

# Voluntary Clean Water Guidance for Agriculture



The Voluntary Clean Water Guidance for Agriculture is a series of chapters that outline Ecology's recommended best management practices (BMPs) for agricultural producers to protect water quality. Our goal is to support healthy farms and help farmers meet clean water quality standards. We want to give agricultural producers a comprehensive set of BMPs for protecting water quality.

You may view the guidance chapters at our [Voluntary Clean Water Guidance webpage](#).

## Frequently Asked Questions

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### [Why is Ecology producing this guidance?](#)

Many agriculture producers want to know what it takes to meet water quality standards. We wrote this guidance to give producer's assistance in identifying BMPs that protect water quality and implementation strategies that best fit their farm's needs. In most cases, producers will need a combination of recommended practices to protect water quality concerns. The Clean Water Act requires us to develop and maintain guidance on BMPs to protect water quality.

### [How is this different from NRCS and CD technical guidance documents?](#)

The Voluntary Clean Water Guidance is intended as a technical resource for the agricultural community and to complement existing guidance on agricultural conservation practices, such as the Natural Resources Conservation Service (NRCS) Field Office Technical Guides (FOTGs). Compared to other guidance documents, its focus is on how BMPs can protect water quality and support meeting the Washington state water quality standards. Other guidance documents like the FOTGs have a wider natural resource focus and is not specifically designed to provide guidance on meeting state water quality standards.

Even though the Voluntary Clean Water Guidance has a different focus than the FOTGs is important that the two guidance documents can complement each other. Our guidance does not replace the FOTGs or the farm planning process and does not establish new regulatory requirements. We worked with representatives from NRCS, the State Conservation Commission and conservation districts to make sure our guidance is consistent with their guidance and they can be used in concert.

Is there funding available to implement the recommendations in this guidance?

Yes. Several grant programs are available to fund practices. Ecology's Section 319 and Centennial Clean Water Grant programs provide financial incentives to support BMP recommendations. Our grant guidelines will be updated to be consistent with the guidance.

Which section of this document is most relevant to me as a producer?

We have organized the guidance so that the most relevant information is in the chapters. This is where you can see our recommendations. If you want more detailed information, the appendices will have additional information about the studies we reviewed to develop the recommendations along with implementation considerations.

Tillage is not a big concern for my operation, are there similar documents from Ecology for additional BMPs?

Ecology will be releasing additional chapters of the Voluntary Clean Water Guidance for Agriculture. These chapters will cover many conservation practices including, nutrient management, pesticide management, sediment control, water management, livestock management, and riparian areas and surface water protection.

Who was involved in drafting this document?

Ecology worked with the Voluntary Clean Water Guidance Advisory Committee and their partners to draft the first chapter of the guidance. We will continue to work with these partners for future chapters. Members include representatives from the National Resource Conservation Service (NRCS), conservation districts, WA Department of Agriculture, US Department of Agriculture, Washington State University, agriculture producer groups, environmental groups, the Environmental Protection Agency, the State Conservation Commission, and the Northwest Indian Fisheries Commission.

How will the guidance be used?

The guidance is intended for multiple purposes and audiences. Ecology intends to use the guidance to develop our nonpoint source pollution funding program guidelines, inform water quality cleanup plans, provide technical assistance, and to assist in our education and outreach efforts.

We recommend farmers use the guidance during the farm planning process and when producers are identifying BMPs to implement on their land. Conservation districts can use the guidance to support recommendations to landowners and when developing water quality protection projects. It can also serve as a tool for developing education and outreach materials.

Are producers legally required to follow the recommendations in the guidance?

No. Decisions about whether to implement recommended BMPs remain in the hands of the producer. This guidance is intended as a technical resource to support and inform those decisions. This guidance is "voluntary" because it is not required that agricultural producers use these specific BMPs, however we recommend them to ensure that water quality compliance is met. If an agricultural producer follows the recommended BMPs in the guidance, Ecology will presume the operation is adequately protecting water quality.

## When are land managers subject to water quality regulations?

Two primary statutes protect the quality of Washington's waters: the federal Clean Water Act and the state Water Pollution Control Act (RCW 90.48), both implemented by the Department of Ecology. The state Water Pollution Control Act makes it unlawful for any person to "cause, permit or suffer to be thrown, run, drained, allowed to seep or otherwise discharged ... any organic or inorganic matter that shall cause or tend to cause pollution of" waters of the state (RCW 90.48.080). Any person who violates or creates a substantial potential to violate any part of the Water Pollution Control Act including RCW 90.48.080 is subject to an enforcement order from Ecology pursuant to RCW 90.48.120.

Ecology is authorized to "issue such order or directive as it deems appropriate under the circumstances[.]" RCW 90.48.120. More information on Washington State's Regulatory Framework can be found in Chapter Two of [Washington's Water Quality Management Plan to Control Nonpoint Sources of Pollution](https://fortress.wa.gov/ecy/publications/SummaryPages/1510015.html): <https://fortress.wa.gov/ecy/publications/SummaryPages/1510015.html>.

Many farmers use good management practices to protect water quality and pose no threat to Washington State waters. However, other operations are impacting state waters. Our goal is to assist people with achieving compliance with state law and the water quality standards through the voluntary implementation of effective BMPs. When we identify a water quality problem, we following a process developed with feedback from the Agriculture and Water Quality Advisory Committee. We invest heavily in technical and financial assistance and provide multiple opportunities for landowners to proactively address problems. We only use our regulatory authority as a backstop when technical assistance efforts fail to address identified pollution problems.

## How did Ecology derive the recommendations?

We worked closely with our advisory committee and considered many different studies and tillage and residue management practices when deriving our recommended BMPs. Our recommendations in Chapter 1 consider the relationship between the level of residue maintained on fields and its effect on erosion control. Our goals were to 1) identify practices that protect water quality and 2) establish the recommendations at levels that can further be controlled with supporting practices. For more information on how we derived these specific recommendations, please read the "Establishing Recommendations" section of Chapter of the Guidance.

## Public Comments

For each chapter of the guidance we will provide an opportunity for the public to submit comments. The public comment period for Chapter 1: Cropping Methods: Tillage and Residue Management will be open starting 03/05/2020. We welcome your comments on these and future draft chapters. Please submit your comments online: [Voluntary Clean Water Guidance for Agriculture comment webpage](#).

## Where can people get updates on upcoming chapters of the guidance?

We will post upcoming chapters on the [Voluntary Clean Water Guidance for Agriculture webpage](#).

## Contact Information

If you have questions, please contact Ben Rau at [Ben.rau@ecy.wa.gov](mailto:Ben.rau@ecy.wa.gov).