Minnesota Crop Production Retailers
2017 Policy Positions

PROGRAMS

1. Member Training and Education

The MCPR will continue to sponsor high caliber safety training and regulatory compliance workshops services for members through Asmark Institute, provide members with compliance information through publications and bulletins, and encourage members to participate in environmental award programs whenever possible.

2. Public Education and Information

The MCPR will continue to conduct and promote crop production, food safety, and water quality educational activities for the public and school children throughout Minnesota. In addition, MCPR will continue to support efforts to promote agricultural programs at the high school and post secondary education level in Minnesota. MCPR supports efforts to create a better understanding of the importance of agriculture as a means for Minnesota students to appreciate the contributions agriculture makes to Minnesota's economy and to encourage students to consider a career in agriculture.

3. Certified Crop Adviser Program

The MCPR will continue to administer the Minnesota CCA program developed by the American Society of Agronomy and support the use of continuing education units (CEUs) to advance the education of individuals in the fields of soils, agronomy and plant pathology.

~~4. MCPR Stewardship Program~~

~~The MCPR Stewardship Program has been recognized and has served as a prototype for the ARA/TFI ResponsibleAg program. As a result, MCPR urges all MCPR Stewardship Enrollees to enroll in the ResponsibleAg program as MCPR terminates the MCPR Stewardship Program~~

~~5~~ 4. ResponsibleAg Program

MCPR supports, ResponsibleAg (RA), a joint venture of the Agricultural Retailers Association (ARA) and The Fertilizer Institute (TFI). ~~RA is being founded for the purpose of stewarding regulatory compliance throughout the chain of custody for fertilizer products, with the end result of increased safety and security for employees and the communities, as well as continued availability of these vital products to American agriculture. Modeled after the successful MCPR Stewardship Program, RA will provide an online platform that will be used to register companies, receive and post audit scores uploaded by inspectors, and allow suppliers to access~~

~~those scores. MCPR believes that an industry developed and operated third party, transparent agronomy audit program will serve the industry, our employees, and the public much better than a government developed and operated program of similar nature.~~

LEGISLATIVE/REGULATORY

1. Crop Protection and Nutrient Product Fees

Support the continued dedication of ag chemical, fertilizer and related production agriculture fees collected by the MN Dept. of Agriculture, (Note, if fees are not dedicated, there is an opportunity for the state to retain a portion of the fees collected for "other non-ag" state programs).

Oppose a state sales tax on fertilizer and crop protection products used in agriculture.

Support the Agricultural Fertilizer Education and Research Council $.40/ton/yr. dedicated fertilizer fee which funds a production agriculture directed fertilizer research and education fund whose purpose is to develop and manage research and the resulting education of production agriculture and urge the Governor and legislature not to raid the fund for other purposes as part of a state budget strategy.

2. Local Ordinances

Oppose local ordinances or restrictions regarding the sale, use, storage or transportation of crop production inputs and oppose legislation that would repeal statewide exemption of local ordinances regarding crop production inputs.

3. Crop Input Management

Support crop production research efforts and promote additional funding for them.

Support voluntary Best Management Practices (BMPs) and support more BMP education for producers and retailers to increase BMP practices and oppose the inclusion of voluntary Best Management Practices (BMP's) in state or federal ag permits. This action could result in making the BMP's mandatory.

Support crop nutrient management recommendations based on scientific information. Continue to monitor issues surrounding (Total Maximum Daily Loads) TMDL's. Oppose restrictions on the application of fertilizer which are based on assumptions and inaccurate information.

Support the development of a voluntary Minnesota Agricultural Water Quality Certification Program which has been developed and supported by the Minnesota Agricultural Water Resource Center.

