



Minn Ag Water Quality Certification Program and its Clean Water Legacy Program

Hank Zygmunt

to:

Richard Batiuk

04/17/2012 11:16 AM

Cc:

Kelly Shenk, "Pat Stuntz", David McGuigan

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### 3 Attachments



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Rich:

I'm sending a few items about Minn Ag programs that are of particular interest: Perhaps for our next Verification meeting some of this information could be shared?

1. Article about Minn's Ag Certainty program recently announced by the Gov. My interest peaked because the article:

- Mentions the Ag Water Quality Certification Program- a verification program that has received legislative support and a fair amount of interest from the Ag community; and
- A quote from Deb Swackhammer- on EPA's SAB (you may know her?)

2. I am also including a more details about the Ag WQ Certification program – see below

3. Please note: Minn also has its Clean Water Land and Legacy Program- which I believe is a complimentary program to the Certification program (need to verify this). A brief description of the LEQA is:

#### [Livestock Environmental Quality Assurance \(LEQA\) Program](#)

LEQA is an MDA program to help livestock producers address, using a non-regulatory approach, the unique water quality issues on their farms. MDA has contracted with Ag Resource Strategies, LLC, to recruit farmers to enroll in the LEQA program. The company trains technicians to assess farms in separate resource management areas, such as the farmstead, livestock facilities, fields and wooded areas. The technicians then develop an environmental assessment. The assessment helps farmers determine what actions they can take themselves and how to obtain financial assistance for these projects. (Need to provide contacts)



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## Minnesota Agricultural Water Quality Certification Program

### BACKGROUND

Minnesota is the headwaters state for three continental divides – the Mississippi River (Gulf of Mexico), the Red River (Hudson Bay), and Lake Superior (Atlantic Ocean). Our lakes, rivers and streams feature prominently in our recreation and our quality of life, and the high quality of those public waters is part of what makes our state special.

In addition to our abundant water resources, Minnesota is also the nation's fifth most productive agricultural state with nearly 27 million acres devoted to agricultural production, \$15 billion in annual sales, 340,000 Minnesota jobs supported and an amazing variety of farms. In addition, Minnesota's 81,000 farmers collectively have a strong track record of embracing conservation practices and finding new ways to grow the world's food while protecting the state's natural resources.

These distinctive assets make Minnesota the ideal location for a new collaborative approach focused on the intersection between agricultural production and water quality. The goal of the new state and federal partnership, called the Minnesota Ag Water Quality Certification Program, is to enhance Minnesota's water quality by accelerating the voluntary adoption of on-farm conservation practices.

### DETAILS

The Minnesota Ag Water Quality Certification Program is designed to accelerate voluntary adoption of agricultural practices that enhance water quality. It is the product of a state-federal partnership that includes the Minnesota Department of Agriculture (MDA), the Minnesota Pollution Control Agency (MPCA), the Minnesota Board of Water and Soil Resources (BWSR), the Minnesota Department of Natural Resources (DNR), the U.S. Department of Agriculture's Natural Resource Conservation Service (NRCS), and the U.S. Environmental Protection Agency (EPA).

The first step of the program is a Memorandum of Understanding (MOU) signed on January 17, 2012, by Minnesota Governor Mark Dayton, U.S. Agriculture Secretary Tom Vilsack, and EPA Administrator Lisa Jackson. The MOU document formalizes the state-federal partnership and confirms the joint commitment to developing and implementing the program.

Program details will be developed cooperatively in the months ahead, but the general concept is that farmers who implement and maintain approved conservation plans will be assured that their operations meet water quality goals and standards. So long as the participating farmers meet program obligations, they will not be required to implement additional water-quality practices for the duration of their certification. Conservation plans for participating farms would be developed by a qualified team of experts with consideration given to the unique characteristics of the farm, the farming practices, the surrounding watershed, and the region in which the farm is located.

### ADDITIONAL INFORMATION

For Minnesota's lakes, rivers and streams, this program will mean cleaner water faster through the acceleration of voluntary adoption of on-farm conservation practices. This promises to have a positive and long-lasting impact on the quality of our public waters. Another benefit will be that the program will provide a clearer picture of which practices are being implemented in which locations, offering greater accountability and transparency within watersheds.

For Minnesota's farmers, participation in the program will mean formal recognition for their investment in and maintenance of the conservation practices. It will also give them greater regulatory and cost stability over the period of their certification, which will help with their business planning. This greater stability will appeal to the agricultural financial community, in that it provides lenders assurance that the farm is meeting water quality standards and less likely to incur unexpected and significant financial liabilities from new requirements. Also, the partnership is expected to result in a significant increase in federal funding and technical assistance for Minnesota farmers implementing conservation practices.

