

# Maryland Farm Bureau's Government Relations Bulletin



# 8 – September 28, 2011

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## **SaveFarmFamilies.org Launched to Raise Funds for Maryland Family Under Attack by Waterkeepers Alliance**

Willards, MD (September 15, 2011) – The Wicomico County Young Farmers and Ranchers, the Maryland Farm Bureau, and Perdue today announced the launch of *SaveFarmFamilies.org*, a group of agriculture interests who have come together to raise much-needed funds for the legal defense of a Berlin, Maryland farm family involved in a protracted and crippling lawsuit with the New York-based Waterkeeper Alliance since March 2010.

The Waterkeeper Alliance filed a federal lawsuit against Alan and Kristin Hudson accusing them of violating the Maryland Clean Water Act. At the heart of this suit is a pile of fertilizer, believed by the Waterkeepers to be poultry litter, which the activists identified from a small plane they flew over the Hudson's property. Since the suit was filed, the Maryland Department of the Environment (MDE) confirmed the pile was actually biosolids, which the Hudsons obtained from nearby Ocean City, as part of a successful environmental program to recycle municipal waste for agricultural purposes. MDE determined that no action was required other than to spread the biosolids on the farm's crops.

However, the Waterkeepers – as part of their campaign to end contemporary animal agriculture – have persisted with the suit, which has put a massive financial strain on the Hudson family and could force a settlement or bankruptcy while they wait to make their arguments in court sometime in 2012. In their suit, the Waterkeeper Alliance contends the Hudsons are a “factory farm,” despite the fact that they have only two chicken houses and has been farmed by members of the Hudson family for four generations.

SaveFarmFamilies.org is concerned because, if successful, the Waterkeepers' bankruptcy-by-litigation tactic could be a damaging precedent for America's family farmers, who could be dragged into court just for following every-day farming practices.

“The Waterkeepers litigation is a job killer for Maryland,” said Lee Richardson, a member of the Wicomico County Young Farmers and Ranchers and SaveFarmFamilies.org. “If this extremist group succeeds in forcing the Hudson family to settle or declare bankruptcy before arguments are even heard in court, they'll do it to other family farmers here and across the country, just because we don't conform to the Waterkeeper image of how animals should be raised.”

The lawsuit marks a watershed moment for the agriculture community, particularly in Maryland, where the farming industry plays a large role in the state's economy and is responsible for 14 percent of its workforce, the largest percentage of any sector in the state. Many local farmers believe that if this lawsuit proceeds it would open up the flood gate for more frivolous litigation.

“By pursuing this malicious lawsuit, this extremist group is sending a message to American farmers: if you raise chickens, hogs or cattle – and don’t do it their way – then the Waterkeeper Alliance is willing to use the courts to force you out of business,” said Val Connelly, with the Maryland Farm Bureau and SaveFarmFamilies.org.

SaveFarmFamilies.org encourages members of the agriculture community and those who care about sustaining family farming to visit [www.savefarmfamilies.org](http://www.savefarmfamilies.org), to learn about the threats and consequences of misguided environmental litigation and to make a donation to the Hudsons’ legal defense fund.

“The Hudsons can’t do it alone, they need help,” said Richardson. “This lawsuit is just the start and we need to send a loud and clear signal to these radical groups, otherwise there will dire consequences for family farms across the state of Maryland and around the country. We need to act now, or we could lose a great American asset – our farming community.” For more information visit: [www.savefarmfamilies.org](http://www.savefarmfamilies.org)

## Environmental/Growth Control Issues Update

### **Septic Symposium Follow-Up**

During the Septic Symposium in August, Chairwoman Maggie McIntosh asked farmers for a list of economic incentives that should be supported by state government. Printed below is the letter the MFB Board of Directors authorized during their September meeting.

September 21, 2011

The Honorable Maggie McIntosh  
Environmental Matters Committee  
251 House Office Building  
Annapolis, MD 21041

Dear Chairwoman McIntosh:

At your request, the Board of Directors of the Maryland Farm Bureau held a lengthy discussion about the issues pending before the Septic Task Force during our meeting on September 13, 2011. We also discussed your comments at the Septic Symposium, particularly with regard to the potential economic impact of development restrictions on property owners.

During the Symposium, you invited the farm community to identify and submit to you five initiatives that would keep the agricultural economy viable even if some version of the septic legislation were to move forward. During our Board discussion, we agreed to identify these initiatives, but wanted to clarify that in so doing, our Board is not committing to support the septic legislation. Our policy development process continues to move forward and will culminate with extended debate during our annual meeting in early December. The protection of private property rights and property value are high on the list of grassroots policy proposals.

