Dear Chairwoman Carter-Conway:

The Maryland Clean Agriculture Coalition members signed above strongly support the Poultry Litter Management Act (SB496).

Agriculture is the single largest source of pollution to the Chesapeake Bay and Maryland waterways. About 44 percent of the nitrogen and 57 percent of the phosphorus polluting the Bay come from farms, and much of that comes from animal manure.

A recent U.S. Geological Survey water report found the rivers of Maryland’s Eastern Shore have concentrations of phosphorus that are among the “highest in the nation” due to agricultural operations. Phosphorus pollution causes algae blooms that threaten public health, kills underwater grasses, harms crabs, oysters and fish and contributes to the enormous “dead zone” in the Bay.

Chicken manure in particular is a big problem for Maryland waterways. The Maryland Department of Agriculture has estimated about 228,000 tons of excess manure are currently applied to crop fields in Maryland. That is enough poultry litter to fill M&T Bank Stadium two times. The problem has potential to get even worse as approximately 200 new poultry houses are planned for the Delmarva Peninsula, which could mean an additional 20 million more pounds of manure a year.

SB496 is the second step of a critical two step plan to reduce phosphorus pollution in Maryland. Last year, in 2015, the state enacted the Phosphorus Management Tool, which would prohibit farmers from over-applying poultry manure on fields. The issue that now must be addressed – and that SB496 will address – is who has the responsibility for all of that excess manure.

This legislation shifts the burden of responsibility for the excess manure from the individual farmers to the large agriculture corporations that own the birds, control the feed and have complete control of on-farm operations. SB496 recognizes that farmers can and do use some manure to fertilize fields, so the legislation makes big chicken companies responsible for only that manure that the individual farmers cannot legally use.

SB496 requires all excess chicken litter to be disposed of properly. The large chicken companies will only be allowed to deliver excess manure to those agricultural operations that can handle the manure, a storage facility with adequate indoor storage capacity or an approved alternative use facility. The legislation fairly shifts the cost of this proper manure disposal or transport from the farmers and the state to the companies making the lion’s share of the profits. Other industries are required to properly dispose of their waste, and the chicken industry should be no different.

Even if some chicken companies are voluntarily helping their growers dispose of their waste, SB496 levels the playing field by making excess manure recovery mandatory not voluntary. This is especially important considering the recent manure transport regulations that were adopted, which no longer require the chicken companies (integrators) to pay into the manure transport cost-share program. As mentioned in the attached letter from the Chairs of the Joint Committee on Administrative, Executive and Legislative Review (AELR), our coalition has serious concern about the fairness of putting the full burden of responsibility for manure transport on state taxpayers.

For all these reasons, we respectfully request a FAVORABLE report on SB496.

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