



Agriculture Water Quality Act: Your Responsibilities as a Landowner

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Who Must Have an Ag Water Quality Plan?

- Any landowner who operates 10 acres or more for agriculture or silviculture (forestry) or who qualifies for payments from agriculture programs under an agreement with state and federal government.
- For example, if you have trees on 12 acres that you do not plan to cut then it's not a forestry operation and you don't have to have a plan. However, if you do intend to cut the trees, you need to have a plan.
- If you have 15 acres and a horse that you keep merely for pleasure, that is probably not a farming operation. However, if you board the horse for profit, then it is likely to be a farming operation.

Why Write a Plan?

- To protect surface and ground water from being polluted by farming operations. We need to keep our water quality high to:
 1. Keep down the costs of treating drinking water.
 2. Allow for water sports.
 3. Keep harmful bacteria from being passed on through water.
 4. Keep the water clean and disease free.
- You must have a plan and begin following it by the year 2001 in order to be eligible for state cost share programs.
- Beginning in October of 2001 you will be subject to enforcement by the Division of Water.

Commonly Asked Questions about the Ag Water Quality Plan

1. What if you have a tenant? Who must write the plan?
 - ▶ Either the tenant or the landowner may write the plan, but a plan must be written.
 - ▶ The person finally responsible depends upon the agreement between the tenant and landowner. Both can be held responsible.
2. What about open dumps on my land?
 - ▶ A landowner is responsible for open dumps on his land unless he can show that he did not do the dumping or knowingly allow others to dump on his property.
3. What if my plan doesn't work?
 - ▶ If you wrote a plan and followed the best management practices in the state ag. water quality plan and tried to carry them out, your plan will not be considered "bad." But, it may have to be changed if water quality problems occur.
4. Do I have to file the plan and have it approved?
 - ▶ The plan does not have to be filed or approved, but you will have to produce a copy of the plan if a water quality problem is caused by your farm. You are urged to file a self-certification form with your local conservation district showing that you have written a plan.
5. Must I use only the Best Management Practices in the statewide plan or can I use others?
 - ▶ You must use the practices outlined in the state plan unless you get special permission from the Division of Conservation.
6. What about underground petroleum storage tanks on my property?
 - ▶ Fuel tanks that hold less than 1,100 gallons that haven't leaked do not have to be removed. But, it's a good idea to contact the Division of Waste Management to find out how to officially close the tanks.