The five initiatives that the Maryland Farm Bureau Board of Directors believes will help secure agricultural viability in the near term are (in order of priority):

1. Additional funding for the Maryland Aqland Preservation Foundation (MALPF) for the purchase of voluntary development easements on farms - Funding has decreased in recent years and the waiting list of farmers interested

in selling easements continues to increase. If new funding sources are developed for the implementation of Bay restoration efforts, the Maryland Farm Bureau Board believes some of that funding should be directed towards MALPF. Easement purchases on farms will reduce the impact of septic systems without unfairly "taking" property value from farmers.

2. Estate tax reform to allow farms to pass from one generation to the next – The Board believes there is no sense in preserving farms through MALPF or any other program if the land, equipment or livestock must be sold at the time of death to pay a tax before passing the farm to the next generation.

3. Continued funding for a voluntary cover crop program and other best management practices (BMPs) on farms – The cover crop program has proven to be a cost-effective bay restoration program that farmers willingly participate in when promoted properly. The Maryland Farm Bureau Board opposes any effort to make the program mandatory or to decrease funding through the Bay Restoration Fund for use on other bay restoration projects. The voluntary cover crop success story can and should be replicated for other programs in lieu of new mandates or regulations for farms.

4. Full funding for the nutrient management plan writing program – Farmers are required to use certified nutrient management planners as a condition of the 1998 Water Quality Improvement Act. The Act anticipated planning services through the University of Maryland Extension program. Funding of \$1.8 million annually is needed to provide plan writers in sufficient quantity to service the farm community in 23 counties.

5. Priority funding for research by the University of Maryland Extension – Our Board of Directors certainly understands the need to reduce the state's overall budget during this recession, but we believe certain programs must be targeted as priorities. The UME research on crop trials, the treatment of disease and environmental stewardship are invaluable and the data produced cannot be obtained from other sources.

Our Board of Directors looks forward to working with you to enhance the economic viability of farms in Maryland while also protecting property rights and the natural resources on the land and in the Bay. We urge you to include the five initiatives identified above in any legislative package designed to improve water quality in Maryland. As you know, an economically viable farm will protect the land and the Bay far better than most alternative uses.

Sincerely,

PATRICIA A. LANGENFELDER  
President

### **Deadline for county-level Phase II Watershed Implementation Plans extended**

In a letter recently sent to local officials, the Maryland Department of Environment has extended the Phase II WIP deadline for local governments to July 2012. The letter reads as follows:

“We are pleased to advise you that, after consultation with the Governor, the Bay Cabinet has agreed that Maryland will extend the time for submission of final, approved local implementation plans to July 2, 2012.

Maryland is still required to meet Environmental Protection Agency (EPA) deadlines, and we will submit a draft Watershed Implementation Plan (WIP) in mid-December and a final plan in March 2012 in accordance with the original schedule. We request you provide any draft strategies and funding proposals that you have ready in time to incorporate into the State submissions to EPA. The Phase II

WIP will be designed to meet the basin-specific allocations assigned to Maryland by EPA.

EPA will use the final Phase II WIP submitted in March to determine whether any modifications to the TMDL allocations are necessary. State agencies will continue to work closely with your staff after the March submittal to ensure that final approved local plans will meet water quality standards. As necessary, and if consistent with public comments on EPA's modifications of the TMDL allocations, local plans will be used to modify Maryland's WIP after July, 2012."

Farm Bureau members are encouraged to work through local Soil Conservation Districts on the Ag portion of the local WIP. SCD have scheduled meetings in each county from late September through October. (The link to the SCD meeting schedule appears below.)

The most recent update in the Bay Model shows the farm community will have to do more than originally anticipated to meet the reduction goals. Maryland Farm Bureau continues to urge Governor O'Malley to stretch the TMDL deadline from 2020 to 2025 to allow farmers as well as local governments the time and resources to get the job done.

