Commercial Solar – Defining Prime & Productive Soils

Current MFB Policy:

**ENERGY POLICY**

**Other Alternative Energy Sources**

- We encourage research, development and utilization of alternative energy sources from methane, biomass, wind, nuclear, solar, hydrogen, hydro and clean natural gas. ‘08
- Additionally, we urge that this process be aided by appropriate government tax incentives. ‘07

- We support energy generation from poultry litter and livestock manure to be considered value-added production on a farm. ‘15

We support the use of on-farm wind and solar energy production to provide electric energy for the farm and to be sold to the energy grid. We encourage state and county governments to provide regulatory support and encouragement for wind generators and turbines to help offset farm energy costs. ‘16

- We oppose commercial solar energy facilities being considered as an agricultural activity and receiving the same exemptions as an agricultural structure or ag land. This would also include receiving the agricultural tax assessment. ‘16

- We oppose the use of “farm” when referring to an alternative energy generation facility. ‘14

We oppose the State of Maryland preemption of local and county land use policy for renewable energy generation projects. ‘15

- We support removing large scale commercial solar energy generating facilities from the RPS carve-out for solar energy. ‘16

- We do not support commercial solar energy facilities being built on prime and productive farmland. ‘16

Commercial energy facilities should have appropriate riparian buffer and setback requirements. ‘16
Background:

Over the past few years, MFB has been very vocal on where commercial solar facilities should be allowed to be sited. Our current policy says that we don’t want commercial solar put on prime and productive farm soils. This continued push has started to be heard. DNR and other state agencies have asked us what we consider to be prime and productive soils. Several pro-solar groups have asked the same question as well. Since our policy doesn’t define prime and productive soils, we have referred to MALPF’s definition. However, this is a little technical for the non-agronomic crowd that has been asking for a definition. Here are some definitions we found for prime and productive soils:

MALPF’s Definition - at least 50% of the land shall classify as Class I, II or III soils.

USDA’s Definition of Prime Farmland - land that has the best combination of physical and chemical characteristics for producing food, feed, forage, fiber, and oilseed crops and is available for these uses. It could be cultivated land, pastureland, forestland, or other land, but it is not urban or built-up land or water areas.

Indiana Land Use Planning Resource Center’s Definition - Prime agricultural land differs from other agricultural land designations in that it generally consists of highly productive soils.

Lastly, there has been discussion of whether there should be a minimum acreage when discussing commercial solar on prime and productive soils. Many counties allow 10 to 20 acres of farmland to be put in solar but have restrictions on large acreage.

Questions:

1. What should be the definition of prime and productive soils be when talking about commercial solar siting?
2. Should there be a minimum acreage when defining prime and productive soils for commercial solar? If so, how much?
Pesticide Stewardship

Current MFB Policy:

**CROP PROTECTION**

We urge keeping all federally labeled crop protection products legal in the state, counties and municipalities. ‘18

We encourage utilities and government agencies when using pesticides to apply them by approved methods and in accordance with labeled instructions. ‘08

In order to help protect the Chesapeake Bay and its tributaries, we urge the state to maintain a biannual collection point in each region of Maryland for the disposal of old chemicals, chemical containers, paint, batteries and all other hazardous waste materials. ‘07

We urge the Department of Agriculture to continue the recovery program for banned chemicals.‘06

Farmers should not be held liable for any environmental residues or water contaminated by a farm chemical if the chemical was federally approved and used according to label instructions. ‘06

Furthermore, we believe the use of pesticides should be regulated by available facts, not on emotional issues. ‘08

We support Federal law regarding crop protectant usage within 50 feet of wells. The permit process of local government should not allow wells to be placed within 50 feet of an agricultural property line, thus ensuring the safety of the water as well as the farmer’s right to farm his property. ‘07

We recommend a universal definition be developed for a “congested area” related to aerial spraying, so that crops can be treated in a timely and effective manner. ‘08

We oppose the collection and distribution of pesticide use data beyond that collected in the USDA NASS survey.’13

We oppose the establishment of a pesticide use data reporting system that would make information available to the general public or to “interested” researchers. ‘13

**Disease Prevention & Pest Control**

We support the monitoring of plant diseases such as Asian Soybean Rust in the exotic plants used by homeowners and landscapers that may include invasive weed species that serve as alternate hosts. We urge MDA to study these plant species and bolster its efforts to assure that all new plants have no negative impact on farm crops or nursery stock.’07

We support existing restrictions on the movement of Ash trees to prevent the spread of the Emerald Ash Borer infestation. ‘07

We support funding for joint research by universities to study and eliminate the Brown Marmorated Stink Bug. ‘10

**Environmental Surcharge**

We are opposed to any state tax or surcharge on fertilizers and crop protectants to fund environmental programs.’06
**Background:**

Over the last several years, the Maryland legislature has continuously seen at least one bill a year looking to ban a crop protectant whether it be a pesticide or herbicide. Bills have tried to ban Atrazine, Neonicotinoids, Chlorpyrifos, and now there is discussion of bills to ban Round-up. A common theme with these ban bills is that the proponents believe the pesticides aren’t being used correctly and there is unnecessary exposure to neighbors and workers. Maryland Farm Bureau continues to oppose these bills based on the fact that they are federally labeled and that farmers use the chemicals in accordance to the label restrictions. As well as, the critical value these products provide when trying to grow a crop in Maryland’s environment. Loosing these tools from a farmer’s toolbox puts that farmer at significant risk of potential crop failure. Because of this argument, these bills have either failed or, in the case of Neonicotinoids, have exempted agriculture completely.

