

H. 434: An Act Relating to Establishing the Agricultural Innovation Board

Notes from VAAFM

April 2021

Senate Committee on Agriculture

The Vermont Pesticide Advisory Council

The Vermont Pesticide Advisory Council (VPAC) was established in 1986 under the Kunin administration to reduce the use and detrimental impact of pesticides in VT. Governor Kunin's vision was to reduce state pesticide usage by creating an inter-agency body [VPAC] that examined pesticide use by state agencies and held this usage to a more stringent standard. Currently, VPAC is following this directive and is comprised of representatives from different agencies, as well as members of UVM extension.

Governor Kunin's vision of pesticide reduction also included several other directives that have been implemented by VAAFM and continue to this day. For example, VAAFM currently has a residential pesticide disposal program and a stringent pesticide violation enforcement program. These programs are vital to ensure that pesticides are not being misused from the time of purchase to disposal.

VPAC in its current form, however, lacks the expertise and diversity that is needed in order to analyze and create policies to reduce agricultural pesticide usage in the state, as well as determine viable alternatives for pesticide usage.

In 1999, VPAC was given additional mandates without changes to council membership. One of these mandates was to create benchmarks to reduce pesticide usage throughout Vermont. VAAFM has found that with the current variety of agricultural operations, as well as the variety of stakeholders that use pesticides in the state, a much larger group that spans beyond the scope of inter-agency knowledge is required to accomplish that goal.

The permitting oversight that VPAC currently has will and must continue but VAAFM is proposing a more modern approach to the initial vision of the board.

Agricultural Innovation Board

Pesticide regulation and policy cannot function in a silo, as it currently does. The idea behind the AIB is to create a more holistic approach to pesticide management and policymaking in the state. In the past few years in the legislature, we have seen bills introduced that villainize and aim to ban single chemicals. This approach is not the most practical or effective when it comes to giving farmers options to change operations and carries unintended consequences.

Pesticides and the impacts of their use have to be analyzed in a broader health and environmental context. Looking at permits and pesticide use in a narrow context will not allow for sufficient pesticide reduction and sound policy creation. In conversations with various groups and

individuals that work on pesticide policy issues, we also realized that there are several other pre-existing committees that work on areas affected by pesticide use. Because of this, we would want this board to coordinate with those committees (for example: the Soil Health and Payment for Ecosystem Services Working Group and the Vermont Climate Council, as listed on page 1).

We envision the board being a body that examines pesticide usage and alternatives from a variety of perspectives. Because of this we have proposed changes in and expansion of membership to allow for a more policy-focused group that can create meaningful policy recommendations whilst also examining unintended consequences from different angles.

The board would continue to be advisory in nature. It would meet at least 4 times a year to come up with policy recommendations on a broader spectrum of pesticide issues. The board would take testimony from non-member parties and collaborate to create feasible policy recommendations on pesticide-related issues. These policy recommendations would then be proposed to the Secretary of Agriculture, and, hopefully, to the legislature for consideration.

Given the time constraints of the legislature, and the variety of issues that policymakers focus on, the creation of this board would allow for timely and thoroughly vetted policy options related to pesticides. The board would present a summary of its findings and recommendations and report them to the legislature annually. This would include a summary of who the board heard from and prioritize policy ideas that work for different types of operations.

The broader scope of this board would create a means to discuss emerging pesticide issues, as well as technological innovation and transitioning to alternative methods of farming. Pesticides will continue to be the central focus of all conversations; however, without discussing pesticides in a broader context, solutions may have unintended health and environmental consequences. We need to look at pesticides through multiple lenses in order to create sustainable and attainable policy recommendations for the state.

Another element of the board is to generally modernize how we analyze and examine pesticide issues in the state. This would increase engagement and transparency between VAAFMM operation and the parties that the agency works to serve. It would allow for more public input on pesticide issues, as all meetings would be open to the public. Non-members that wish to be part of the board process will be welcome to attend all meetings and provide input on relevant topics. We would look to and encourage the expertise of non-VAAFMM entities throughout the recommendation process.

We would also be allowing for more transparency and modernization of the pesticide permitting process, particularly for right of way permits. Instead of requiring the public to spend half of a day at public hearings, we would post all proposed right of way permits to the agency website and provide a time period for public comment, including commentary from members of the former VPAC that may not serve on AIB. These comments would then be shared with the Secretary of Agriculture for consideration before approving or denying right of way permits. This would be similar to the federal permit application process and allows for greater and more equitable public engagement.

Key Differences between VPAC and AIB

Membership (Image Courtesy of Mike O’Grady):

Side by Side of Membership of VPAC and AIB

Pesticide Advisory Council	Agricultural Innovation Board
(1) The Department of Fish and Wildlife.	(A) the Secretary of Agriculture, Food and Markets or designee;
(2) The Department of Environmental Conservation.	(B) a member of the farming community who practices organic agriculture;
(3) The Agency of Agriculture, Food and Markets.	(C) a member from the University of Vermont Center for Sustainable Agriculture;
(4) The Department of Forests, Parks and Recreation.	(D) the Director of the Agency of Agriculture, Food and Markets, Agrichemical Program or designee;
(5) The Department of Health.	(E) the Director of the Agency of Agriculture, Food and Markets, Water Quality Program or designee;
(6) The Agency of Transportation.	(F) the Commissioner of Health or designee;
(7) One physician from the College of Medicine of the University of Vermont nominated by its dean.	(G) the Secretary of Natural Resources or designee;
(8) One representative in the area of entomology, plant pathology, or weed control from the University of Vermont Extension to be named by the Director.	(H) a soil biologist or certified crop consultant;
(9) One representative in the area of pesticide research from the Vermont Agricultural Experiment Station named by the Dean of the College of Agriculture and Life Sciences of the University of Vermont.	(I) a member of the public representing the dairy industry in Vermont;
(10) Two members appointed by the Governor. In choosing these members, the Governor shall consider people who have knowledge and qualities that could be useful in pursuing the goals and functions of the Council. One of these members shall have practical experience in commercial agricultural production and shall be appointed in consultation with the Secretary.	(J) a member of the public representing fruit and vegetable production in Vermont;
	(K) a member of the public representing grass-based, non-dairy livestock farming in Vermont;
	(L) a member of the public knowledgeable in agricultural water management;
	(M) a representative from an organization involved in land conservation; and
	(N) a representative from an environmental advocacy organization.

Frequency of Meetings

The frequency of meetings will be increased from at least 2 meetings to at least 4 meetings annually.

Duties and Responsibilities

VPAC worked on pesticide reduction and advisory through an inter-agency approach to permitting. AIB will work to reduce pesticides and create alternative options to pesticide use using a more diverse stakeholder group. The group will continue to examine non-agricultural pesticide usage, but will now work to examine agricultural pesticide use. AIB will look at the broader impact of pesticide usage and work to create policy recommendations for the Secretary of Agriculture.

The duties highlighted in H.434 are intended to ensure that AIB can look at pesticides and their impact on a wider range of issues. Technology and pesticide usage has evolved since the inception of VPAC, AIB will therefore work to address the changing landscape in agriculture through the charges highlighted in the bill. AIB will also work with legislative groups that were created after VPAC's inception to ensure that policy solutions being presented to the legislature are not contradictory in nature.

The charges outlined in H. 434 cover a wider range of issues because pesticides affect a wide variety of industries and areas. The goal is not to remove focus from pesticide reduction but to ensure that the group is looking at pesticide reduction from a variety of angles and sectors to develop the most practical and effective policy solutions for this goal.