

Lake Champlain Phosphorus Initiative

Seventh Meeting of the Agricultural Working Group 8/14/13

This summary reflects a range of views expressed on the issues as discussed during meetings of the Agricultural Working Group (AWG), comprised of members of the Vermont Agricultural Community of producers, technical advisors, state and federal agency personnel and personnel from businesses in the agricultural sector. They do not reflect the formal or public position of any one group of people, organization or coalition. All errors and omissions are the sole responsibility of EMC/CBI.

Attendees: 22

These notes and the presentations that were given will be posted on the Environmental Mediation Center's website: <http://www.emcenter.org/lake-champlain-phosphorous-pollution-initiative/>

I. Review of Work to Date:

*Clarification regarding recent events in the news. These events relate to recent discussions in the press about the EPA/ANR de-delegation petition final decision. This decision clarified jurisdictional issues between the federal and state government under the Clean Water Act and were not about the work the AWG is doing with respect to the TMDL.

The group promulgated Interim Recommendations in May, 2013. All of the meeting minutes and the recommendations have been approved and are available on the web page listed above. One participant wanted to know if floodplain issues, which have been discussed at several different points in the work of the AWG, would be singled out for stand-alone treatment or whether floodplains issues would be addressed in another way. The feedback was that many of the water quality issues impacted by floodplains could be handled through management strategies that have already been made part of the Interim Recommendations and through the VESAP Program, to be discussed in this meeting. The group will keep the floodplain issue in mind and if the group feels that the issues have not been adequately addressed can recommend changes to the report.

II. Status of TMDL Implementation Plan & Next Steps

The EPA uses a modeling system to calculate numbers. This process is underway now, and will be complete in the next few months. The modeling can input several different ideas and/or add and subtract different proposals made by the state on how it will meet those numbers and then the results that can be achieved using various combinations of practices from modeling scenarios can be evaluated.

There will be a public comment period and that will create opportunities for everyone to provide feedback on what they believe should be implemented. Different geographical areas may have different issues. There is ongoing water quality monitoring in specific watershed areas and the data gathering will continue.

III. Update on Nutrient Management Planning discussions

The NMP Subcommittee was formed to provide technical and practical recommendations for designing, implementing and funding an expansion of NMPs to more farm operations. Currently MFOs and LFOs are required to have NMPs (USDA 590 NMPs).

The group considered different options but ultimately went back to the USDA's 590 form. They agree that not everything on the form would be needed for smaller farm planning, but many of the components would be useful for a wide variety of farms. The committee noted that there were two large benefits to using NMPs based on the 590 standards: first, there is funding available from NRCS to cost share the implementation of any of the practices that would be required to help the farm achieve water quality initiatives under the NMP and, second, a properly drawn and implemented NMP is a powerful business tool that saves farms money by ensuring the most efficient utilization of nutrients on the farm.

The current challenge is to develop an inclusion matrix to determine which farms would be required to have an NMP. VAAFAM is currently working on designing a methodology and then vetting it. The hope is to have protocols to discuss with the AWG in the fall.

The subcommittee is also working on discussing the cost-benefit of NMPs and how to best demonstrate the gains to be made with NMPs, since smaller farms have not been required to use them and there will be an added cost to implementation but that comes with a benefit and cost savings in other areas as well.

IV. A Framework for a Vermont Environmentally Sustainable Agriculture Program

Name of the program may change. "VESAP"¹ is how it will be referred to in these notes. Goal is to utilize existing whole-farm planning programs already in place (e.g. NRCS-EQIP) and partner with community educators, technical assistance organizations and others to deliver the assistance needed to ensure additional water quality gains by providing incentives to farms enrolled in VESAP.

¹ Please note following this meeting, the name of the program changed to Vermont's Agricultural Water Quality Excellence Program (VAWQEP).

Under the program farms would meet requirements in three areas: land base, production area and nutrient balancing. After those areas are green-lighted, the farm is ready to achieve whole-farm certification—the ultimate goal of the VESAP program. Meeting the requirements in each area would unlock incentives, with whole-farm certification unlocking the most rewarding incentives.

A farm would work toward having a customized plan to address specific water quality concerns. In each area, there are categories of potential improvements to water quality that can be made on any given farm and the farm can customize what improvements are needed to achieve the goal. To obtain certification, a farm will need to meet certain water quality goals that can only be met by adequately addressing all potential water quality improvements in that area. Farms would get recognition for practices above baseline requirements. If a farmer applies for certification and is already addressing all potential water quality improvements on the farm, they will not need to implement any additional BMPs to achieve certification.

The program would use community partners to assist in the certification process. Farms would apply and get an initial assessment and would then get technical assistance to meet certification. Once certification is achieved, a third party will verify the certification requirements have been met. There would also be a recertification and update component to ensure the gains are retained. The program would engage a variety of resources within the community and could even partner with private enterprise to offer additional incentives or recognition for farms that are VESAP certified.

The intent of the incentives in the program are threefold: (1) Give credit to farms that go above & beyond current requirements; (2) encourage whole-farm planning and provide assistance to the farms that are interested in leading the way to better water quality management; and (3) to efficiently utilize the existing organizations and partner bases to reach water quality goals that will benefit communities as a whole.

The specifics of the program – the water quality goals and incentives for each area were shared in draft format and the AWG. The AWG discussed each and provided feedback on the various categories and incentives. Based on feedback, changes will be made to address concerns expressed by the AWG. Some of the questions raised by the AWG included whether the incentives were strong enough, whether there was enough technical assistance available to meet the needs of the program, how third party and community partners would interact with VAAF to ensure that their role is not confused with a regulatory/ enforcement role of government agencies. The community partners want to focus on delivery of education and technical assistance.

AWG raised concerns about how farms would meet the extra requirements, what cost share would be available and how to ensure that there was a funding balance between helping farms achieve whole farm planning goals without taking funds from farms that need technical and financial assistance to comply with existing, basic water quality requirements.

The AWG discussed at length the desire to ensure that all farms were addressing basics and whether creating the VESAP program would ultimately provide longer term benefits to water quality goals than would happen in the absence of such a program. There was recognition that some farms would be unable to meet even baseline requirements regardless of what assistance was available. The AWG felt that so long as the program did not diminish or take away the available resources from the farms that really need help, the program could be beneficial.

AWG discussed the hope that VESAP could provide incentives for farms to be innovative. With innovation, change is more likely and it may be more widespread where a cross-section of the community engages in the process. There was agreement that rewarding education, getting more people involved and making it desirable to implement improvements would appeal to farms and a recognition that there was growing interest in young farmers for technological innovation and an openness to being innovative.

V. Action Items

- Development of a one page “talking points” document for outreach
- NMP matrix and program that builds in flexibility
- Smart planning flexibility through NMPs
- Revise VESAP

VI. Next Steps

- AWG NMP subcommittee to develop the matrix and screening tool;
- VESAP – Refine the program based on AWG feedback;
- TMDL – More information to be posted this fall;
- Floodplain issues: have been mentioned as both parts of other AWG recommendations as well as a standalone issue, ensure floodplain issues are addressed in NMP and VESAP components
- Plans for return to focus group meetings and perhaps larger public meetings when there is more information on TMDL, reasonable assurances, VESAP and NMP programs.
- AWG expressed interest in continuing to meet irrespective of having a defined outcome goal, process was valuable, ability to meet regularly with cross section of agricultural community members--- farmers, agency personnel, ag business consultants and ag technical providers creates opportunities for productive engagement and participants expressed desire to continue with the meetings.