For detailed information on the WIP, please log onto the MDE WIP page at:

<http://www.mde.state.md.us/programs/Water/TMDL/TMDLImplementation/Pages/PhaseIIBayWIPDev.aspx>

Here are links to documents from the MDE site you might find helpful as you work with local farmers and county governments on the Phase II plan:

[Maryland's WIP Phase II Target Load Summaries](#)

[Agricultural Watershed Implementation Plan Meeting Schedule](#) - PDF

[EPA Letter Revising Schedule for Final Allocations - August 2011](#) - PDF

[Announcement on Delay of the Release of Local Allocations](#) - PDF

August Webinar for MAST Training for Federal Partners - [Recording](#)

[Citizen's Guide to Maryland's Phase II Watershed Implementation Plan](#) - PDF

[A Citizen's Guide to the Chesapeake Bay TMDL \(EcoCheck Newsletter\)](#) - PDF

### **Maryland Department of Planning Releases Revised *PlanMaryland***

The Maryland Department of Planning has released a revised draft of their statewide development plan, *PlanMaryland*, for an additional 60-day comment period. MDP's initial draft was revised after a 120-day public comment period and input from the Governor's Sustainable Growth Commission.

"Throughout the past summer, we took hundreds of comments into account in revising the first draft of the plan that we released in April. All of the input was vital, useful and taken seriously. Many ideas helped shape this phase of the plan and others will help guide the implementation of the plan," Maryland Secretary of Planning Richard Eberhart Hall said.

The plan seeks to pick up where Smart Growth left off in three ways. The first and most important aspect of *PlanMD* is the establishment of clearly defined *Designated Places* and *Special Areas* with classifications intended to focus on development and growth, conservation, and a sustainable quality of life. In the original draft, these priority overlay zones were to be determined by MDP and become a more collaborative process as jurisdictions work the plan into their comprehensive planning process. The new draft has revised this provision, but at this point it is unclear what type of final approval the State will have regarding the new designations. Second, State capital spending, noncapital plans, programs and

procedures will all be realigned and focused through the lens of *PlanMD*. And lastly, the establishment of a *PlanMD* Consistency Process, headed by the Governor's Smart Growth Subcabinet, will require state agencies and local governments that are "contemplating actions that might contradict established goals and commitments" to bring them forward for review.

MFB Staff is reviewing the new draft to determine the extent of the changes that have been made so additional comments can be submitted. The link to the *PlanMaryland* website where you can access the revised draft, as well as find instructions for comment, is <http://plan.maryland.gov/home.shtml>.

### **FREE PESTICIDE DISPOSAL PROGRAM OPEN TO MARYLAND FARMERS**

ANNAPOLIS, MD (September 21, 2011) – For the first time, farm operators statewide will be able to dispose of unusable or unwanted agricultural pesticides this year under a program sponsored by the Maryland Department of Agriculture (MDA) in cooperation with the Maryland Department of the Environment, the University of Maryland Extension and various agricultural organizations.

"This is an excellent opportunity for growers to safely dispose of old, banned, unwanted or unusable pesticides that may have been stored on their property for years," said Agriculture Secretary Buddy Hance. "This beneficial program helps to protect the Chesapeake Bay and keep Maryland smart, green and growing by removing potential contaminants from the environment through proper disposal."

The Pesticide Disposal Program has been available to Maryland farmers and agricultural commodity producers since 1995 on an annual rotating basis. This is the first year the program will be open to operators statewide. More than 170,000 pounds of unusable or unwanted pesticides have been collected from more than 330 farm sites throughout Maryland since the program was first initiated. The program is funded through registration fees collected from pesticide manufacturers and registrants.

Maryland's 2011 pesticide disposal program is available free of charge to all farmers, nurserymen, greenhouse operators and Christmas tree growers. Registration forms to participate in the program are available online at MDA's website: [www.mda.state.md.us/pdf/regform.pdf](http://www.mda.state.md.us/pdf/regform.pdf) or from University of Maryland Extension offices. The deadline for registration forms to be submitted to MDA is January 16, 2012.

Once producers submit a registration form listing the types and quantities of pesticides to be disposed, MDA inspectors visit the storage site to estimate the weight of the materials and to tag the pesticide containers for collection. A contract is awarded by MDA to a certified hazardous waste hauler who makes arrangements with the grower to pick-up the pesticides. The entire process from registration to pick-up takes approximately eight to ten months.

In addition to the unwanted pesticide disposal program, MDA operates an annual empty pesticide plastic container inspection and collection program open to the public in at least seven locations statewide from June through September. In addition, 14 pesticide dealer sites participate in the program. During 2011, 42,000 containers, weighing 20 tons, were collected from about 110 participants. The pesticide containers are collected, chipped, processed and remanufactured into new pesticide containers by a contractor hired by the pesticide manufacturing industry. Since the program began in 1993, MDA has collected 700,000 empty pesticide containers - weighing approximately 300 tons - for recycling.

For additional information, contact Rob Hofstetter, Special Programs Coordinator, Pesticide Regulation Section, Maryland Department of Agriculture, Annapolis, MD 21401, telephone 410-841-5710.