Support the development of the MCPR Soil Fertility/Environmental Risk Assessment Tool which is a web based software developed under the direction of MCPR member firm Precision Ag staff experts. The assessment toll is designed to address the current challenge in the market place for ag retailers and growers which is that the precision ag programs are proprietary so that common data collection and aggregation are not possible. We solved that problem by designing this web based software and data collection process to allow the agronomy sales person to use their proprietary system within their established trusted relationship with their growers to substantially reduce agronomy staff double entry into this software.

The software allows the agronomy sales person to drop their geospatial field data into the assessment software tool prior to presenting it to the grower, allowing the grower to examine at the point of sale the alternative environmentally sensitive field practices to increase their environment score. In the next phase of development the software will generate a profit and loss estimate to evaluate the profitability of each practice consideration so they can estimate the ROI on each decision prior to a final determination of nutrient application.

MCPR has collaborated with university faculty and department of agriculture agronomy staff to develop and test precise environmental risk metrics which can serve to be evaluated on predictability, reliability and sensitivity. The metrics also reflect the recommended practices for each Best Management Practice region of Minnesota and can be scaled to any land scape to ensure precise environmental sensitivity. The design enables the agronomy sales person to respectfully request that the grower allow the assessment tool program to confidentially store with the grower's permission the data for aggregated collection reporting of current field practices across our agricultural acres to track current practices and trends for improving the environmental metrics. This program has been developed to be scalable from water shed, to county, to state and nationally. The farming practices within this software are divided and can reported according to the 4R's practices.

5. Pollinator Health and the Crop Protection

Some reports have cited certain crop protection products such as neonicotinoid insecticides as a potential leading cause of bee colony loss. Neonicotinoid insecticides have been used in the United States for many years without significant effects on populations of honey bees. The principal use of neonicotinoids as a seed treatment keeps exposure to pollinators to a minimum, and also reduces potential soil surface and worker exposure. Industry efforts are continually underway to further reduce these small risks. Ongoing research and field studies have consistently found no adverse effects on colonies when these products are applied in the field according to label directions. In contrast, lab and semi-field studies are often conducted at exaggerated rates that do not mimic the real-world exposure that pollinators face. Recent difficulties for bee hives and beekeepers are likely an unfortunate combination of multiple risk factors including weather, nutrition, disease and parasites. Protecting and improving honey bee health is a top priority of MCPR and its members. MCPR supports 1) increased practical research focused on arthropod pests, pathogens, nutrition, pesticides, bee biology, genetics, and breeding; 2) activities to increase habitat for honey bees and other pollinators, and the Monarch

Butterfly; 3) wise stewardship of bee protection and crop protection products; and 4) best management practices and training.

6. Biotechnology and Seed Issues

Oppose actions to prohibit the sale or use of crops developed through biotechnology.

Oppose mandatory labeling of foods containing ingredients from crops developed through biotechnology which have been approved by state and federal agencies.

Support legislation which prohibits local ordinances from regulating the registration, labeling, selling, storing, transporting, or the use of seeds.

Oppose unnecessary additional state regulation of seed treatment and crop inputs related to pollinator protection.

7. ACRRA Fund and MDA Program Changes

Continue to support the current funding and reimbursement cap per facility from the Ag Chemical Response and Reimbursement Account (ACRRA). MCPR will continue to monitor agency action that ensures that out-of-state- distributors are required by the MDA to provide and pay through computer reports their ACCRA fees to ensure that Minnesota's commitment to environmental clean-up is funded fairly by all retailers, particularly those out-of-state.

Reaffirm MCPR's support for keeping fertilizer and crop protection product programs in the Minnesota Department of Agriculture. The Minnesota Department of Agriculture is the only agency MCPR believes should regulate agricultural practices.

8. Crop Protection Product Use

Work with MDA on the implementation of the Pesticide Management Plan (PMP) and Pesticide Use Best Management Practices (BMP) to be sure the actions required are based on sound science.

MCPR supports a science based pesticide registration process implemented by US EPA and MDA under the provisions of FIFRA, FQPA and the State Pesticide Control Law. MCPR opposes attempts by the environmental community to advocate for unwarranted legislation and regulations based on questionable science and the use of the precautionary principle.

