



## MARYLAND DEPARTMENT OF AGRICULTURE

### LEGISLATIVE COMMENT

DATE: 1/24/2018 BILL NO.: SB -133

**SUBJECT:** COMMUNITY HEALTHY AIR ACT

**COMMITTEE:** EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS

#### **AGENCIES POSITION: LETTER OF INFORMATION**

**EXPLANATION:** If passed SB 133, *The Community Healthy Air Act* would establish the Committee on Air Quality, which would be staffed by the Maryland Department of the Environment (MDE). The structure of the committee would consist of one expert in regulatory compliance, which would be appointed by the Office of the Attorney General. The remaining structure of the committee would be jointly appointed by the Dean of the University Of Maryland School Of Public Health and the Dean of the John Hopkins Bloomberg School of Public Health.

Once established, the committee would create an air quality sampling and monitoring protocol for the collection of air quality and public health data associated with large animal-feeding operations. This protocol would be peer reviewed by an expert panel and then used by MDE to quantify the amount of air pollutants coming from these farm operations, and to assess their public health risk. MDE would also need to assess the compliance status of all large animal-feeding operations in the State. These assessments would be published in a report by MDE on or before December 15, 2019.

**COMMENT:** Agriculture is Maryland's top industry, and that is due largely in part to the perseverance of our family farmers. Of the 12,200 farms in our state, the majority of these farms are family owned. These operations struggle every day to remain viable amid strict regulations and wavering commodity markets. Despite a growing list of challenges, our farmers have led the way in Chesapeake Bay Cleanup efforts, good neighbor standards, and implementing Best Management Practices on their farming operations. This is a true testament to how much our farmers care about the health and safety of our environment and their communities.

Agriculture is a critical part of our state's economy from the Eastern Shore to the inner-city of Baltimore. It is important that we stand with our farmers and allow the agricultural community to work together with policy makers, the scientific community, and state regulators to find a fair, balanced approach to determining information on air emissions, health impacts, and monitoring protocols. Bringing together stakeholders in the agricultural community is an essential to achieve common ground in both the legislative and regulatory process.

SB 133 is duplicative of efforts that have already been conducted or are being conducted by the scientific community throughout the country on large poultry and dairy animal operations, including studies by universities, which are not mentioned in the bill. This bill also ignores a successful track record of using a collaborative process to bring together the farming, scientific, and environmental communities to reach common sense solutions to environmental issues. Including all sectors in a collaborative process allows for community engagement and is beneficial to the process, however, this legislation leaves the farming community out of the process altogether, focusing only on the scientific community.

For the reasons articulated above, the Maryland Department of Agriculture ask for careful consideration that the General Assembly not place likely undetermined, unjustified and costly new set of rules on our family farmers.