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To: Vermont House Fish, Wildlife & Water Resources Committee,  
Representative David Deen, Chairman

Re: H. 586, An Act Relating to Improving the Quality of the Waters of the State

Mr. Chairman, members of the committee,

Thank you for the time to present the Vermont Farm Bureau's (VFB) positions on this legislation. As the Chair has asked me to speak specifically on the definitional section on Small Farm Operations (SFOs) I will be brief. I anticipate several other opportunities to comment in writing or participate in person with your group and in the Agriculture Committee on this bill.

I believe we should keep as our perspective that each of the bills many requirements affects a varied and diverse group of "farmers". I place this in quotations because I believe that emphasizes VFBs position that, especially with these smallest farms, one size definitely does not fit all. I would like to share with you a couple of anecdotes from my short time with the Farm Bureau. I will do so off the page to save space and offer that some of our farmers may wish to come in person to do likewise.

With that my first suggestion would be that the subject listing of the bill should include a statement regarding the required certification of SFOs. This would reflect the seriousness of the bills intent to regulate and assist at these new lower scales of agriculture.

Vermont Farm Bureau has reservations about the need to reach down so far into the farm sizes outlined in the bill as written. Certainly the biggest impact for the first stated purpose of this bill is best served by expanding government regulation and assistance incrementally and with the least intrusive methods. Only by education and assistance both technical and financial will these smallest farmers become part of the solutions we seek. The smallest farms affected by the current language will face a difficult decision under these requirements and some may choose to simply close up or reduce their livestock

or cattle to avoid the honor of being labeled as “certifiable” by the State of Vermont.

So what is the aim of the bill and how does the definition and subsequent certification, restrictions and other requirements affect these goals? In the opinion of the VFB, a distinction should be made here based upon several factors not reflected in the bill currently. Many Vermonters are raising small amounts of household victuals in the backyard and for different reasons. At the lowest levels, no income is even derived from this activity and therefore no resources are available to make the changes anticipated by the bills many provisions. Not that the management practices in the bill are not worthy and well established, and VFB certainly agrees they are, but the timing and impact of the requirements are unreasonable and probably not attainable by the smaller scale farms. We agree with the goals of the bills with regards water quality for all Vermonters. However, if the definitions do not reflect the realities of what each farm does, why and with what resources, it will fail to further these goals and even possibly do damage to Vermonters humble attempts at better feeding their own families.

Another approach is to view the impact these definitions have like a new net used for fishing. Some questions spring to mind. How many fish and how large is our net meant to catch? Agency of Agriculture estimates range around 7,000 plus for farms not yet under direct or general permit in current statute. I suggest it is much larger and that is simply because many farm activities do not appear as economic activity for either income or property tax purposes. Second, how is our old net working? Under the LFO system we made great strides in achieving the same goals of this bill. The MFO general permit is a very similar mechanism to that proposed here for SFOs, albeit with a different name. I would suggest that the MFO program will have an excellent return on the investment both by the farmer and the citizens of Vermont. The Agency has made great strides in assisting the transition for even the newest farmers. But the MFO effort is new and results have barely begun to affect watersheds and our lakes and ponds. The agency is stretching resources to the limit to keep up and has, for one example, added GAP responsibilities yet to accommodate by staff. A net should not catch more fish than it can hold lest it break and it should catch the fish that will actually nourish or profit us while leaving the others to grow for another day.

So, if our net is meant to catch the best fish for the most effect, why not make the net more selective and incremental. Several factors are at play. Does the farm actually produce income for the household or merely provide fresh food for the family and some neighbors? Consequently, there are no financial resources derived to comply with the new status of SFO. Is the economic activity such that it follows the definitions allowing eligibility for other state financial assistance programs? In other words, will current law allow for assistance towards accomplishing the practices required by SFO status? Also, is

the farmer on a growth curve from self-sufficiency towards becoming one of Vermont's newest working lands based business entrepreneurs? Will suddenly damaging the financial viability of these incubator farms hinder the much valued and fast growing farm to food sector of our feeble economic recovery? Finally, are the land resources such that the requisite changes under SFO certification are even possible, or will the farm simply contract to an appropriate level under state guidance? A gentler net indeed.

I am not suggesting that the definition be some complicated formula based upon these observations. On the contrary, the simplest definition will almost always serve the best in enacting sections. I am suggesting that dropping such a large net so fast will have many unintended consequences for not only farmers and the government agencies charged with the excellent goals of the bill, but also Vermonters food budgets and the small business economy.

I would like to outline specific ideas and language after hearing your questions and consulting with VFBs membership Legislative and Equine Committees in the near future.

Thank you for the opportunity to meet with you and to field any questions.

Sincerely,

William (Bill) Moore