## **EPA Seeks Comments on Save the Frogs' Request to Ban Atrazine**

*From the EPA website:*

### **What Action is the Agency Taking on Atrazine?**

EPA seeks public comment on a petition from environmental advocacy group "SAVE THE FROGS!" requesting that EPA ban the use and production of atrazine. This petition, available in EPA-HQ-OPP-2011-0586, was submitted on May 6, 2011 during a meeting with Save the Frogs founder Dr. Kerry Kriger. The presentation and participant list from the meeting is also available in docket EPA-HQ-OPP-2011-0586. Here is the link:

<http://www.regulations.gov/#!docketDetail;dct=FR%252BPR%252BN%252BO%252BSR;rpp=10;po=0;D=EPA-HQ-OPP-2011-0586> . You can also file comments in response to this request by selecting the comment section midway down the page. Comments are due by November 14<sup>th</sup>.

The SAVE THE FROGS petition includes over 10,000 signatures; select statements from the public; and two brief summaries of published literature, one by Dr. Jason Rohr and one by Dr. Tyrone Hayes that is co-authored by 39 other scientists. In conjunction with this petition, EPA received nearly 50,000 emails from supporters of the Center for Biological Diversity and the Natural Resources Defense Council requesting that EPA "immediately take steps to phase out atrazine use in the United States," stating that atrazine poses an unreasonable risk to the environment. The emails express concern for impacts on amphibians and other aquatic species as well as concern for potential risks to human health.

Information on EPA's regulation of atrazine with regard to amphibians, aquatic ecosystems and human health can be found on its atrazine webpage:

[http://www.epa.gov/pesticides/reregistration/atrazine/atrazine\\_update.htm](http://www.epa.gov/pesticides/reregistration/atrazine/atrazine_update.htm).

## Natural Resource Issues

### **2011 Doe Harvest Challenge Underway**

The 2011 Doe Harvest Challenge (DHC) is off and running with the first contest cycle set to close Saturday, October 8<sup>th</sup>. Donating during the first contest cycle is a great opportunity to increase your chances of winning as it has traditionally seen leaner harvest numbers compared with cycles further along in the season.

In an effort to reduce crop damage and improve yields while simultaneously helping support the less fortunate in their communities, the Maryland Grain Producers has for the third year in a row provided funding for a novel approach to reduce the state's overpopulation of white-tailed deer: the 2011 Doe Harvest Challenge (DHC). This year's DHC also received a generous grant from the Maryland Soybean Board which will allow for even more deer to be donated to local food banks. As a pilot program taking place on the Mid-Shore and in Southern Maryland, the DHC partnership also includes the Maryland Farm Bureau and the Farmers and Hunters Feeding the Hungry with a goal of reducing local overpopulations of deer by incentivizing the legal harvest and donation of does within participating counties. Participating counties include: Anne Arundel, Calvert, Caroline, Charles, Dorchester, Kent, Queen Anne's, Prince George's, St. Mary's, and Talbot. Beginning on opening day of bow season each time a hunter donates a legally harvested doe to a participating FHFH processor, they are eligible to enter into a drawing for a prize package valued at \$500. The program is split into 5, 3-week cycles with drawings taking place at the end of each cycle. Hunters may enter as many times as they donate a doe and winners of previous

cycles remain eligible for participation in future drawings. Entries gathered throughout all 5 cycles in each region will be entered in the grand prize drawing for a prize package valued at over \$1000. With each region holding 5 contest cycle drawings and a grand prize package valued at \$1,000, participating hunters have a total of 12 opportunities to win over \$7,000 in prizes simply by donating their harvested does!

As a result of last year's program, hunters in the participating regions donated nearly 40 percent more deer to local FHFH processors than in 2009. Those donations represented an additional 140,000 meals of high-quality, lean protein for the less fortunate in their local communities and a reduction in economic loss to our family farms! Hunters - don't forget to take advantage of this great program as you set out afield this fall! *For more information contact Kurt Fuchs at [kurtf.mdfb@verizon.net](mailto:kurtf.mdfb@verizon.net).*

### **DNR Implements New Regulations To Prevent Spread Of Deer Disease**

Annapolis, Md. (September 7, 2011) — The Maryland Department of Natural Resources (DNR) announces new regulations to help prevent the spread of chronic wasting disease (CWD). These regulations, effective immediately, apply only to a small portion of Allegany County, and ban the use of bait and limit the movement of deer carcasses.

