



VERMONT

United States Department of Agriculture  
Natural Resources Conservation Service

AGENCY OF AGRICULTURE, FOODS & MARKETS

## State Water Quality Certainty Programs

States are pursuing a range of programs to facilitate the voluntary adoption of systems of conservation practices that improve and protect water quality. "Certainty", "assurance", and "certification" programs, when properly designed with the input and support of state stakeholders, can provide states with additional, optional, tools to address state water quality concerns. These programs can also recognize the environmental stewardship of farmers and ranchers and can help lay the groundwork for establishment of markets for ecosystem services. Certainty programs encourage agricultural producers' participation where they voluntarily implement affordable conservation practices that make economic sense and that are specifically tailored to producers' operations for addressing the risks of soil erosion and sediment/nutrient run-off. In turn, these programs give producers assurances that, for as long as they continue to address such risks, they are meeting the state's expectations for what the producers must be doing to deal with these water quality concerns.

### **USDA fully supports states' efforts to adopt, develop or explore Certainty programs, and offers the following considerations to states as they undertake these efforts:**

- Certainty programs may take many forms and are developed and administered by states, who must determine the proper mix of incentives to encourage participation.
- Farmer participation in Certainty programs should be voluntary and not a condition of eligibility for any other program.
- USDA will assist states with their programs, giving priority to those that will give participating producers tangible assurances that they fully meet the state's water quality expectations.
- Producers voluntarily participating in state Certainty programs will may be among those given priority consideration for technical and financial assistance in a manner that is fully consistent with USDA's authorities.
- Benefits to farmers should be meaningful and clearly communicated.
- States should document and effectively communicate to the public how certainty programs benefit water quality.
- Farmers' existing conservation efforts should be recognized and given credit while maintaining confidentiality of information about farmers and their operations.

### **Examples of How Certainty Might Work in Vermont**

The following examples are listed *ONLY* for illustrative purposes – no decisions have been made on the details of a Certainty program for Vermont.



**Farmer A:** Small farm in compliance with Vermont's AAPs. Cover crops are planted occasionally when weather conditions permit. Manure tends to be applied heavier on fields closest to the barn, especially late in the fall when the manure spreading ban is approaching. Soil test results show High or Very High levels of phosphorus in many fields. Crop rotations are practiced, but some fields have erosion rates over 2X the tolerable limit. Adequate manure storage is in place.

Farmer A seeks a “Certainty” designation and makes a 10 year commitment to:

- Plant cover crops annually on all “critical source areas” by NRCS standard planting date (Sept 15-Oct. 15, depending upon farm location).
- Follow a crop rotation that brings fields in critical source areas down to “T”
- Install permanent vegetative buffers that meet NRCS standards on all perennial streams
- Install vegetative filter strips (harvestable) along all ditches
- Adhere to NRCS 590 standard for manure and fertilizer applications



**Farmer B:** Similar farming operation to Farmer A, but no commitment made to adopt additional and/or maintain existing conservation practices.

Farmer A receives “Certainty” from State of Vermont that they have performed sufficient conservation improvements and receives the following:

- Elevated cost share rates to implement conservation practices
- Priority for funding in NRCS conservation programs
- Priority for technical assistance from state and federal service providers
- Public recognition for achieving Certainty
- Increased likelihood to participate in product branding or nutrient trading, if private markets develop opportunities, similar to the Forest Stewardship Council label of sustainably produced wood products.
- Written guarantee from State of Vermont that if practices are maintained according to their conservation plan, they will not be subject to increased inspection or additional regulations for a specific period of time.



Farmer B would be subject to any increased regulations that may be implemented during this time period, as well as the potential for annual inspections, with follow up from the State requiring the quick adoption of conservation practices. Cost share may or may not be available from federal and state sources to help in this instance.

### **Benefits to the state**

This type of program increases the adoption of long-term water quality improvements, and helps the state meet its requirements in the development of a revised “TMDL” or water quality improvement plan for Lake Champlain, as required by the EPA.



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