Md. Withdraws Emergency Status of Fertilizer Rules

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ANNAPOLIS, Md. (AP) — Maryland's Agriculture Department on Monday withdrew a request to accelerate implementation of proposed regulations aimed at reducing pollution from fertilizer in the Chesapeake Bay after critics said the state was moving too fast.

Gov. Martin O'Malley's administration had sought emergency status in order to get the regulations in place in time for the fall planting season. The regulations are designed to use new research to reduce the amount of phosphorous that gets into waterways.

"In order to ensure farmers have time to adjust to the use of this new tool and to respond to questions regarding certain elements of the regulation raised by the environmental community, the department is withdrawing the emergency regulation," Agriculture Secretary Buddy Hance said in a statement. "The department has decided to meet with key stakeholders and will resubmit the proposal next month."

Critics contended the regulations would prevent farmers from using locally produced organic fertilizer.

Del. Jeannie Haddaway, R-Talbot, wrote in a letter to the administration that the regulations would cause complications with responsible storage and transportation of poultry manure. That, she added, would leave farmers with no choice but to use chemical fertilizers instead.

"This will not only deprive farm families of income but also poses significant health and environmental risks to Marylanders and to the animals themselves," Haddaway said. "With that in mind, the administration should reconsider these regulations or at least revoke the emergency status so that the industry and stakeholders have adequate time to develop a workable solution."

The Legislature's Joint Committee on Administrative, Executive and Legislative Review was scheduled to take up the regulations on Wednesday, but the hearing will be canceled.

"We are committed to implementing the new tool in a way that is responsive to the various stakeholder concerns while also ensuring our farmers have the technical and financial resources they need to comply with new regulations," Hance said.

At issue are changes to the Maryland Phosphorus Management Tool, which represents changes based on 10 years of new research by University of Maryland

scientists in collaboration with regional and national experts. It is used to identify areas where excess phosphorous is present in the soil and where there is a high potential for phosphorus to get into water. Revisions are part of Maryland's Watershed Implementation Plan, the federally mandated document that outlines specific steps the state will take to protect the Chesapeake Bay.

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