“Our goal with these regulations is to prevent the spread of this disease to other areas in Maryland and nearby states,” said Pete Jayne, DNR’s Game Program Manager. “We have focused these restrictions to be effective and enforceable while minimizing impacts to the strong deer hunting traditions found in Western Maryland, especially around the popular Green Ridge State Forest area.”

The regulations are necessary after it was confirmed that a white-tailed deer harvested in November 2010 in Green Ridge State Forest tested positive for CWD, the only confirmed case of CWD in Maryland.

The new regulations apply ONLY to the CWD Management area - the portion of Allegany County noted as Private Land Code 233 in the annual Guide to Hunting and Trapping. This section includes a portion of Green Ridge State Forest east of Flintstone and Oldtown.

In this area, feeding forest game birds and mammals is prohibited on both public and private lands. This regulation bans feeding on a year-round basis and includes feed placed for both hunting and non-hunting purposes. The ban prohibits fruit, vegetables, nuts, hay, corn, wheat, other feed, salt or other mineral-based being placed out as attractants. Forest game birds and mammals are defined as wild turkey, grouse, deer, bear and squirrels. Gland and urine-based lures are still permitted. Normal agricultural practices and operations are exempted from this ban, including the planting and harvesting of crops and operations associated with livestock care. The normal feeding of song birds remains legal.

The transportation of certain parts of deer carcasses out of the CWD Management Area is restricted unless the carcass is being transported directly to an approved deer processor within Allegany County. The following parts of deer may be transported out of the CWD Management Area: Antlers with no meat or soft tissue attached, finished taxidermy mounts, clean hides with no head attached, boneless meat and skull plates cleaned of all meat and brain tissue.

B&B Butchering, 10649 Orleans Road NE, Little Orleans, Maryland. 301-478-2558 and B&B Country Meats, 11329 Upper Georges Creek Road, Frostburg, Maryland. 301-689-6225 are commercial deer processors cooperating with DNR to properly process deer taken from the CWD Management Area.

DNR is placing dumpsters at several locations within the CWD Management Area for use by hunters that choose to butcher their own deer. The hides, bones and other waste products that are left over after a deer is butchered should be placed in these dumpsters for proper disposal. Dumpster locations will be noted in posters placed throughout the CWD Management Area and can be seen online at [dnr.maryland.gov/wildlife/Hunt\\_Trap/pdfs/CWD\\_Dumpsters\\_Processors.pdf](http://dnr.maryland.gov/wildlife/Hunt_Trap/pdfs/CWD_Dumpsters_Processors.pdf). Hunters may also call 301-777-2136 for a map showing the dumpster locations and cooperating processors. *This information is from a press release from the Maryland Department of Natural Resources.*

## Transportation Issues

### **NEW TOLLING PLAN APPROVED FOR MARYLAND TOLL FACILITIES**

**BALTIMORE, MD** –(9/22/11) The Maryland Transportation Authority (MDTA) Board today approved a revised tolling plan after considering substantial public comments received earlier this summer. The plan is projected to generate approximately \$90 million in its first full year to pay significant debt for rehabilitating MDTA’s aging bridges, tunnels and highways and for constructing additional highway capacity in the Baltimore and Washington regions.

“During the last several weeks, the Board Members and I thoroughly reviewed with MDTA staff how we could revise the proposal based on the comments and suggestions from our citizens, customers and elected officials. Toll increases are needed, but I am pleased that we were able to make some adjustments to the plan, while securing the revenue needed to meet our fiscal and legal obligations,” said MDTA Chairman and Transportation Secretary Beverley K. Swaim-Staley. “These are tough decisions, but I can assure you that we listened. It was extremely beneficial for the Board Members and me to be in the communities during the 10 public hearings, listening to citizens who must cross some of our facilities more than once or twice a day. I thank everyone who shared their comments on the proposal and helped shape the plan we approved today.”

The approved plan includes the following changes to the June 2 proposal based on public feedback: Adjusted cash tolls for the William Preston Lane Jr. Memorial (Bay) Bridge (US 50/301) and the Harry W. Nice Memorial Bridge (US 301); Adjusted tolls for three- and four-axle vehicles; A modified E-ZPass Maryland plan for the Thomas J. Hatem Memorial Bridge (US 40) that keeps the cost for unlimited annual trips static at \$10 until July 1, 2013, and provides a longer transition to phase out AVI decals and T-Series and A-Series tickets; Waiving the \$1.50 monthly E-Zpass fee on accounts used to pay three or more tolls for the previous month at Maryland toll facilities; Increasing the commuter discount rate from the proposed 70% to 75% effective Nov. 1, 2011; Expanding the supplemental rebate program for vehicles with five or more axles; And maintaining a revised Shoppers Discount Program at the Bay Bridge.

