



Vermont Association of Conservation Districts

Our Land. Our Water. Our Future.

To: House Agriculture Committee

From: Michelle Monroe, Executive Director, Vermont Association of Conservation Districts

Re: Municipal Regulation of Agricultural Activities

January 27, 2026

Opening

I am not here on behalf of Vermont's conservation districts, as the districts have not yet taken a position on this issue. I am simply here as someone who has participated in conversations over the past several months with peer organizations that also serve farms, the Vermont League of Cities and Towns, and the Vermont Agency of Agriculture, Food, and Markets, to offer some observations and general principles. These conversations are still ongoing.

Definition of Farms in the Required Agricultural Practices

- Given the way this issue has developed, it was natural to look to the RAPs as part of the solution of determining when agricultural practices should be subject to municipal regulation.
- However, the purpose of defining a farm under the RAPs is for determining who is required to comply with those regulations.
- While the RAPs can be a useful reference, reopening those definitions solely for the purpose of determining what agricultural operations could fall under municipal regulation isn't necessary to resolve this issue.
- Looking at where it is appropriate for towns to exercise regulatory authority over farms may be a cleaner approach that will lead to a clearer, easier to understand division of authority between towns and VAAFM.

Municipal authority over agricultural activities

- What brought this issue to the courts and now to the legislature was a conflict between neighbors in a residential area.
- VLCT has said municipalities have no issue with residents raising plants of any kind. The concern, then, is livestock.
- It's not unreasonable to say anyone raising livestock should have a sufficient landbase to ensure the health and well-being of the animals and management of animal waste.
- But it is VAAFM, not municipalities, which has the expertise to determine if the landbase is sufficient.
- If the legislature chooses to allow towns to regulate livestock in certain areas, VAAFM should have a role in the crafting of those regulations. Any regulations should be clear, objective, and consistent across municipalities to reduce the potential impact of favoritism or bias.

Where should towns have authority over agricultural activities

- VLCT has suggested that municipalities should have authority to regulate farms and agricultural activity in Tier 1 areas, after going through the process laid out in Act 181 to acquire that status.
- That is a good starting point for discussion.
- Many towns have identified former farms as areas for future development. We don't want to foreclose the possibility of agricultural activity returning to those lands, even if it is on a smaller scale.

Right to Grow Food

- All Vermonters should be able to grow and raise food.
- If there is an opportunity to look at how we can ensure people who will be moving into the large, multi-unit housing envisioned for Tier 1 have access to space for growing food, I would urge the committee to consider that.
- I also recommend inviting the Land Access Opportunity Board to give testimony.