



By **Elwood Kirkpatrick**  
President



## MAEAP Legislation Introduced

**L**egislation was introduced on February 16 that would clarify and strengthen the value of the Michigan Agriculture Environmental Assurance Program (MAEAP) for all farms.

As the six bill package (House Bills 5711-5716) moves forward in the weeks ahead, we will be asking MMPA members for their assistance in making important contacts with their Representative and Senator.

The legislation provides the following to MAEAP verified farms:

1. A presumption that they are not impairing natural resources.
2. An acknowledgement that if the farm meets an applicable registration requirement and does not discharge, it does not need a discharge permit.
3. The certainty that if farmers follow their Comprehensive Nutrient Management Plans (CNMP), any precipitation-related discharge of their land-applied manure shall be considered an allowable agricultural storm water discharge.

The legislation provides all farms with enhanced protection from excessive unverified complaints and an understanding that those who lodge complaints are held accountable.

Since 1998, Michigan's agriculture industry has worked in partnership with State, Federal, Academic and conservation partners to develop and implement MAEAP. While participation in the program has continued to grow over the years, there is a need to give the program a legislative boost by confirming the value of the MAEAP program and providing a sense of security to MAEAP participation.

One of the stumbling blocks has been the constantly changing environmental regulations. As regulations continue to change and become even stricter than federal law, it makes it difficult for the Michigan dairy industry to remain viable and competitive with other states. The legislation would solve this problem by requiring the Michigan Department of Environmental Quality to develop a publication that lists all environmental laws and regulations applicable to agriculture and to work with the Michigan Department of Agriculture in developing common-sense approaches to meet the outlined requirements.

This legislation does not exempt MAEAP verified farms from facing serious consequences should they not follow their CNMP and experience an unpermitted discharge, nor does it provide protection for unverified farms. Rather it affords some regulatory/legal protection for farms that comply with MAEAP.

One of the bills in the package focuses directly on unverified complaints against MAEAP verified farms. The legislation would

require individuals who lodge complaints with the DEQ against farms to provide their name and address for public record. An individual would be required to reimburse the DEQ for the full expense of the complaint investigation if more than two unverified complaints were made against a farm within two years.

Over the years, we have found that voluntary, incentive driven programs work for the agriculture industry. MAEAP is, and must remain, a voluntary program. Michigan's Right to Farm approach and participation in USDA conservation programs are excellent examples of how voluntary programs work in Michigan. MAEAP is built on the Right to Farm Act and has been tailored to work hand in hand with the Farm Bill programs.

This package of bills is important to the future growth of our state's dairy and agriculture industry. The legislation also provides the much needed regulatory certainty to producers who participate in the MAEAP program.

We will keep you posted as the legislation progresses. We will be asking for your assistance in contacting elected officials urging them to support this legislation. In the meantime, if you have any questions regarding the legislation, please contact me, Gary Trimmer, John Dilland or Sheila Burkhardt at the Novi office.