In addition to the pesticide ban pressure, there are also issues with pesticide drift and crop loss due to this drift issue. This is not just a farmer to farmer issue anymore. We are now seeing herbicide drift issues coming from the spraying of homeowner yards that are near farmland. The ever increasing need to remove all weeds from lawns, has caused some untimely spraying of broadleaf weed killers that have drifted into herbicide sensitive crops. This damage has been very costly for several operations like vineyards and some organic operations.

After discussion with interested farmers from around the state, there is significant interest in seeing the Ag community become more proactive in pesticide stewardship instead of continuously having to justify the need for these valuable crop protectants. Maryland Department of Agriculture has an interactive mapping software that can be expanded to show pesticide sensitive crops. Also, University of Maryland Extension has worked on education pieces that could be used in a more expanded pesticide stewardship promotion program.

**Questions:**

1. Should MFB take the lead in putting together a pesticide stewardship education program by working with MDA, Extension and other commodity groups to be more proactive?
2. If so, what policy should be added to our current policy book to direct the board and staff?
State Procurement – Carbon Intensive Foods

Current MFB Policy:

**GOVERNMENT OPERATIONS – STATE GOVERNMENT**

**Regulatory Reform**

We request that any new policy or regulation proposed affecting land management, nutrient management, environmental programs or enforcement be required to include an economic impact study to evaluate the effect on vested persons. This shall be performed as part of the developmental process for each regulation and policy. ‘13

We request that the farm community continue to be consulted and be allowed to participate in the formulation of regulations and laws at all levels of government particularly when they impact the Ag community. ‘05

Agencies developing regulations should have a thorough knowledge of all related aspects of agriculture, not just their immediate subject matter, or they should seek additional input from agriculture in the development of regulations. ‘05

We urge all government agencies develop regulations in cooperation with other agencies so that there is a reduction in duplication and a consistency of purpose. ‘05
Background:

During the 2019 legislative session, HB 492 – Procurement-Carbon Intensive Foods was introduced by Delegate Gilchrist on behalf of the special interest group called The Friends of the Earth (FotE). The bill would have required the State Department of General Services (DGS) to develop a list of carbon-intensive foods and then write best practices for reducing the volume of carbon-intensive foods purchased by state agencies and universities. Maryland Farm Bureau along with several other agriculture groups opposed this bill as it would specifically target the animal agriculture industry. Nothing in this bill would have required the state to purchase food from Maryland, only create a ban on certain foods. The bill was withdrawn, but the chair of the committee that heard the bill asked for this to be looked at through a summer study. DGS developed a scope of work for the summer study that would have them work with the Friends of the Earth and other advocates to for a committee to research, advise and review draft documents and come up with best practices on reducing and tracking the volume of carbon-intensive foods procured. The Maryland Green Purchasing Committee (GPC) would establish a Sub-committee to assist with achieving these goals. DGS and the Friends of the Earth would hold monthly meetings to update the progress starting in June 2019. The timeline for this study would have DGS hire an intern by June 2019, draft a list of Carbon-intensive foods - July 2019, review the best practices reduce procurement of the list of carbon-intensive foods – August 2019, Submit edits from consulting entities (including FotE) – October 2019, Green Purchasing Committee (GPC) to accept and formally issue best practices and the list of Carbon Intensive foods – November 2019.

In July, the summer study committee released a draft list of carbon Intensive Foods and they are as follows: Beef, Lamb & goat meat, Butter, Shellfish, Cheese, Pork, Chicken, Cream, Fish, Eggs, Rice and Milk

In its current form, the list captures pretty much all the land and water-based animal agriculture in Maryland. In mid-July, Maryland Farm Bureau along with several other ag groups were included in the GPC sub-committee. MFB will work to not only oppose the creation of the list, but also to refute the need for the state to implement such a practice.

