – based in Texas and Washington, D.C. – continues to put out propaganda declaring no progress has been made. EIP says its Maryland report is based on actual water quality monitoring in the eight Eastern Shore tributaries. EIP claims monitoring data proves we are no better off than 10 years ago. But there are flaws with their contention:

- The half dozen eastern shore rivers included in the EIP review contribute just a tiny amount of water to the bay. According to a 1999 USGS study, about 90% of the nitrogen and phosphorus comes from three rivers, the Susquehanna, James and Potomac. Among the nine largest rivers flowing into the bay, the Choptank River is the only one flowing through the eastern shore. The others mentioned in the new “study” are smaller than the Choptank, so in reality their consequences are minute. While their nutrient concentrations may be larger than desired, the total amounts they contribute to the bay are likely to be inconsequential.
- The “study” provides data on the number of chickens in a jurisdiction and how much manure those chickens are assumed to have produced. It is implied that all that manure is applied to farm fields in that same jurisdiction, which is not the case. Poultry litter moves in and out of the watershed through a successful manure transport program piloted and made permanent by the Maryland General Assembly in 1998.
- Dr. Donald Boesch, Professor of Marine Science and President of the University of Maryland Center for Environmental Science, has often been quoted on the subject of excess phosphorus in the Bay as saying it took decades to reach this point. The U.S. Geological Survey’s study from 2013 says it might take decades to flush out the old, “dirty” water that is being monitored today that is the result of farm practices of decades ago.
- The limited monitoring results included in the EIP study show that even after a decade of continued urban sprawl in the watershed, phosphorus levels have not increased. This definitely indicates success of the efforts that are underway.

“The timing of the EIP study seems to be intended to discount all the progress made by farmers in the recently released assessments by the state and federal governments,” said Chuck Fry, Maryland Farm Bureau President. “It also appears to be a last ditch effort to save the Phosphorus Management Tool regulation.

“The PMT regulation has been withdrawn twice in Maryland and is currently the subject of a legislatively-mandated economic analysis,” Fry explained. “Preliminary economic results this fall are expected to show considerable cost to the farm community if implemented.”

Better Bay Model Data Needed

In its press release, EIP calls on the EPA to fix the Bay Model to make sure Best Management Practices (BMPs) are properly accounted for and are given the correct “efficiency” ratings. Maryland Farm Bureau agrees. We have asked EPA to fix the model for many years. The reason the EIP and EPA make the conclusions they do is that they are using a flawed Bay Model, which we have begged EPA to fix. Here are a few examples of the Bay Model errors:

- The model uses crop yield data that is outdated and in many cases incorrect. The basis for crop yield data is the U.S. Census of Agriculture. The census is conducted once every five years. Modelers used three census numbers averaged together to come up with initial yield estimates for crops. This means they are using yields that are 15 to 20 years old averaged with yields that may be as old as five years. Technology changes considerably from year to year. Farmers are producing a much higher yield using much less fertilizer now than five years ago and much less than 20 years ago. There is annual data yield data available and that should be used rather than outdated numbers.
- Corn yield example – The current model is using one number for the entire Bay Watershed region – all the way from New York to Virginia - for corn yields. The model assumes all fields yield 109 bushels of corn per acre. Here in Maryland we average 143 bushels per acre. In fact, irrigated fields have an even higher yield – closer to 160 bushels per acre. This is important because the yield number is used to calculate a lot of other assumptions in the model including fertilizer use, organic fertilizer (manure) needs, excess manure and more. If one number is off it skews the entire model output for this sector.
- Poultry litter example – The current model assumes that as much as 15% of poultry litter is dropped during clean out of chicken houses. (During a clean out the sawdust bedding that catches chicken waste is scooped using a skid loader and driven from the house across a concrete pad at the end of the house and deposited in a nearby poultry litter storage shed.) Fifteen percent of the litter would mean an entire tractor trailer load is dropped on the ground and left during this process. Recent scientific research conducted at the University of Delaware found that less than a wheel barrel load actually falls off the skid loader in the process and most of that is swept up afterwards. This error is huge and is one that makes farmers distrust the model output. If left unfixed, the model will calculate a much higher level of potential nitrogen and phosphorous runoff than is actually occurring on farms. All the BMPs installed will be credited towards making up for an N&P loss that is not actually occurring.
- Multiple practice exclusion - The most recent update of the model may not credit multiple Best Management Practices on the same field. We have been told that this will not be fixed. If this is the case, farmers might as well throw in the towel now. Most farms use cover crops, no-till planting, riparian buffers and grassed waterways all on the same field. All have benefit and all work to keep the vital

nutrients in our field and out of the Bay. Farmers certainly wouldn't spend money to install practices if they were not useful in preventing loss of nitrogen or phosphorus. But the Bay Model may not give farmers credit for all the work they are doing. We haven't seen the latest version but we have heard this is the case with the model that will be used to dictate the numbers that must be reached for the TMDL.

- Livestock excretion rate errors – The model uses incorrect data in its assumptions for excretion rates of nitrogen and phosphorus in livestock manures. The model does not give credit for the use of phytase, an additive to poultry feed that has been used in Maryland to reduce the amount of phosphorus excreted by chickens. Researchers have concluded that the manure loads per animal are too high in the model. Modelers refuse to correct the inaccurate data.
- Irrigation management ignored – The model considers every acre of farmland to be managed as dry land. We know that irrigated crops take up more nutrients and give higher yields. In fact, Maryland has 92,000 acres of cropland under irrigation. The corn yield on an irrigated field is 160 bushels per acre – much higher than the 109 bushels assumed in the model.
- No credit for innovative practices – EPA modelers say they will give no credit for practices like manure injection, heavy use pads, vegetative environmental buffers and phosphorus incorporation for poultry litter. These practices were used in state calculations for how agriculture was going to meet its goals in the Phase I WIP. If EPA intends to provide no credit for these practices we are setting ourselves up for failure before we even start.
- The unwillingness of EPA and modelers to correct the data and the formulas in the model will result in a major waste of local money as counties strive to reach the wrong goals. EPA has said the model is locked in until at least 2017. That's six years of working towards the wrong goals. That's only three years from the date by which Maryland has decided to achieve the entire TMDL reduction.
- The recent USDA CEAP report (Conservation Effects Assessment Project released in March) has very different conclusions about what is actually happening on farms in the watershed. The CEAP report finds that nearly all acres planted to crops in the Bay region have some kind of voluntary conservation practice in place. The CEAP report shows a different picture than the EPA computer model. EPA's plan assumes that only 50 percent of the crop acres in the bay region are under conservation tillage. EPA also underestimates the total amount of cropland in the region, relative to USDA's analysis. These and other discrepancies have raised questions about whether EPA is targeting the real cause of the bay's water quality challenges.

“Overall, the news is good,” said Valerie Connelly, Executive Director of the Maryland Farm Bureau. “We call on the environmental lobby to recognize and give credit to

farmers for all they have achieved. We have consistently been ahead of schedule in Bay clean up progress reports – to the tune of 130% in some years. We have demonstrated our commitment. It's time for the out-of-state environmental industry that has set up here in Maryland to pack up and move on. They should stop targeting our poultry and livestock farms and discard their ridiculous calls for taxing the industry out of business. Maryland farmers are environmental stewards, they are sustainable and they are providing the locally-grown products that are in such demand here in our state.”

The mission of the Maryland Farm Bureau is to promote and protect Maryland agriculture and rural life. MFB is a private, non-profit membership organization that is financed by voluntary membership dues. Its strength comes from the active participation of over 37,000 member families that belong to the state's 23 county Farm Bureaus.

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