9. Crop Nutrient Use

MCPR supports the use of plant nutrients conforming to the 4R initiative which will enable MCPR members help farmers enhance environmental protection, increase production efficiency, increase farm profitability and improve sustainability at the field level by using proper nutrient management which will: 1) Increase crop production & improve profitability, 2) minimize nutrient loss & maintain soil fertility and 3) ensure sustainable agriculture for generations to come. Today's farmers live in a world where environmental concerns and increased food demand create challenges never seen before. Minnesota agriculture can meet those challenges with 4R Nutrient Stewardship by choosing the Right Nutrient Source to apply at the Right Rate in the Right Place at the Right Time.

MCPR supports the Minnesota Department of Agriculture (MDA) revision of the state's twenty-year-old Nitrogen Fertilizer Management Plan to better align it with current water resource conditions and program resources so long as the revisions are based upon sound science and the Nitrogen Fertilizer Management Plan Advisory Committee continues to engage the positions and advice of the nutrient experts…the certified crop advisors, consultants, and the agricultural dealers and nitrogen production and distribution industry which serves Minnesota producers. MCPR is concerned about MDA's stated intent to adopt rules to restrict fertilizer application based upon the University of Minnesota's Best Management Practices (BMP's) fertilizer "practices not recommended" on certain soils which seem to reflect reaction to legal challenge threats rather than the advice of agricultural dealers, agronomists, crop advisors and consultants. MCPR encourages the MDA to support MCPR and Minnesota producer organizations developed fertilizer application educational programs and systems based upon common sense and scientifically validated research to address the educational needs to improve efficient fertilizer application on Minnesota soil. MCPR further encourages MDA to continue to recognize the contributions of Precision Agricultural practices including site specific farming practices, grid sampling and variable rate technology crop application, as well as fertilizer technologies such as nitrification inhibitors, polymer coated fertilizers and other future innovations that improve fertilizer use efficiency and reduce loss.

10. Security of Ag Products

Support efforts to protect the public from the illegal use of crop production inputs while not adding unreasonable or burdensome regulations on the production, transportation and storage of these products.

Support efforts by the Minnesota Department of Agriculture on anti-terrorism policies to protect storage facilities and ag production areas.

Continue to monitor and cooperate with the state and federal agencies, particularly the Department of Homeland Security, trying to expand their authority to regulate the transportation, storage and use of crop production inputs considered hazardous materials.

11. On Farm Liquid and Dry Bulk Storage

MCPR supports rules regarding the storage of liquid and dry bulk pesticides and fertilizers on farms which protect the environment from damage in case of a release of product from the storage facility. MCPR supports the farmer or owner of the product being held liable in the case of an accidental release of the product. MCPR supports the owner of the product being held liable once the title has changed hands. The owner of the storage facility should be responsible for the integrity of the facility. Regarding dry fertilizer on farm bulk storage, MCPR supports rules that would define, require permitting, and enable enforcement of on farm dry fertilizer bulk storage.

12. Development of the Minnesota biofuel economy

MCPR supports the Minnesota agricultural producers in the development and production of biofuel to enhance Minnesota's agricultural economy, reduce dependence on foreign energy and to protect the environment.

13. Agricultural Transportation Drivers Hours of Service

MCPR supports changes in state and federal law and rule to extend the current Agricultural exemption to driver's hours of service limitations when hauling from the terminal to the retailer in Minnesota for those agriculturally related products necessary for spring and fall field work including but not limited to anhydrous ammonia, diesel fuel, and propane and commends the Congress for the two-year reauthorization of surface transportation legislation, regarding the agricultural hours of service exemption. As a result, all farm supplies are authorized under the exemption from a wholesale or retail distribution point to a farm or other location where the farm supplies are intended to be used, or from a wholesale distribution point to a retail distribution point. Additionally, the final language removes "in the state." Therefore, the exemption can be used across state lines as long as the transportation does not exceed the air mile radius. The new language increases the air mile radius from 100 to 150 air miles.

