

S.159

Introduced by Senator Champion

Referred to Committee on

Date:

Subject: Agriculture; soils; regenerative agriculture

Statement of purpose of bill as introduced: This bill proposes to require the Secretary of Agriculture, Food and Markets to establish a regenerative agriculture certification program.

An act relating to establishing a regenerative agriculture certification program

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. 6 V.S.A. chapter 215, subchapter 7a is added to read:

Subchapter 7a. Regenerative Agriculture Certification Program

§ 4961. REGENERATIVE AGRICULTURE CERTIFICATION PROGRAM

(a) Establishment of program. The Secretary of Agriculture, Food and Markets shall establish a program within the Agency of Agriculture, Food and Markets to certify agricultural land in the State as regenerative. The program shall include a seal indicating that the Secretary certified agricultural land or farm as a whole as a member of the Vermont Regenerative Agriculture Certification Program.

1 (b) Standards of certification. The Secretary shall certify agricultural land
2 as regenerative if an applicant for certification demonstrates one of the
3 following criteria over a three-year period:

4 (1) topsoil on the applicant's land increased in each successive year;

5 (2) the applicant's farming methods are sequestering carbon in each
6 successive year; or

7 (3) soil on the applicant's land contains an increasing percentage of
8 organic material in each successive year.

9 (c) Standard testing. The Secretary of Agriculture, Food and Markets shall
10 conduct over a three-year period the following tests on the agricultural land of
11 an applicant for certification under this section:

12 (1) a total soil carbon test;

13 (2) nitrogen tests at three soil levels from an amalgamation of eight
14 sample points within a specified plot of land;

15 (3) a test for the presence or absence of inorganic carbon;

16 (4) a test of soil for water infiltration times;

17 (5) a test for bulk soil density;

18 (6) a test for percentage of bare ground cover within a specified plot of
19 land; and

20 (7) a test for diversity of ground cover within a specified plot of land.

1 (d) Certification; marketing. Upon determination by the Secretary of
2 Agriculture, Food and Markets that an applicant demonstrated compliance with
3 one or more of the criteria of subsection (b) of this section over a three-year
4 period, the Secretary shall certify the applicant's agricultural land as
5 regenerative. Upon certification, the Secretary shall authorize the applicant to
6 use the Vermont Regenerative Agriculture Certification Program seal in the
7 marketing and sale of agricultural products produced on the agricultural land
8 certified as regenerative.

9 (e) Testing fees. An applicant for certification under this section shall pay
10 to the Secretary a fee of \$500.00 for each year that the Secretary conducts the
11 standard testing required under subsection (c) of this section.

12 (f) Noncompliance. A farm certified under this section shall remain
13 certified until:

14 (1) the farm's tested agricultural land no longer meets at least one of the
15 criteria of subsection (b) of this section twice in any three-year period; or

16 (2) the Program participant chooses to withdraw from the Program.

17 § 4962. REGENERATIVE AGRICULTURE CERTIFICATION PROGRAM

18 FUND

19 (a) There is created a Regenerative Agriculture Certification Program
20 Special Fund to be administered by the Secretary of Agriculture, Food and
21 Markets. Fees collected under this chapter, including testing fees or fees for

1 certifications issued under the chapter, shall be deposited in the Fund.

2 (b) The Secretary may use monies deposited in the Fund for the Secretary's
3 implementation and administration of the Regenerative Agriculture
4 Certification Program, including to pay Agency staff or contractors to conduct
5 the testing required under subsection 4961(c) of this title.

6 (c) Notwithstanding the requirements of 32 V.S.A. § 588(3) and (4),
7 interest earned by the Fund and the balance of the Fund at the end of the fiscal
8 year shall be carried forward in the Fund and shall not revert to the General
9 Fund.

10 Sec. 2. EFFECTIVE DATE

11 This act shall take effect on July 1, 2016.