

Thank you for the opportunity to provide written testimony. I am submitting this testimony on behalf of the Agency of Natural Resources in response to the following proposed statutory language recently introduced before this Committee:

Sec. X. 10 V.S.A. § 1354, which would establish a Concentrated Animal Feeding Operation Permit Program Working Group; and

Sec. Y, which would establish requirements for training on inspection under the Concentrated Animal Feeding Operation program.

The Agency of Natural Resources appreciates the Committee's attention to both of these provisions and offers the following comments.

On April 30, 2026, the Agency of Natural Resources (ANR) submitted the final report of the Community Stakeholder Group on Water Quality (Stakeholder group) to the General Assembly, as required under Act 67 (2025). The report was prepared by ANR, in consultation with the Agency of Agriculture, Food, and Markets (AAFM), with components of the report also prepared exclusively by the non-agency stakeholders and process facilitator. As indicated in the joint cover letter from ANR Secretary Moore and AAFM Secretary Tebbets, we are deeply grateful for the work that the stakeholders put into this effort, we hear what they have said and we are committed to furthering our shared goals towards clean water and a strong agricultural economy.

The draft language suggests two key points as recommended by the Stakeholder group:

- shall continue the engagement of key stakeholders regarding the implementation of and transition to a Concentrated Animal Feeding Operation (CAFO) program as required under Act 67 of 2025.
- shall contract with a third-party auditor to support the development of training standards and provide oversight of inspections in support of the implementation of and transition to a Concentrated Animal Feeding Operation (CAFO) program as required under Act 67 of 2025.

ANR has provided language in the final report related to both of these recommendations, and in addition, would like to share additional feedback and recommendations on how to incorporate them positively, within statutory authority and with available resources.

### **Third-Party**

Our staff has strong expertise in farm inspections and water quality regulations, and we are continually working on training with staff as we move the CAFO program forward. In addition, as mentioned in the final report, and discussed during the stakeholder process, as a component of CAFO rule development, ANR will need to develop CAFO design standards. ANR is committed

to ensuring that those standards meet the federal requirements and are adaptable and flexible to Vermont farm-specific needs. We have stated that this work would greatly benefit from the assistance of a third-party expert.

The current language proposes that ANR will retain outside expertise to support training and a limited number of inspections during the early years of the program. ANR is supportive of third-party involvement, provided funding is made available to support it. We have expressed our commitment to ensuring consistent and accurate inspections, clear standards for meeting water quality regulations and efficient communication between ANR and AAFM. However, we want to be direct with this Committee: retaining outside expertise with the depth of experience required by this language is not a cost ANR can absorb within existing resources. If the Legislature wishes to pursue this approach it will require dedicated funding.

### **Working Group**

The stakeholder group has recommended that the General Assembly establish a permanent Coordination Group to provide ongoing engagement amongst the state agencies, farmers, agricultural partners, and other stakeholders. As proposed, the Group includes representation from Vermont farmers, Conservation Districts, technical service providers, and Vermont environmental advocacy organizations focused on water quality, and would annually report to the legislature.

ANR again thanks the stakeholders for their efforts, and as was stated during the stakeholder process and in the final report, we strongly support the establishment of this stakeholder group and are committed to engaging in the process. ANR and AAFM should participate as equal members of the group. Both agencies could assist the group in gathering information, providing legal and statutory clarity and learn from the stakeholders as this work moves forward.

ANR is committed to building a CAFO program that meets Vermont's federal obligations under the Clean Water Act, provides farmers with the regulatory clarity and compliance pathways they deserve, and continues the progress Vermont has made on water quality. The provisions before this Committee — establishing a Coordination Group and third-party involvement — are meaningful steps in that direction. We ask that both agencies be included as members of the Group, and that any third-party requirements be accompanied by the dedicated funding necessary to make them real. We are grateful for the Committee's continued engagement on this work and welcome any questions you may have.



Misty Sinsigalli, Commissioner, Department of Environmental Conservation