Questions:

1. Should Maryland Farm Bureau continue to oppose practices like this?
2. Does MFB’s current state policy cover this type of government practice? If not, what policy should be adopted?
Agriculture Education & the Kirwan Commission

Current MFB Policy:

**AGRICULTURE EDUCATION**

**Career Technology Education**
We support the career technology education program in Maryland. We recommend that local boards of education, with state support, introduce an approved production agriculture program in Maryland junior/senior or senior high schools. We strongly recommend that the State board of education institute standards for agricultural education programs that include teaching agriculture, Ag economics and general agri-business. ’15

**Curriculum**
We support an effective, systematic instructional program about agriculture in our public schools. We believe the curriculum should include “Introduction to Agriculture Science” starting in elementary school and continuing into middle school and high school to generate awareness of the importance of agriculture to our society and to ensure future generations of well-trained leaders for the agricultural industry. ’15

We urge the public schools to implement a certified/accredited agricultural curriculum program in at least one high school in each county and Baltimore City. ’15

We support MAEF’s efforts to partner with stakeholders, including county public school systems, farmers, and allies, to expand agricultural education in the State of Maryland. ’17

We commend the Maryland Commission on Education in Agriculture for its study and report concerning the enhancement of agricultural education in the state. We support the Commission’s recommendations to improve and enhance education in agricultural programs throughout Maryland, especially the improved agricultural curriculum in Grades K-12 and the recommendations for new and upgraded facilities. We encourage the continued efforts of the Governor to expand and improve agricultural curriculum in the Maryland public school system. ’07

We support increased funding for middle and high school agricultural education programs. Funds should be used for program development and improvement, staff development, curriculum including CASE (Curriculum for Agricultural Science Education) and extended day/year employment. We strongly support Ag science teachers who provide student leadership in FFA and supervised agricultural experience as components of the program. ’17

We support the State of Maryland becoming an FFA affiliated State. ’18

We oppose the expenditure of public funds to promote animal rights and the use of educational materials in public schools that discourage the use of animal products. ’06

**Teacher Training**
We recommend that training of teachers for Maryland public K-12 schools and colleges include a mini-course in agriculture, and that state educational subdivisions include an in-service day or days to instruct teachers and guidance counselors about agriculture and careers in agriculture. ’16
Background:

For the last few years, the Kirwan Commission (Commission on Innovation & Excellence in Education) has been working on a new vision for Maryland Pre-K – 12 education. In January 2019, the commission released the 2019 Interim Report. The report is nearly 250 pages long. Within the report are sections that discuss College & Career Readiness (CCR) as well as Career & Technology Education (CTE). Since Agriculture Education falls under CTE, Maryland Farm Bureau has spent many hours reviewing the sections of the report that focus on this area. To really understand the impacts of this report on Ag Ed, you have to understand the commission’s vision on CCR. The commission wants students to complete the minimum standards to be College & Career Ready by the end of the 10th grade. This would allow those students that can achieve this standard to focus on one of three CCR pathways. One is an International Baccalaureate pathway, one is an associate degree from a community college by high school graduation and the last pathway is the career readiness pathway that would have a student not only receiving a trade certificate, but will have also participated in work-based learning (intern and apprentice programs) by graduation. The pathways are not dead-end streets, a student has the ability to start down one path, but then switch to another. There would be flexibility for a student to take advantage of the programs. To make these major changes at the high school level, the curriculum in the low grades would have to be greatly modified. Career pathway exploration would be made available at an earlier age to assist young students in determining what they would like to become when they grow up. To do all this comes with a very large price tag. The estimates by the commission just for the CCR sections is between $150 and $225 million a year for the next 10 years. This is just a fraction of the total cost of Kirwan Commission’s total report.

Even though this would greatly improve the CCR of Maryland students, there is currently no mention of agriculture Education in the report. This greatly concerns Farm Bureau as there is already an extremely small number of Ag Ed programs in the state now. The worry is without emphasis put on expanding Ag Ed through this new program, Ag Ed will be pushed completely out of the public-school system. In coordination with MDA and MAEF, Maryland Farm Bureau provided a white paper to the Legislature outlining the underfunded areas of the state’s Ag Ed program. This white paper outlines areas of need from addressing underfunded teachers to lack of funding for FFA enrollment and from lack of funding for proper Ag teacher professional development to lack of funding for program implementation in schools without a current Ag Ed program. This white paper estimated annual cost to add these programs to be less than $1 million a year. However, this didn’t include middle school expansion, which could be included in the Kirwan program.

During the legislative session, the legislators clearly made a point to include Ag Ed by adding language for the expansion of Ag Ed in public schools. We now have a seat at the table and an ability to make our ask. So, this is the possible venue to finally get Ag Ed addressed in K-12 education, but it will come with a hefty price tag.

Again, all these improvements come at a cost. To be able to fund the Kirwan Commission’s new program, it could cost as much as $4.4 Billion a year. This is equal to 10% of the state’s total budget each year. Obviously, the state doesn’t have a slush fund that would even come close to
covering this cost. That would mean, most likely, the creation of a new tax or the looking for
other things to tax such as legalizing recreational Marijuana. There could also be other funding
methods looked at that could remove funding from existing programs such as program open
space or the funds that go to the Maryland Horse Industry to fund the Maryland Bred Program.

Questions:

1. Is MFB willing to support these advancements in Ag Ed in the schools if it comes with added
costs?

2. Does MFB continue to oppose the legalization of recreational Marijuana if the taxes
   generated would be used to implement programs in this program that could very easily
   include Ag Ed?

3. Does Maryland Farm Bureau support the Kirwan program if it includes the Ag Ed expansion?