In addition, the plan sets new Video Toll rates that are 150% of the cash/base rates – and not 125% as proposed – in place of the \$3 Notice of Toll Due fee. For the Intercounty Connector (ICC), Video Toll rate ranges are 150% of the current rate ranges.

During the 60-day public comment period from June 2 – Aug. 1, the MDTA received close to 4,000 comments. Nearly 60% of comments came from communities near the Hatem Bridge, John F. Kennedy Memorial Highway (I-95) and Bay Bridge. The Hatem Bridge AVI Decal portion of the proposal received the most opposition.

“Operationally, it is time for us to transition from antiquated toll-collection methods and technology, including AVI decals and ticket programs. But we understand that this is a big change for communities using the Hatem Bridge,” said Acting MDTA Executive Secretary Randolph P. Brown, P.E. “We are planning an extended transition and outreach period to help customers make the switch to an E-Zpass Maryland Hatem Bridge Plan, offering free transponders for the first year of the program and keeping the cost at \$10 annually until July 1, 2013, for unlimited bridge trips.”

The funds to finance, operate, preserve, maintain, improve and protect Maryland’s eight toll facilities come directly from the tolls that customers pay and not from the State’s Transportation Trust Fund or General Fund. The MDTA combines toll revenue from all facilities to pay operating costs and the debt on bonds that are issued to fund major projects. Revenue “pooling” makes the MDTA financially strong with top bond ratings to reduce borrowing costs.

The approved plan still allows Maryland to offer some of the most generous commuter discounts in the country and keeps overall toll rates comparable to those elsewhere in the region. It has been years, decades in some cases, since the MDTA raised many of its toll rates. Commuter toll rates were last raised in 1985 for Baltimore toll facilities and in 1983 for the Bay and Nice bridges. Toll rates for passenger vehicles were last raised in 2003 at the Baltimore toll facilities, the Kennedy Highway and the Hatem Bridge and in 2001 at the Nice Bridge. The Bay Bridge toll rate for passenger vehicles is lower now than when the original span opened in 1952, when drivers of passenger cars paid \$2.80 round trip, plus \$.25 per passenger. Toll rates for vehicles with three or more axles were last raised at all facilities in 2009.

The approved tolling plan and Public Comment Summary Final Report are available at [www.mdta.maryland.gov](http://www.mdta.maryland.gov).

Specifics of the plan effective Nov. 1, 2011:

- Create a new 10% discount off the cash/base rates at fixed-toll facilities (not the ICC) for E-Zpass Maryland customers driving two-axle vehicles (with a valid account and transponder that does not include a discount plan for that facility).
- Waive the \$1.50 monthly E-Zpass fee on accounts used to pay three or more tolls for the previous month at Maryland toll facilities.
- Adjust cash/base toll rates for passenger cars, light trucks and motorcycles (two-axle vehicles) from \$2 to \$3 at the Fort McHenry (I-95, I-395) and Baltimore Harbor (I-895) tunnels and the Francis Scott Key Bridge (I-695); from \$5 to \$6 at the Kennedy Highway and the Hatem Bridge; from \$2.50 to \$4 at the Bay Bridge; and from \$3 to \$4 at the Nice Bridge. Additional increases take effect July 1, 2013. Adjust E-Zpass Maryland Discount Plan (commuter) rates from \$.40 to \$.75 at the Fort McHenry and Harbor tunnels and the Key Bridge; from \$.80 to \$1.50 (round trip) at the Kennedy Highway and Hatem Bridge; and from \$.60 to \$1 (round trip) at the Nice Bridge. The Bay Bridge commuter rate remains at \$1 per round trip until July 1, 2013. These rates are 75% off the cash/base rates and change to a 65% discount July 1, 2013.
- Revise and maintain the Shoppers Discount Plan at the Bay Bridge with a 50% discount for 10 trips, good for 90 days Sunday through Thursday.
- Implement Video Toll Rates for vehicles traveling through a toll plaza without a valid E-Zpass or cash payment. The Video Rate replaces the existing \$3 Notice of Toll Due fee and is 150% of the cash/base rate. There is a minimum video surcharge of \$1 and a maximum of \$15.
- Implement a Video Toll rate range for the ICC. The video rate replaces the \$3 Notice of Toll Due fee added to the toll per trip when drivers use the ICC without a valid E-Zpass. The Video Toll ranges are

150% of the mileage rate ranges approved in 2009. There is a minimum video surcharge of \$1 and a maximum of \$15.

