



2025 Acts from the House Committee on Agriculture, Food Resiliency and Forestry

Presented by Bradley Showman

January 7, 2026

Acts Passed out of Committee in 2025

- ▶ **Act No. 34 of 2025 (H.167):** An act establishing the Vermonters Feeding Vermonters Grant at the Agency of Agriculture, Food and Markets
- ▶ **Act No. 36 of 2025 (H.396):** An act relating to the creation of the Mollie Beattie Distinguished Service Award
- ▶ **Act No. 42 of 2025 (H.401):** An act relating to exemptions for food manufacturing establishments
- ▶ **Act No. 59 of 2025 (H.484):** An act relating to miscellaneous agricultural subjects
- ▶ **Act No. 61 of 2025 (S.45):** An act relating to protection from nuisance suits for agricultural activities
- ▶ **Act 67 of 2025 (S.124):** An act relating to miscellaneous agricultural subjects
- ▶ **S.60:** An act relating to establishing the Farm Security Special Fund to provide grants for farm losses due to weather conditions



Act No. 34 of 2025 (H.167): An act establishing the Vermonters Feeding Vermonters Grant at the Agency of Agriculture, Food and Markets

- ▶ Established within AAFM the Vermonters Feeding Vermonters Grant Program to provide grants to the Vermont Foodbank.
- ▶ These grants would be used to purchase local food to distribute through the Vermont Foodbank's distribution channels, and for Vermont Foodbank to offer subgrants to Vermont Foodbank community partners to buy directly from local farms and to buy directly from local farms with a focus on providing culturally preferred foods or local relationships.



Act No. 36 of 2025 (H.396): An act relating to the creation of the Mollie Beattie Distinguished Service Award

- ▶ Created the Mollie Beattie Distinguished Service Award.
- ▶ The Commissioner of Forests, Parks and Recreation will present annually to either a current or former State employee or partner whose contributions honor the legacy of Mollie Beattie in advancing the conservation, accessibility, quality of recreational experience, or sustainability of Vermont's public lands.



Act No. 42 of 2025 (H.401): An act relating to exemptions for food manufacturing establishments

- ▶ Created a new category of food manufacturing establishments, cottage food operations, which refers to the home kitchen or auxiliary kitchen on a person's private property where cottage food products are produced.
- ▶ Defined "cottage food products" to mean items sold by a cottage food operator that do not require refrigeration or time or temperature controls for safety.
- ▶ Exempted cottage food operations with annual gross receipts of \$30,000 or less from the existing requirement to obtain a license and pay a licensure fee.
- ▶ Continues to require food manufacturing establishments otherwise exempt from the licensure and licensing fee requirements to submit a licensing exemption filing and attest to completion of training required by the Department of Health in rule.



Act No. 59 of 2025 (H.484): An act relating to miscellaneous agricultural subjects

- ▶ Amended multiple laws related to agricultural or environmental subjects.
- ▶ Conformed statute related to regulation of fertilizers, plant amendments, and soil amendments with national standards for beneficial substances.
- ▶ Increased the annual pesticide product registration fee by \$50.00. The revenue from the increased fee will be used to pay the costs of a collection program for obsolete and unwanted pesticides.
- ▶ Required AAFM to study options for sustainable funding sources to reimburse solid waste management entities for all costs associated with collection and disposal of unwanted or obsolete pesticides. AAFM submitted this report in December 2025. They recommended keeping the increased fee and allocation to solid waste management districts.



Act No. 59 of 2025 (H.484): An act relating to miscellaneous agricultural subjects (continued)

- ▶ Provided that the Rutland County Fair shall continue to be required to obtain the three-acre stormwater operating permit, but the Fair shall not be required to pay a stormwater impact fee or complete an offset for those reductions it cannot complete because of site constraints.
- ▶ Provided that the Department of Forests, Parks and Recreation rule entitled "Intent to Cut Notification Emergency Rules, Standards and Procedures" shall be deemed to have continued in full force and effect and remained valid on and after July 1, 2018, despite not being published in the Vermont Code of Rules as of July 1, 2018.
- ▶ Amended the Household Hazardous Waste Producer Responsibility Program to clarify that it does not include paint products.
- ▶ Provided that if the household hazardous waste producer stewardship organization does not submit an approvable plan, ANR may issue a plan and charge the manufacturers of covered household hazardous products for the cost of the program, plus a penalty.



Act No. 59 of 2025 (H.484): An act relating to miscellaneous agricultural subjects (continued)

- ▶ Extended the date of the landfill disposal ban on covered household hazardous products by a year and provided ANR with authority to grant variances to the requirements for municipal household hazardous waste collection events.
- ▶ Amended the extended producer responsibility (EPR) program for architectural paint to expand its scope to include paint products, which includes aerosol coating products, coating related products, and nonindustrial coatings. The scope of the program was expanded to clarify that the EPR program for paint and not the EPR program for covered household hazardous products is responsible for the collection and management of the expanded list of paint products.
- ▶ Extended the deadlines by one year for the required construction of an efficiency project at the baseload power plant.



