

1 H.903

2 Introduced by Committee on Agriculture and Forestry

3 Date:

4 Subject: Agriculture; water quality; economic development; regenerative
5 farming

6 Statement of purpose of bill as introduced: This bill proposes to establish the
7 Vermont Environmental Stewardship Program to provide technical and
8 financial assistance to Vermont farmers to adopt and implement regenerative
9 farming practices and achieve certification as an outstanding environmental
10 steward.

11 An act relating to regenerative farming

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

13 Sec. 1. FINDINGS

14 The General Assembly finds that:

15 (1) Farmers in Vermont face significant economic pressures as the costs
16 of production often exceed prices paid for milk or other products.

17 (2) Many farmers have adopted regenerative farming practices to benefit
18 from reduced input costs, improved yields, and better resilience to climatic
19 extremes.

1 (3) Simultaneously with market conditions, farmers are facing
2 regulatory pressures to improve management of agricultural waste and satisfy
3 standards for the sale of food products.

4 (4) Some Vermont farmers may benefit economically from adopting
5 regenerative farming practices.

6 (5) Regenerative agriculture describes farming and grazing practices
7 that, among other benefits, reverse climate change by rebuilding organic matter
8 in soil and restoring degraded soil biodiversity, resulting in carbon drawdown,
9 improved retention of water in the soil, and improved water quality.

10 (6) Regenerative agriculture regenerates soil and revitalizes soil health,
11 which may be essential to preserve farming globally and in Vermont as:

12 (A) the United Nations Food and Agriculture Organization estimates
13 that, at current rates of degradation, the world could lose most if not all of its
14 arable topsoil in 60 years; and

15 (B) the U.S. Department of Agriculture's Natural Resource
16 Conservation Service (NRCS) calculated that Vermont farmland loses on
17 average 1.5 to 1.8 tons of soil per acre per year due to erosion by water.

18 (7) Through the Required Agricultural Practices, adopted under
19 6 V.S.A. § 4810, all farms in Vermont must adopt practices that improve soil
20 health and water quality, including required cover cropping on floodplain

1 fields and reducing erosion rates through the adoption of soil conservation
2 management techniques.

3 (8) The Vermont Agricultural Water Quality Partnership (VAWQP) is
4 dedicated to collaborating with and supporting agricultural producers in their
5 efforts to improve water quality and improve soil health. The VAWQP is
6 composed of the agencies and organizations that signed the Lake Champlain
7 Memorandum of Understanding (MOU) in January 2012. The MOU partners
8 currently include the U.S. Department of Agriculture's Natural Resources
9 Conservation Service, the U.S. Department of Agriculture's Farm Service
10 Agency, the Vermont Association of Conservation Districts, the U.S. Fish and
11 Wildlife Service, the University of Vermont Extension, the Agency of Natural
12 Resources, the Agency of Agriculture, Food and Markets, the Vermont
13 Housing and Conservation Board, and the Lake Champlain Basin Program.

14 (9) The State of Vermont should establish a voluntary program to assist
15 farmers to adopt regenerative farming practices and certify those farmers who
16 have achieved a level of implementation that: contributes to generating or
17 building soils and soil fertility and health; increases water percolation;
18 increases water retention; increases the amount of clean water running off
19 farms; increases biodiversity and ecosystem health and resiliency; and
20 sequesters carbon in soils.

1 Sec. 2. 6 V.S.A. chapter 215, subchapter 7A is added to read:

2 Subchapter 7A. Regenerative Farming

3 § 4961. PURPOSE

4 The purposes of this subchapter are to:

5 (1) enhance the economic viability of farms in Vermont;

6 (2) improve the health and productivity of the soils of Vermont;

7 (3) encourage farmers to implement regenerative farming practices;

8 (4) reduce the amount of agricultural waste entering the waters of

9 Vermont;

10 (5) enhance crop resilience to rainfall fluctuations and mitigate water

11 damage to crops, land, and surrounding infrastructure;

12 (6) promote cost-effective farming practices;

13 (7) reinvigorate the rural economy; and

14 (8) help the next generation of Vermont farmers learn regenerative

15 farming practices so that farming remains integral to the economy, landscape,

16 and culture of Vermont.

17 § 4962. DEFINITIONS

18 As used in this subchapter:

19 (1) “Certified Vermont Environmental Steward” means an owner or

20 operator of a farm who has achieved the thresholds for the Vermont

1 Environmental Stewardship Program to be certified as a farm that improves
2 soil health and contributes to improving water quality.

3 (2) “Regenerative farming” means a series of cropland management
4 practices that:

5 (A) contributes to generating or building soils and soil fertility and
6 health;

7 (B) increases water percolation, increases water retention, and
8 increases the amount of clean water running off farms;

9 (C) increases biodiversity and ecosystem health and resiliency; and

10 (D) sequesters carbon in agricultural soils.

11 § 4963. REGENERATIVE FARMING; VERMONT ENVIRONMENTAL
12 STEWARDSHIP PROGRAM

13 (a) Establishment of program. There is created within the Agency of
14 Agriculture, Food and Markets the Vermont Environmental Stewardship
15 Program (VESP) to provide technical and financial assistance to Vermont
16 farmers seeking to implement regenerative farming practices to achieve
17 certification as a Certified Vermont Environmental Steward.

18 (b) Program standards; application. The Secretary of Agriculture, Food
19 and Markets shall establish by procedure standards for certification as a
20 Certified Environmental Steward. Application for certification shall be made
21 in the manner required by the Secretary of Agriculture, Food and Markets.

1 (c) Program services. The VESP shall provide the following services to
2 farmers voluntarily seeking to transition to achieve certification as a Certified
3 Vermont Environmental Steward:

4 (1) information and education regarding the requirements for
5 certification, including the method, timeline, and process of certification;

6 (2) technical assistance in completing any required application for
7 certification;

8 (3) technical assistance in developing plans and implementing practices
9 to achieve certification from the VESP; and

10 (4) technical assistance in complying with the requirements of the VESP
11 after a farm is certified.

12 (d) Financial assistance; eligibility. An owner or operator of a farm
13 participating in the VESP shall be eligible for financial assistance from
14 existing Agency of Agriculture, Food and Markets financial assistance
15 programs for costs incurred in implementing any of the practices required for
16 certification as a Certified Environmental Steward.

17 (e) Revocation of certification. The Secretary may, after due notice and
18 hearing, revoke a certification issued under this section when the owner or
19 operator of a certified farm fails to comply with the standards for certification
20 established under subsection (b) of this section.

1 (f) Administrative penalty; falsely advertising. The Secretary may assess
2 an administrative penalty of up to \$1,000.00 against the owner or operator of a
3 farm who knowingly advertises as a Certified Environmental Steward when
4 not certified by the Secretary.

5 Sec. 3. FUNDING VERMONT ENVIRONMENTAL STEWARDSHIP
6 PROGRAM

7 Notwithstanding the stated purpose of the Clean Water Fund in 10 V.S.A
8 § 1388, funds appropriated to the Agency of Agriculture, Food and Markets
9 from the Clean Water Fund for water quality assistance may be used to provide
10 financial assistance from the Vermont Environmental Stewardship Program to
11 Vermont farmers seeking to implement regenerative farming practices to
12 achieve certification as a Certified Vermont Environmental Steward.

13 Sec. 4. EFFECTIVE DATE

14 This act shall take effect on July 1, 2018.