Specifics of the proposal affecting Hatem Bridge users:

- Transition from the AVI Decal to E-Zpass MD Hatem Bridge programs by Sept. 30, 2012. The E-Zpass program will provide unlimited two-axle vehicle trips across the bridge at the current cost of \$10 annually until July 1, 2013, when the price will increase to \$20 per year. With a Hatem Bridge specific transponder, there are no monthly account fees or pre-paid tolls, and the transponder is free until Jan. 31, 2013.
- Phase out T-Series and A-Series tickets.

Specifics of the proposal effective Jan. 1, 2012:

- Adjust toll rates for vehicles with three and four axles and vehicles towing light trailers by reducing the multipliers used to set these rates for fixed-toll facilities. This results in no change to toll rates at some facilities and reduces current rates at others. Toll increases take effect July 1, 2013.
- Adjust toll rates for vehicles with five or more axles, including a \$6-\$8 increase per trip depending on the number of axles at the Fort McHenry and Harbor tunnels and the Key Bridge; a \$6-\$7 increase per trip at the Kennedy Highway and Hatem Bridge; and a \$9-\$12 increase per trip at the Bay and Nice bridges.

Additional increases take effect July 1, 2013.

- Restructure post-usage discounts for E-Zpass Maryland business accounts based on usage at eligible MDTA toll facilities and limit discounts to vehicles with five or more axles.
- Restructure the supplemental rebate program for E-Zpass Maryland business accounts to include only vehicles with five or more axles and to expand the rebates to vehicles making 60 or more trips monthly at eligible MDTA facilities.

*This press release from the Maryland Transportation Authority was published 9/22/11 highlighting the changes made to and the implementation schedules of the various toll increases. Please also find attached a 1-page summary of all the changes and related timelines.*

## Ag Education & Ag Economic Development Issues

### **GICA Seeks Input on Agricultural Education**

ANNAPOLIS, MD (Sept. 23, 2011) The Governor's Intergovernmental Commission for Agriculture (GICA), a public-private coordinating body created by Executive Order and staffed by the Maryland Department of Agriculture, is conducting a statewide survey, seeking information on the current state of agricultural education in Maryland. An online survey will be available to the general public through October 14.

GICA is interested in gathering information from all segments of the community about what kinds of agricultural education programs currently exist in Maryland, what works in those programs and what is lacking, said Agriculture Secretary Buddy Hance, who also chairs the Commission. We will use the information we gather to help develop recommendations that will strengthen the public's understanding of agriculture.

The survey takes about 10 minutes to complete and will be available online until 5 p.m. Friday, October 14, 2011. Take the survey here: <https://www.surveymonkey.com/s/md-ag-education>

GICA is a public-private coordinating body created by an Executive Order that works to promote the economic profitability of agriculture in the state by planning, implementing, overseeing and evaluating intergovernmental initiatives related to agriculture. Its members are appointed by the Governor on the recommendation of the Secretary of Agriculture. - *From an MDA Press Release published 9/23/11.*

### **Attention Specialty Food Vendors**

Do you have an idea for preparing a specialty food item but lack the processing equipment and licensed kitchen to make your product legally? American Communities Trust has engaged a team of consultants to determine if it is feasible to establish a shared-use commercial kitchen in the Baltimore area. The producers can legally produce their food products. It is well suited to those interested in producing organic or specialty food products using locally grown ingredients. Additionally, it will be a place where small business owners can learn more about the technical aspects of proper food production and receive help with business planning. The center will be targeted to those interested in making and selling specialty/gourmet foods in addition to caterers, grower/producers, bakers, chefs, cart/street vendors, church, school, and civic groups, and others in food-related businesses. Examples of specialty or gourmet foods could include all types of sauces and condiments (salsa, mustards, sauces, BBQ sauce, salad dressings, jams), baked goods, cheesecake, appetizers, entrees, ethnic dishes, etc.

Your input is important! Please go to the Baltimore Food Enterprise Center (<http://www.americancommunitiestrust.org/>) to complete a short survey to help determine user demand for this type of facility.

## National Issues Update

### **House Panel Passes E-Verify, Rejects Ag Worker Amendment**

Last week, the House Judiciary Committee approved legislation mandating the use of E-Verify for all employers in the United States. During committee deliberations, Rep. Dan Lungren (R-Calif.) attempted to offer an amendment establishing a new agricultural worker program; the amendment was ruled out of order.

As a result, the final E-Verify bill approved by the committee contains no agricultural worker program. In addition, the committee deleted a provision in the bill that provided an exemption from E-Verify for agricultural employees doing seasonal work and returning to their original employer.

