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BILL ANALYSIS



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Senate Bill 1058 (as introduced 3-29-12)  
Sponsor: Senator Arlan Meekhof  
Committee: Natural Resources, Environment and Great Lakes

Date Completed: 5-30-12

### **CONTENT**

**The bill would amend Part 87 (Groundwater and Freshwater Protection) of the Natural Resources and Environmental Protection Act to provide for the assessment of managing areas of land not used for traditional or production agriculture purposes, for environmental, ecological, and economic benefits. The bill would do the following:**

- **Include this assessment in requirements for the voluntary evaluation of farms under the Michigan Agriculture Environmental Assurance Program (MAEAP).**
- **Require the Environmental Assurance Advisory Council to include representatives of a private consulting forester and the forest products industry.**
- **Require the Council to recommend a tool for the assessment described above.**
- **Expand the responsibilities of environmental assurance teams.**

#### MAEAP Standards

Under Part 87, the MAEAP is a voluntary program available to farms throughout the State to promote natural resources conservation through education, technical assistance, and verification. Part 87 states, "The intent of this part is to reduce risks to the environment and public health and promote economic development by assisting farms in achieving MAEAP standards."

"MAEAP standards" means all of the following as adopted by the Commission of Agriculture and Rural Development for the purpose of implementing the program:

- Conservation practices.
- Site-specific nutrient management plan requirements.
- Emergency protocols.
- U.S. Department of Agriculture (USDA) Natural Resources Conservation Service practice standards.
- Generally accepted agricultural and management practices developed under the Right to Farm Act.
- Completed environmental risk assessments.

The bill would refer to completed environmental risk and benefit assessments.

#### On-Site Evaluations

Part 87 requires the Director of the Michigan Department of Agriculture and Rural Development (MDARD), in conjunction with Michigan State University (MSU), the

Department of Environmental Quality (DEQ), and other appropriate people, to develop protocols for voluntary on-site evaluations designed to do the following:

- Enable farmers to determine voluntarily the relative risk of current practices in relation to sources of contamination.
- Enable farmers to determine the degree to which farm operations are in accordance with MAEAP standards and applicable law.
- Prioritize operational changes on farms to protect groundwater and surface water from sources of contamination.
- Guide farmers to appropriate technical and educational materials.
- Give farmers the opportunity for verification.

Under the bill, the evaluations also would have to enable landowners to assess voluntarily the value of managing areas of the land that were not used for traditional or production agriculture practices for environmental, ecological, and economic benefits.

#### Advisory Council

Part 87 requires the MDARD Director to establish an Environmental Assurance Advisory Council to advise him or her on a number of issues. The Council includes the Director, as well as the Directors of the DEQ, MSU Extension, and the MSU Agricultural Experimentation Station. The Council also includes representatives of the following, as appointed by the MDARD Director:

- The USDA Farm Service Agency.
- The USDA Natural Resources Conservation Service.
- Conservation districts.
- Farmers and other agricultural organizations.
- Nongovernmental conservation and environmental organizations.
- Regulated agricultural industries.

In addition, the Council includes a member representing each regional environmental assurance team (described below) and other people determined by the MDARD Director.

Under the bill, the Council also would have to include representatives of a private consulting forester and a member of the forest products industry.

The bill would add to the issues on which the Council must provide advice on-site evaluations of potential environmental, ecological, and economic benefits that could be realized by managing areas of the land that were not used for traditional or production agriculture practices.

By April 1, 2013, the Council would have to recommend to the MDARD Director an assessment tool designed to assist landowners to assess voluntarily the value of managing areas of the land that were not used for traditional or production agriculture practices for environmental, ecological, and economic benefits. Areas of focus would have to include all of the following:

- Forest management for timber and/or habitat development.
- Wetland development potential.
- Habitat development.

#### Environmental Assurance Teams

Part 87 requires the MDARD Director to establish regional environmental assurance teams composed of departmental, educational, and technical assistance personnel, and other

necessary people for implementation of Part 87 programs. The teams are responsible for implementation of the programs, including providing access to technical assistance related to any of the following:

- On-site evaluation of practices that might have an impact on natural resources.
- The development and implementation of conservation plans and activity plans for people making conservation practice changes.

Under the bill, the teams' responsibilities also would include providing access to technical assistance related to on-site evaluation of potential environmental, ecological, and economic benefits that could be realized by managing areas of the land that were not used for traditional or production agriculture practices.

MCL 324.8703 et al.

Legislative Analyst: Julie Cassidy

### **FISCAL IMPACT**

The bill would have no fiscal impact on State or local government. The additional responsibilities required under the bill could be accomplished with existing resources.

Fiscal Analyst: Bruce Baker

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.