### FOR MORE INFORMATION:

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<http://www.startribune.com/local/137454108.html?page=1&c=y>

Minnesota will be the nation's first test site for a federal program designed to stem the flow of agricultural pollution strangling some of the country's great bodies of water, including Chesapeake Bay, the Gulf of Mexico and the Mississippi River.

Gov. Mark Dayton is expected to announce Minnesota's leading role in the project at the Capitol on Tuesday morning, with Tom Vilsack, U.S. secretary of agriculture, and Lisa Jackson, administrator of the U.S. Environmental Protection Agency, at his side.

They are promoting the pilot project as the start of an ambitious federal strategy that, in essence, would give farmers a green seal of approval if they voluntarily choose to put land conservation and water quality ahead of crop yields.

Behind the new strategy is a combination of political and fiscal realities, officials said: The public is increasingly concerned about clean water for drinking, swimming and wildlife. But imposing environmental rules on farmers -- the primary source of unregulated water pollution in Minnesota -- faces insurmountable political hurdles. At the same time, funding for longstanding farm conservation programs is facing major cutbacks in the upcoming farm bill, victim of both the federal budget crunch and the anti-regulatory fervor in Washington.

"We do not want to take a step back" in conservation, Vilsack said in an interview last week. "We are seeing progress."

Farmers who participate would agree to follow land management practices that slow soil erosion and runoff of fertilizers, pesticides and manure into streams and groundwater. In exchange, they would get financial and technical support and be protected against new environmental requirements during the life of their agreement, perhaps as long as 10 years.

Participating farmers would also be certified through the new **Agricultural Water Quality Certification Program, a seal of approval that could be used as a marketing tool and, eventually, on consumer products.**

**"The hope is that it would steer producers to meet consumer demand to be more responsible about water quality," said Deborah Swackhamer, an expert on water pollution at the University of Minnesota and a member of the EPA's scientific advisory panel.**

Some voice skepticism

Already, however, the plan is generating sharp criticism from some conservation and water-quality advocates. They say 40 years of voluntary efforts have been insufficient to reduce farm runoff that dumps sediment, bacteria and other pollutants into Minnesota's rivers and streams. The state is only now starting to fulfill the requirements of the 1970s-era federal Clean Water Act in clearly identifying specific sources of water pollution across Minnesota's 81 watersheds.

Skeptics say the new plan would exempt farmers from specific requirements to reduce their contribution to overall runoff, creating an unfair burden for cities, sewage treatment plants and other landowners who will be asked to bear significant costs to achieve water-quality standards.

"It enshrines the old ways, defying all rationality," said Whitney Clark, executive director of Friends of the Mississippi, an environmental advocacy group.

Vilsack said Minnesota was chosen as the test site for a number of reasons. It's a big agricultural state -- half the state's land mass is controlled by farmers, who make up about 2 percent of the population.

It's also home of the headwaters of the Mississippi, a river with so much agricultural pollution that it's created a massive "dead zone" at its mouth in the Gulf of Mexico. The Dayton administration was eager to embrace the program, Vilsack said, and it fits with the state's strong conservation ethic.

Even more important for proving its effectiveness, Minnesota controls its own water-quality destiny. All the water that winds up in its thousands of lakes and rivers comes from the sky in the form of rain. Virtually all its water pollution comes from its farmers, businesses and residents.

"It's a great opportunity for Minnesota to help lead the way, and for us to use our financial and technical assistance to expand conservation," Vilsack said.

Funding would most likely be determined by the next federal farm bill, which Congress is expected to take up this year, Vilsack said. Already, congressional leaders have made it clear that the popular Conservation Reserve Program, in which farmers are paid to set aside environmentally sensitive land, will be cut, perhaps drastically. Other rules and funding for farm conservation may also be cut.

"We are obviously going to be challenged to have the resources to meet the needs in rural America, including investment in conservation," Vilsack said.

Dayton is expected to announce the signing of a memorandum of understanding with the U.S. Department of Agriculture and the EPA.

Environmental groups and other experts say the critical issue will be whether the program is incorporated with specific cleanup plans. For example, the state is just completing a massive analysis of pollution in the lower Mississippi River and Lake Pepin. Researchers have found that the sediment from the Minnesota River valley that is clouding the Mississippi and filling up Lake Pepin has increased tenfold in the last century -- largely as a result of heavily cultivated corn and soybeans replacing native prairie.

If the new program integrates farmers into a targeted cleanup plan for the Minnesota and Mississippi rivers, it might work, Clark said. But if it simply protects farmers from having to make real changes to slow the loss of water and soil from their land, then it won't.

Others, however, say the certification program will be a significant improvement. Now, farmers are exempt from the Clean Water Act and most other environmental regulations. This program, which would combine support, subsidies and some certainty about the future, will encourage them to do more, Swackhamer said.

"It's a huge step in the right direction to get farmers engaged in the best management practices and to see how effective they are," she said. "There is a lot riding on this."

*Hank*

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