Under the proposed Legal Workforce Act, introduced by House Judiciary Committee Chairman Lamar Smith (R-Texas), employers must confirm all employees' eligibility through the federal E-Verify system. The provisions relating to agriculture would take effect no later than three years after enactment of the bill; in some instances, they could apply sooner.

AFBF strongly opposes mandatory E-Verify. Given the tremendous impact on the agricultural sector, AFBF has been pressing for inclusion of a farm worker program in the final version of Smith's bill.

"If and when E-Verify is required of agricultural employers, there must be an effective, efficient program in place to assure producers that legal workers are available," said Paul Schlegel, AFBF labor specialist. "That's the overriding concern of our members and the bottom-line result we are pressing for."

## **Senate Passes Bill Renewing Trade Adjustment Assistance**

On Thursday, September 22<sup>nd</sup>, the Senate passed legislation to renew the Trade Adjustment Assistance program which provides job training to workers who lose jobs due to trade, which sets the stage for passage of pending trade agreements with Colombia, Panama and Korea.

The TAA bill passed the Senate by a 70-27 vote and now goes to the House for approval. Speaker John Boehner (R-Ohio) said the House would take up the measure after President Barack Obama submits the trade pacts for approval “We await the president’s submission of the three trade agreements sitting on his desk so the House can consider them in tandem with the Senate-passed legislation,” Boehner said in a statement. “If the president submits these agreements promptly, I’m confident that all four bills can be signed into law by mid-October.”

## **NMPF Backs Peterson’s Dairy Proposal**

The board of the National Milk Producers Federation endorsed a redrafted dairy policy reform bill that House Agriculture Committee ranking member Collin Peterson (D-Minn.) plans to introduce in the near future.

Peterson’s proposal creates a voluntary dairy producer margin protection program, as well as a dairy market stabilization program. Participation in the market stabilization program would be mandatory if a producer elected to participate in the margin protection program.

At its most recent meeting, the AFBF board of directors voted to support the provisions of the draft with the exception of the supply management provisions. On July 22, AFBF President Bob Stallman wrote to Peterson suggesting alternatives to his supply management provisions. Most of those ideas were accepted and incorporated into his new draft. [National Milk Producers Federation news release](#)

## **President’s Proposal Slashes Direct Payments, Ups Estate Tax**

President Barack Obama released his plan to reduce the deficit by \$4.4 trillion over 10 years. Included in that figure is \$1.2 trillion in discretionary spending cuts already enacted by the Budget Control Act, making for a net savings of more than \$3 trillion over the next decade.

The plan, “Living Within Our Means and Investing in the Future,” proposes \$257 billion in cuts from mandatory programs outside of health care. For agriculture, the president’s proposal would eliminate direct payments for a savings of \$3 billion per year and reduces subsidies for crop insurance companies and changes subsidies for producers for a savings of \$8.3 billion over ten years. The proposal would also reduce conservation funding by \$2 billion over 10 years and extends mandatory disaster assistance.

President Obama’s plan calls for increasing the capital gains tax rate for individuals making more than \$200,000 per year and for couples making more than \$250,000. The president’s proposal returns the estate tax exemption to \$3.5 million per person with a top rate of 45 percent.

In a joint statement, Frank Lucas (R-Okla.), House Agriculture Committee Chairman, and Pat Roberts (R-Kan.), Senate Agriculture Committee ranking member, said President Obama’s proposal shows a lack of knowledge of production agriculture and how the changes would impact farmers.

“For example, cutting \$8 billion from the crop insurance program puts the entire program at risk,” Lucas and Roberts wrote. “We have heard again and again from producers that crop insurance is the best risk-

management tool available. In jeopardizing this program, the president turns a deaf ear to America's farmers." The entire administration proposal can be viewed [here](#).

### **'A Day in Agriculture' - Thursday, September 29th**

Farmers and ranchers are invited to be a part of AgWeb's "A Day in Agriculture" set for Thursday, Sept. 29. The first-ever event, sponsored by Farm Journal Media, is designed to capture a snapshot of one day in agriculture by providing cross-country coverage and focusing on how one day of agriculture impacts billions of people.

Farm Bureau members can participate by sharing a blog post, sending a video showing what they are doing on the farm that day, submitting several photos with captions of their farm or ranch, sending live Tweet updates or posting on Facebook about how you are involved in agriculture.

You can also call AgWeb editors and provide an audio update. To learn more about "A Day in Agriculture," click [here](#).