14. NPDES Permit/Congress Must Pass HR 872 language as part of the proposed Farm Bill.

The Clean Water Act (CWA) and its National Pollution Discharge Elimination System (NPDES) permit requirements have been in effect since 1972. No government agency has ever concluded that the ordinary application of a pesticide requires an NPDES permit, including aquatic mosquito and weed control, as well as terrestrial uses that may result in incidental spray drift entering water. However, inn 2009 the Sixth Circuit Court ruled in *National Cotton Council v. EPA* that EPA and state regulatory agencies must issue National Pollutant Discharge Elimination System (NPDES) permits under the Clean Water Act (CWA) for pesticide applications to waters of the U.S. However, these new requirements are duplicative of existing requirements under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) which mandate that pesticides undergo a rigorous examination of potential environmental impacts and health exposure assessments prior to receiving approval for use. Because this process specifically examines a product's potential impact on water and existing state and federal laws already provide for enforcement against pesticide misuse, additional permitting requirements under the CWA are duplicative and will entail significant costs for the Minnesota Pollution Control Agency and

pesticide users. The strict regulation of pesticides by the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) and EPA's Office of Pesticides ensures that America's waters are properly protected while preserving activities critical to American agriculture and many other beneficial purposes. The crop protection industry and our regulators take environmental and health concerns into account as products are developed and registered for the purpose of supporting America's agriculture to ensure the nation's food supply remains abundant and affordable. Pesticides should not be classified as pollutants under the CWA, as they serve an intended beneficial purpose. NPDES permits should not be required when pesticides are applied according to the FIFRA label, which already contains rigorous water quality safeguards during the pesticide registration process. The Minnesota Pollution Control Agency should not use its EPA delegated authority to extend the NPDES permit authority to Minnesota public waters. Congress must act to restore the established regulatory system before this misguided court decision is implemented in Minnesota by the MPCA.

15. EPA's Pesticides Spray Drift Policies

EPA should maintain FIFRA's risk-based standard of "no unreasonable adverse effects" and remove the vague, unenforceable, and unmanageable concepts of "could cause" or "may cause" adverse effects or "harm" from the Drift Pesticide Registration Notice (DPRN);; Continue to acknowledge that some small level of pesticide drift is unavoidable in many common situations, and does not pose an "unreasonable adverse effect"; Acknowledge that simply detecting an off-target pesticide does not necessarily pose an unreasonable adverse effect and is not a violation of FIFRA that requires an enforcement action; Remove the new hazard-based standard of "harm" from the Drift Pesticide Registration Notice; NOT impose unnecessary buffers that would reduce cropland available for American agriculture; Develop a bystander risk assessment exposure scenario for the pesticide registration process; and Develop risk-based tolerances for non-target property.

16. Buffer Laws and Initiatives

The state legislature passed a buffer law during the 2015 session to respond to hunting groups who advanced their perception that habitat is rapidly dwindling because of an increase in planted acreage and a decline in grasslands. The law generally advanced current buffer requirements of a 16.5 foot buffer along some, but not all, drainage ditches, and the Shore land Rule which requires counties to establish a county ordinance to protect shore land areas, generally calling for a 50 foot buffer along rivers, streams, lakes and some drainage ditches, but providing flexibility to allow counties to require wider or narrower buffers if local conditions make 50 foot buffers impractical. Counties remain responsible for enforcing buffer rules and still have the legislative authority under the legislation to administer both the ditch buffer law and the shore land rule. Some counties have chosen not to enforce the 50 foot shore land buffer ordinances, while others report high compliance. MCPR supports the common sense local county authority and opposes legislation which will remove the local county authority and discretion as county government the appropriate government entity with zoning administrators and a capability of determining local conditions.