



# Agricultural Stewardship Assurance Program

Shanon Phillips

Oklahoma Conservation Commission

# Oklahoma Conservation Commission



- **Agency Mission:** conserve, protect, and restore Oklahoma's natural resources, working in collaboration with conservation districts and other partners, on behalf of the citizens of Oklahoma

# Mutiple states (MN, MI, LA, TX) have or are developing “certainty” agreements

The Fertilizer Institute  
Monthly, Bi-monthly, or Annually

## TFI VOICE

The Blog of the Fertilizer Institute

### Is an Agricultural Certainty Program a Useful Tool?

By Lara Moody  
November 9, 2012

ENVIRONMENTAL ACTION FUND, CLEAN WATER ACT, FLORIDA MINING REVENUE CONTROL, MINING IN SPAIN

In water quality, Mississippi Bay water, the U.S. Department of Agriculture (USDA), the U.S. Environmental Protection Agency (EPA), and state/federal law with the agreement and agreement uncertainty have been discussing a program uncertainty about farm/ agricultural certainty. Environmental certainty, the program could provide farmers certainty that state will not require additional regulation or taxes for a given period of time with regard to environmental programs. This, the program could provide farmers the necessary assurance that water other than to help foster farm business decisions. A certainty requirement program could also provide a path for to achieve implementation of additional approved farm management practices beyond those farmers are already using as well as encouraging continued efforts to increase on the farm.

If implemented properly, the agriculture certainty program could have participation by being less certain as to, providing long-term benefits. The program will likely be implemented if the time period of agreement is long after, the structure defined and requirements for

## New Regulatory Certainty Program Announced in Minnesota

January 18th, 2013

On Tuesday, January 17, Secretary of Agriculture Tim Wiesack, Environmental Protection Agency (EPA) Administrator Lisa Jackson, Minnesota Governor Mark Dayton, and USDA's Chief of the Natural Resources Conservation Service Dave White met in Minnesota to announce a new partnership between the State, USDA, and EPA. Through this partnership, producers would receive immunity, also known as regulatory assurance or certainty, from regulation under Minnesota's water quality standards in exchange for the implementation of certain conservation activities.

According to yesterday's [press release](#), the new state program is "designed to increase the voluntary adoption of conservation practices that protect local rivers, streams and other waters by reducing fertilizer run-off and soil erosion. Through this partnership, producers who undertake a substantial level of conservation activities to reduce nutrient run-off and erosion, will receive assurance from the state that their farms will meet Minnesota's water quality standards and goals during the life of the agreement."

Through a Memorandum of Understanding (MOU), USDA and EPA will work with the State to develop a certainty framework, which will be applied in priority watersheds. It is not yet clear how those watersheds will be determined. The MOU is the first step in developing what has been called the Minnesota Agricultural Water Quality Certification Program (AWQCP), which includes

## Friends of the Mississippi River

Working to protect the Mississippi River and its watershed in the Twin Cities area

### 'Ag Certainty' is uncertainty for water quality

By Peter Ruedel on February 16, 2012

On January 17th, Gov. Mark Dayton, along with U.S. Secretary of Agriculture Tim Wiesack and EPA Administrator Lisa Jackson, signed a memorandum of understanding for the development of the so-called "Ag Certainty Framework" or Minnesota Agricultural Water Quality Certification Program.

Under the joint federal-state program, large farm operations who voluntarily adopt some clean water practices would be granted an exemption from any further Clean Water Act requirements for a decade or more.

At the point, all that is "certain" about the program is that most successful and effective environmental protections, such as the Clean Water Act, are not going to be applied to the biggest source of water pollution in Minnesota: large agriculture producers.

#### Ag will be unaccountable

Since the Clean Water Act's passage in 1972, the agricultural sector has been exempt from programs that require measurable and verifiable reductions in water pollution. While all other sectors of our economy — oil, wastewater treatment plants, and factories — have made dramatic improvements in water quality performance, agriculture has not. Agriculture is the largest source of pollution to the Mississippi River,



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### TOP STORIES

#### The Michigan Messenger going forward

The Michigan Messenger is a new publication for the Michigan agriculture community. After five years of operation, the Michigan Messenger is now a part of the Michigan Agricultural Community. The Michigan Messenger is now a part of the Michigan Agricultural Community. The Michigan Messenger is now a part of the Michigan Agricultural Community.

