

# FACTS ABOUT MARYLAND'S PHOSPHORUS MANAGEMENT TOOL



## WHAT IS THE PHOSPHORUS MANAGEMENT TOOL?

- Many Maryland farm fields have far higher levels of phosphorus than is needed for for successful crop growth; an estimated 228,000 tons of excess poultry manure is spread on Eastern Shore farm fields each year. This can pollute local waterways and the Chesapeake Bay.
- The science-based Phosphorus Management Tool (PMT) will reduce pollution by limiting manure applied to farm fields already contaminated with excess phosphorus.
- The PMT calculates the level of risk for phosphorus migration from the farm field and then determines the permissible amount of manure a farmer can apply to that field. It is based on more than a decade of research by University of Maryland scientists, in collaboration with regional and national experts.
- Since 2001, Maryland and other states have been using the Phosphorus Site index (PSI) to calculate the risk of phosphorus pollution reaching waterways. This tool is now out of date, and recent research has established the PSI is seriously flawed. University of Maryland tests show that many farm fields pose a far greater risk of polluting the Bay than was once previously believed.
- The PMT will also help farmers determine which best management practices to use to reduce phosphorus pollution on their fields.

## WHY IS THE PHOSPHORUS MANAGEMENT TOOL NEEDED NOW?

- Experts say the new rule to better manage manure is one of the biggest opportunities to clean up the Chesapeake Bay and local waters in more than 30 years.
- Studies show phosphorus pollution from manure is getting worse, not better in the Chesapeake Bay and Maryland rivers. Without action, phosphorus "hot spots" will continue.
- Phosphorus pollution from manure contaminates waterways and threatens public health. Phosphorus pollution kills underwater grasses; harms aquatic life like blue crabs, oysters and fish; and creates an enormous "dead zone" in the Bay.
- Phosphorus pollution is a major contributor to the toxic algae bloom in Lake Erie that contaminated drinking water in Toledo, Ohio. In Maryland, toxic algae are on the rise.
- The updated PMT is a major part of Maryland's commitment to clean up the Chesapeake Bay, but has been delayed for years due to political special interests. The new phosphorus rule has been proposed, and withdrawn, three times in the last two years due to pressure from industry lobbyists and legislative leaders. This has included three public comment periods.
- A recent [report](#) by the Environmental Integrity Project showed no improvement in phosphorus levels in eight major rivers on Maryland's Eastern Shore over ten years, with pollution worsening in the Nanticoke, the Sassafras and the Transquaking rivers.
- If Maryland fails to implement new rules to reduce phosphorus pollution from agriculture, we will be forced to reduce phosphorus pollution through other, costlier measures, at the expense of the taxpayer. It is the most cost efficient way to reduce this form of pollution.
- Agriculture is the single, largest source of pollution to the Chesapeake Bay and Maryland waterways, and more than half of Maryland's phosphorus pollution comes from farms.

## YEARS OF DELAY: THE PHOSPHORUS MANAGEMENT TOOL TIMELINE

- December 2010:** Maryland's 2010 Chesapeake Bay Watershed Implementation Plan commits the state to updating the Phosphorus Management Tool by 2011.
- April/May 2012:** University of Maryland scientists present latest phosphorus research and proposed PMT updates.
- January 2013:** MDA publishes draft PMT regulations. During the 30-day public comment period, MDA receives seven comments.
- July 2013:** MDA proposes "emergency" regulations to make up for delay and implement the PMT in fall 2013.
- August 2013:** MDA pulls the emergency regulations in order to address stakeholder concerns. The O'Malley Administration holds three stakeholder meetings and forges a consensus agreement among environmental and agriculture organizations.
- October 2013:** Per stakeholder agreement, MDA proposes revised PMT regulations. The agricultural community reneges on the recent consensus agreement and AELR schedules a hearing for November 20, 2013.
- November 2013:** O'Malley Administration withdraws the PMT regulations for the second time.
- March 2014:** When legislation designed to further delay the PMT fails, the General Assembly passes a budget amendment requiring an economic study before implementation.
- June 2014:** New findings show that phosphorus produced by the Maryland poultry industry is increasing because of larger birds that produce more waste, and that phosphorus pollution has remained unchanged in nearly two-thirds of the rivers and streams tested and worsened in 16 percent.
- August 2014:** Analysis by Chesapeake Bay Program scientists shows that implementing the PMT would allow the agriculture sector to make significant phosphorus pollution reductions.
- November 2014:** The General Assembly-mandated economic analysis of the PMT is released, showing three possible scenarios for implementing the PMT. The O'Malley Administration introduces a third set of regulations to implement the PMT through a six-year phase-in that will give more time for those farms with greater saturation in their soil and provide for certain exemptions, including from organic farms.
- December 2014:** PMT regulations are printed in the Maryland Register on December 1, 2014. A 30-day public comment period on the regulation begins.
- January 2015:** The PMT regulations are finalized and sent to the Maryland Register for publication before coming law. On inauguration day, Governor Hogan halts the PMT regulations by withdrawing them from publication in the Register.

For more information, contact: Dawn Stoltzfus, coordinator, Maryland Clean Agriculture Coalition at 410-990-0284 or [dawn@thehatchergroup.com](mailto:dawn@thehatchergroup.com).

*The Maryland Clean Agriculture Coalition is working to improve Maryland waterways and protect public health by reducing pollution, and increasing transparency and accountability, from agriculture and other associated sources of water degradation.*

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