Act No. 61 of 2025 (S.45): An act relating to protection from nuisance suits for agricultural activities

- ▶ Amended the right-to-farm protection from nuisance suits provided to farmers.
- ▶ Added a new definition of “generally accepted agricultural practices” to which nuisance protection would apply.
- ▶ Provided that no agricultural activity shall be or become a nuisance when the activity is conducted in accordance with generally accepted agricultural practices.
- ▶ However, a farmer must be in good standing with AAFM and ANR to assert nuisance protection. Good standing can be shown by letters from the Secretaries of the agencies.
- ▶ Clarified that the plaintiff shall have the burden of proof by the preponderance of the evidence to show that a farmer is not entitled to nuisance protection and is a nuisance.



Act No. 61 of 2025 (S.45): An act relating to protection from nuisance suits for agricultural activities (continued)

- ▶ Provided that a farmer shall not receive nuisance protection if:
 - ▶ the nuisance violation results from the negligent operation of an agricultural activity;
 - ▶ the agricultural activity has a substantial adverse effect on health, safety, or welfare based upon objective, documented medical or scientific evidence that the agricultural activity was the proximate cause of the alleged effect; or
 - ▶ a reasonable person would find that the agricultural activity was a proximate cause of a noxious and significant interference with the use and enjoyment of the neighboring property.
- ▶ Provided that the right to farm law protection from nuisance is to be liberally construed by courts to effectuate its purpose of protecting reasonable agricultural activities from lawsuits.
- ▶ Required that parties attempt to resolve nuisance claims arising from an agricultural activity through mediation before bringing a civil suit.



Act No. 61 of 2025 (S.45): An act relating to protection from nuisance suits for agricultural activities (continued)

- ▶ Potential impact from the Vt. Supreme Court's *Taft Street* decision?
- ▶ Protection from nuisance suits is a litigation matter between parties, neighbors for example.
- ▶ An aggrieved party could potentially seek municipal action to enforce local ordinances and zoning.



Act 67 of 2025 (S.124): An act relating to miscellaneous agricultural subjects

- ▶ Amended statutes regulating agricultural water quality, including the regulation of point source discharges of waste or pollutants from concentrated animal feeding operations (CAFOs).
- ▶ Struck the requirement that ANR and AAFM enter a memorandum of understanding (MOU) describing how the agencies will comply with and implement federal CAFO program requirements.
- ▶ In place of the MOU, ANR in consultation with U.S. EPA and AAFM shall issue a document defining ANR's responsibilities in implementing the Clean Water Act (CWA), and AAFM's responsibilities in implementing the State's nonpoint source program on farms.
- ▶ Clarified that ANR is the regulatory entity in the State that is required to determine if there is a point source discharge from a large or medium CAFO that requires a CAFO permit.



Act 67 of 2025 (S.124): An act relating to miscellaneous agricultural subjects (continued)

- ▶ Defined what constitutes an animal feeding operation (AFO), a Large CAFO, and a Medium CAFO under ANR's authority.
- ▶ Clarified that the discharges that ANR shall regulate are point source discharges of wastes or pollutants from AFOs to waters of the State, including waters of the United States.
- ▶ Set forth the specific authority of ANR to regulate discharges from CAFOs. ANR may designate an AFO that meets the definition of a CAFO as a CAFO, in ANR's sole discretion. Similarly, ANR may designate any small AFO as a CAFO if after an on-site inspection, ANR determines that the small AFO is discharging and is a significant contributor of pollutants to waters of the State.



Act 67 of 2025 (S.124): An act relating to miscellaneous agricultural subjects (continued)

- ▶ Clarified that a discharge of manure, litter, or process wastewater to waters from a CAFO as a result of the application of manure, litter, or process wastewater to land area is a discharge from that CAFO subject to VPDES permit requirements, except where the manure, litter, or process wastewater has been applied in accordance with a site-specific nutrient management plan approved by the Secretary.
- ▶ Required all medium and large farms to maintain documentation of a nutrient management plan and practices and to make the documentation readily available to the Secretary upon request.
- ▶ Provided that if AAFM determines that a farm may be discharging to waters of the State, AAFM immediately shall refer the potential discharge to ANR for response according to the federal Clean Water Act CAFO rules. If a farm is required to obtain a CAFO permit, AAFM's vegetated buffer requirements no longer apply, and the farm must comply with the federal buffer requirements.



Act 67 of 2025 (S.124): An act relating to miscellaneous agricultural subjects (continued)

- ▶ Amended the ban on the land application of manure between December 15 and April 1 to allow AAFM to authorize emergency exemptions.
- ▶ Clarified that AAFM may require any new small farm to certify compliance with the required agricultural practices (RAPs) and AAFM may require any farm to regularly certify compliance with the RAPs.
- ▶ Established a Community Stakeholder Group on Agricultural Water Quality to engage key agricultural stakeholders as part of a pre-rulemaking process to gather input on proposed CAFO rules and how best to implement ANR's CAFO program. The Stakeholder Group shall report its finding to the General Assembly.



S.60: An act relating to establishing the Farm Security Special Fund to provide grants for farm losses due to weather conditions

- ▶ Would create the Farm Security Special Fund to award grants to farms that have incurred financial losses due to eligible weather conditions.
- ▶ Grants would be in an amount of up to 50% of the uninsured or uncovered losses due to eligible weather conditions, up to a maximum of \$150,000 per year per farm.
- ▶ Would create the Farm Security Special Fund Review Board to review applications for assistance from the Fund, recommend awards, and annually review the application process.
- ▶ House Appropriations requested an amendment that is largely technical but would include language making the program contingent on funding. Mike is scheduled in House Appropriations on Tuesday the 13th at 1:30.



End of Presentation



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