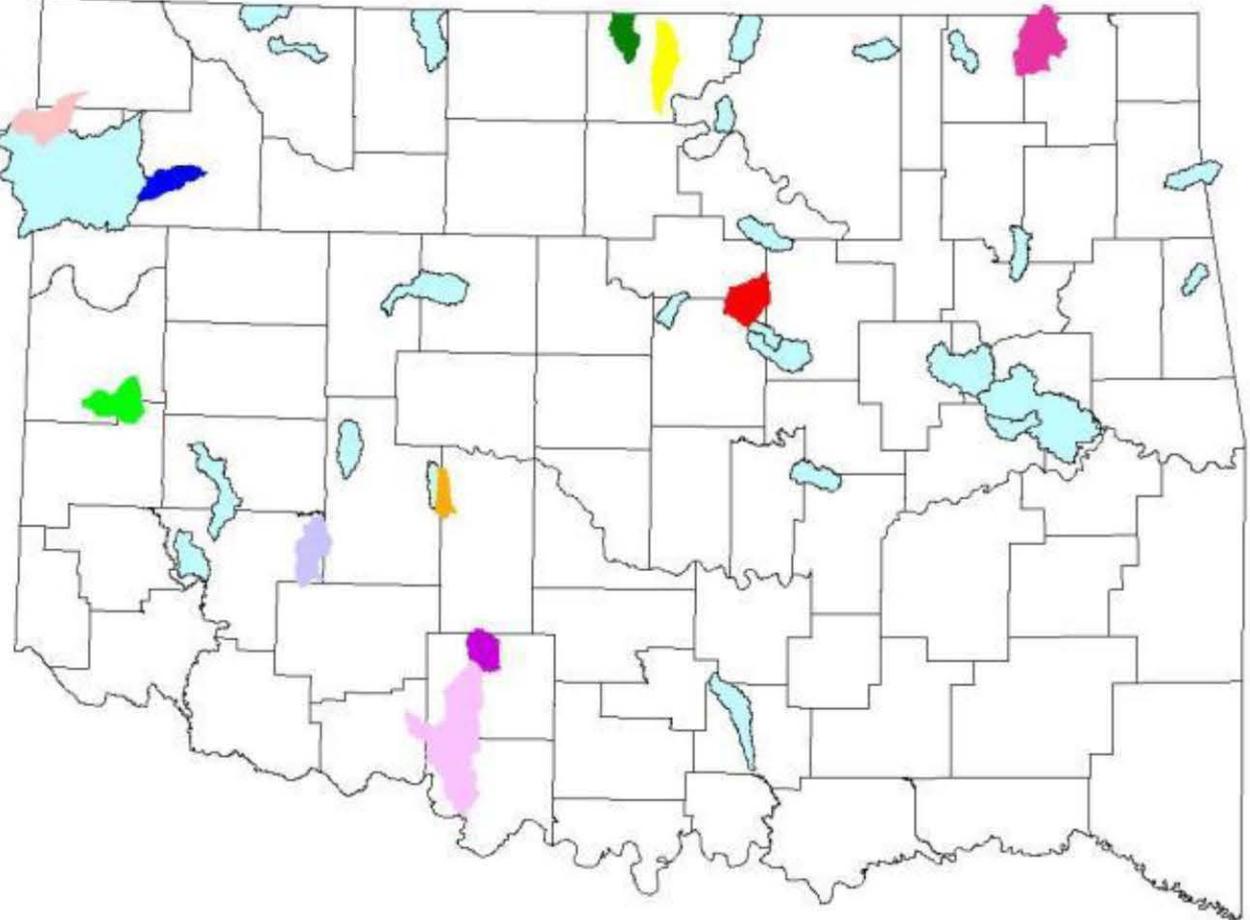
#### Colorado-based substance program provided new and existing information to Michigan students

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#### Environmental groups concerned about ag rule proposal

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# 2013 Potential Oklahoma Nonpoint Source Success Stories



26 OK success stories are currently published at <http://water.epa.gov/polwaste/nps/success319/>  
We have identified an additional 11 stories we have submitted to EPA in June/July 2013.

# Certainty



- Many of the states that are pursuing certainty have pressing environmental issues that warrant this program (Chesapeake Bay or Gulf of Mexico hypoxia)
- Oklahoma is different

# Many Questions Associated with Certainty

- Area OK producers interested in a certainty program?
- Would a program be statewide?
- Who would be partners in the agreement?
- What should the period of an agreement be?
- ?
- ?
- ?



# Survey



Oklahoma Statutes Title 2. Agriculture

Section 2-18.3 - Voluntary Program to Reduce Liability of Landowners by Establishing Best Management Practices

The Oklahoma Department of Agriculture, Food, and Forestry, in cooperation with the Oklahoma Conservation Commission and the Oklahoma State University Cooperative Extension Service shall determine if there is a willingness among agriculture producers in Oklahoma to institute a voluntary program designed to reduce the liability of landowners through the establishment of best management practices designed to address water quality issues throughout Oklahoma. The program shall be voluntary in nature and encompass all state and federal regulatory requirements.



# What the Survey Will and Won't do

- The survey results will:
  - Help determine whether there is interest in certainty
  - Help determine a **beginning** framework for such a program
  - **Be confidential**
  - Be returnable to OSU in a self-addressed stamped envelope
- The survey won't:
  - Design the program
  - Be mailed statewide
  - Be the last opportunity for producers and producer groups to have input into what a program should look like, if one is pursued

# Questions

- ANY questions about certainty or assurance should be sent to:

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