

Public Comment from Rural VT to Sen. Agriculture Committee
4/14/2021

I am writing to clarify the stance of Rural VT on H.434 as it is currently drafted. I've copied Kanika, VAAFM, on this as well as we've had a conversation about this and I want to keep her in the loop.

Rural VT does not support the bill as passed by the House. Ideally a redesign of the body providing pesticide oversight and recommendations in VT would be a longer term process and something we could revisit in the second half of the biennium after more vetting and input. Our number one ask would be for this bill to be delayed until we have more time to commit to it.

Given the bill appears to be moving and to have general support in Committee, we are providing testimony and comments on the bill as is - seeking to improve it and clarify its purpose. Last week I spoke with Kanika about the bill, clarified some concerns, and discussed a number of changes we'd like to see. We found a number of places of agreement, and she suggested VAAFM would have a new draft of the bill shortly, which would incorporate many of these changes.

Specific recommendations Rural VT made and which we understand will be addressed in the coming draft of the bill:

1. I brought up conflict of interest, and differences in expertise needed, with Kanika with respect to membership of a board which regulates pesticides vs. a board which explores ag innovation in general. These felt like two different Boards, different memberships, different needs, a lot of capacity. Kanika clarified that the Ag Innovation Board will not be a pesticide regulatory body, that it will be a body which makes recommendations around reducing the use of, and appropriately using, pesticides / economic poisons, plastics, synthetic fertilizers in agriculture to the Sec. of Ag, as well as to other entities exploring ag innovation and progress. The board may also be able to provide some expertise to groups about the context of pesticide use in agricultural systems, options for reducing usage, and impacts of different decisions. She clarified that § 4964 (a)(1) - which references that Board's role with respect to the Soil Health and PES WG, etc. - in its current form does not describe what she envisions, and that the intent is NOT for the Innovation Board to prioritize recommendations from other entities for the legislature or Executive Branch, rather to make recommendations to those entities, and inform them, with respect to pesticides / economic poisons, synthetic fertilizers, ag plastics, and other ag wastes / toxins. This change makes sense to us - that this body be focused on a relatively narrow purview of economic poisons, ag plastics, synthetic fertilizers, and other ag wastes and their reduction and appropriate use. In light of this, it may be worth considering a different name for the Board which more accurately describes its domain.
2. § 4964 (a)(9) Agricultural Marketing Program. We discussed this section being struck from the bill. Exploring new certifications and marketing programs is a significant task, has been

entertained by the legislature and various bodies over time, and can be controversial. Given the focus of the Board will not be "ag innovation" more broadly, and will focus on Pesticides / Plastics / Synthetic fertilizers, this task is not particularly germane to this group.

3. § 4964 (c)(3) Survey - Kanika and I discussed that the scope of this survey duty will be explicitly related to the scope of the Board (pesticides, plastics, synthetic fertilizers, ag wastes reduction, alternatives, etc.) as opposed to a survey of the agricultural landscape more broadly.

4. As we suggested in testimony, we'd like to see language about the use of, and reduced use of, synthetic fertilizers be more consistent through the legislation.

5. Membership:

- Organic farmer: We defer to NOFA on this, but there's a question as to whether a farmer or a member of Vermont Organic Farmers (VOF - the body which certifies Organic Farmers in VT) would be a more appropriate fit for this position. A farmer may have most expertise related to the practices on his / her / their own farm - whereas a VOF member may have more expertise in understanding the Org. regs and how they are implemented on different farms more broadly.

- Crop Consultant and Soil Biologist are not equivalents. Soil biology is a unique and relatively newer field of soil science - for a long time, the physical and chemical characteristics of soil were focused on primarily, and we now understand that biology plays extremely important roles in healthy soil ecosystems, carbon and nutrient cycling, etc.. Soil biology is particularly relevant to understanding the impacts of pesticides and synthetic fertilizers. Crop consultants advise farmers in how to manage crops, products, soils, etc. on their farms. Crop consultants often sell products, and may or may not have expertise in soil biology. Both may be important roles on a board with these tasks - but they are certainly not equivalent. We strongly feel that a soil biologist - or an independent soil scientist with expertise in soil biology - is important to have on this Board.

- Fruit and Vegetable production: I did not discuss this with Kanika, but this is a rather broad category, and people who manage orchards have very different tasks, pests, IPM strategies than those who run annual vegetable farms or berry operations. Perhaps splitting up "tree crops" from "vegetable and berry production" would be helpful and add more farmer diversity.

- Representative of an org in Land Conservation. We feel that this seat may better be filled by other expertise as we are not clear on why this field is relevant to the domain of this Board. Kanika suggested openness to striking this category and including another - see list in the next bullet.

- Expertise we think would be beneficial and important to a board such as this include: an independent entomologist (insects, pollinators, and aquatic invertebrates), an independent wildlife biologist, a farmworker representative, an expert in human health with a focus on endocrinology.

6. Given the challenge of incorporating all fields of expertise relevant to the subject matter into the Board Membership, we discussed the need for the board to consistently welcome subject matter experts in order to inform their recommendations and arrive at well informed and equitable outcomes.

I hope this is helpful and am happy to answer questions. Kanika and I are in touch and we will continue to work on the language of the bill with other stakeholders such as NOFA and LCI.

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