

1 Sec. X. 6 V.S.A. § 4802 is amended to read:

2 § 4802. DEFINITIONS

3 As used in this chapter:

4 * * *

5 (2) “Farming” has the same meaning as used in 10 V.S.A. § 6001(22).

6 (3) “Good standing” means a participant in a program administered
7 under this chapter:

8 (A) does not have an active enforcement violation that has reached a
9 final order with the Secretary; and

10 (B) is in compliance with all terms of a current grant agreement or
11 contract with the Agency.

12 * * *

13 (10) “Farm” means the land, plants, animals, buildings, or structures on
14 a parcel of land used for farming.

15 (11) “Farm operation” means the operation and management of a farm
16 or a condition or activity that occurs at any time as necessary on a farm,
17 including all those activities defined as “agricultural activity” and all of the
18 following:

19 (A) marketing produce at roadside stands or farm markets;

20 (B) the generation of noise, odors, dust, fumes, and other associated
21 conditions;

1 (C) the composting of material principally produced by the farm or to
2 be used at least in part on the farm;

3 (D) the ditching and subsurface drainage of farm fields and the
4 construction of farm ponds;

5 (E) the handling of livestock wastes and by-products;

6 (F) the operation of machinery and equipment necessary for a farm,
7 including irrigation and drainage systems, pumps, and on-farm grain dryers;

8 (G) the movement of vehicles, machinery, equipment, and farm
9 products and associated inputs necessary for farm operations on the roadway;

10 (H) field preparation and ground and aerial seeding and spraying;

11 (I) the on-site storage and application of agricultural inputs, including
12 lime, fertilizer, organic materials, conditioners, and pesticides;

13 (J) the use of alternative pest management techniques;

14 (K) the management, storage, transport, utilization, and application of
15 farm by-products, including manure or agricultural wastes;

16 (L) the conversion from one farm operation to another farm
17 operation; and

18 (M) the employment, use, and housing of labor.

19 Sec. Y. 6 V.S.A. § 4818 is added to read:

20 § 4808. FARMING; SCOPE OF ACTIVITIES

1 (a) As used in this chapter and this title, “farming” shall include a farm
2 operation on a farm.

3 (b) For purposes of application of 12 V.S.A. § 5753, “agricultural
4 activities” entitled to a rebuttable presumption that the activity does not
5 constitute a nuisance shall include “farming” and “farm operations” as defined
6 under this chapter.