



FOR THE WEEK ENDING JANUARY 21, 2022

IMPORTANT NOTICE TO VERMONT DAIRY FARMERS

The Senate Agriculture Committee voted out Draft 1.1 this morning, sending a request for inclusion in the budget adjustment bill of \$2.6 million to cover premiums paid by dairy farmers into the Dairy Margin Coverage Program for Tier 1 payments in 2022. It is estimated that 75% of Vermont's cow dairies are enrolled in this program, which covers the first 5 million pounds of milk produced. FARMERS HAVE UNTIL FEBRUARY 18 TO ENROLL IN DMC THROUGH THE FARM SERVICE AGENCY. PLEASE CONTACT THE VERMONT OFFICE:

www.fsa.usda.gov/state-offices/Vermont/index or call 802-658-2803

to sign up. The reimbursement program for the premium will be administered by the Agency of Agriculture; they will require proof of premium and a W9. Funds will be disbursed on a first-come, first-served basis contingent upon a completed application.

The budget adjustment bill has to work its way through Senate Appropriations and the Senate floor; it is then debated in the House before heading to the Governor for his signature. Senator Starr was confident the funds will remain in the language through the process and urges ALL dairy farmers to sign up for the program in Vermont through the FSA. More information on applying for the reimbursement program and the timeline will be supplied when developed by VAAFM.

AND SPEAKING OF THE FARM SERVICE AGENCY . . .

President Biden just announced the appointment of John Roberts as FSA State Executive Director in Vermont. John is a former dairy farmer, former water quality specialist for VAAFM and currently the Executive Director of the Champlain Valley Farmers Coalition. Congratulations, John!

NEW BILLS INTRODUCED THIS WEEK

S.259 proposes to require the Secretary of VAAFM to evaluate the sufficiency of the RAPS to determine if the requirements and practices under the RAPs are adequate to address increased and foreseeable climate change-induced precipitation in a manner that protects soil resources and prevents harmful or inefficient runoff of nutrient pollution to State waters. (Introduced by Pearson and Pollina)

S.259 proposes to require VAAFM to submit a report to the General Assembly regarding the reorganization, enhancement, and enforcement of animal welfare requirements in the State, including the establishment of an animal welfare division at VAAFM. (Introduced by Collamore, companion bill in House introduced by Shaw)

S.268 proposes to amend the right-to-farm law to provide that a farm or farm operation shall not be found to be a public or private nuisance under several criteria and also provides that if a farm prevails in a nuisance suit, the plaintiff is required to pay actual costs of the defense. (Introduced by Parent, Brock and Starr)

H.566 proposes to require the VT Sustainable Jobs Fund in consultation and collaboration with Dept. of Forests, Parks and Recreation to establish the Vermont Forest Future Program by developing an Action Plan. (Introduced by Sims and others)

H.581 proposes to make multiple changes to support economic development in rural areas, including Act 250 changes on behalf of forestry and agriculture. (Introduced by Kimbell and others)

H.606 proposes to establish State goals of conserving 30% of the land of the State by 2030 and 50% by 2050. (Introduced by Sheldon)

21-1031 proposes to authorize enrollment of reserve forestland in the Use Value Appraisal Program as a new category of managed forestland where active growing and harvesting of forest crops would not be required. (Actually introduced in 2021 but not acted upon; subsequently reintroduced this week).

22-0529 is a miscellaneous DMV bill in Senate Transportation includes some changes to overweight permits which include allowing any vehicle of five or more axles of a load consisting of unprocessed milk products may be registered for 90,000 pounds on state highways without a permit; the fee will also be changed to \$382 for vehicles bearing up to 90,000 pounds and \$560 for vehicles bearing up to 99,000 pounds.

S.166 STILL IN SENATE JUDICIARY

Senator Sears had hoped to vote S.166, the bill asking for rulemaking by the Public Utility Commission related to cleanup of utility construction sites, out this week but further testimony was heard from a Communications Union District staff (CUD) with suggestions to avoid legislation. These suggestions included having the utilities which own the poles design and attach signs to poles on agricultural lands, asking for workers to take extra care cleaning up the worksite, and setting up a Captive Insurance Company that would hold a fund for mitigation for affected landowners. Farm Bureau is not supportive of either of these ideas. This issue is not just for agricultural lands but ALL private property and it's unclear how a Captive Insurance Company would hold subcontractors to the performance standards that are now written in to contracts. There was discussion among committee members to turn this language into statute rather than rulemaking, and we support that proposal. The bill should be taken up again next week.

H.466 DISCUSSED IN HOUSE NATURAL RESOURCES

This bill was introduced last week and proposes to regulate surface water withdrawals and interbasin transfers of surface water in Vermont. Farm Bureau was concerned that it would adversely affect irrigation by farmers.

The committee heard from a number of interested parties, including Department of Environmental Conservation and former HNR chair David Deen (who urged passage of this bill to ensure the State monitors and understands the level and breadth of these water uses).

Ryan Patch from VAAFM testified to explain farmers are seeing a shift in weather to include more moisture in the winter and more drought conditions in the summer, adding to irrigation needs. The RAPs cover irrigation and the construction of farm ponds. However, if a farm is going to withdraw from surface waters above the de minimis rate, they must obtain a permit from DEC; groundwater withdrawals are currently exempt under law.

Ryan also noted 9% of farms withdraw water for irrigation, 36% of whom are doing so from surface waters. He also said he supports the point of H.466 which seeks to understand where waters are being used and how but wants to make sure agricultural withdrawals that have minimal impact will still maintain a simplified regulatory system. The current language requires substantial recordkeeping for anyone withdrawing 5,000 gallons or more during one 24 hour period. (Thanks to Morris Govt Affairs for this report!)

H.606 IN HOUSE NATURAL RESOURCES

Chair Sheldon and committee took up H.606, the Biodiversity Act and the Global Deal for Nature. They heard from Gus Goodwin at the Nature Conservancy, who presented scientific data regarding Vermont's current biodiversity and what he called an "abundance crisis" because all species are declining. He underscored substantial investments required to meet the 30x30 goals (30% land conserved by 2030).

Eric Sorenson also testified; he assisted in writing the Vermont Conservation Design.

Overall, the Committee seems very supportive of the legislation and will be taking significant testimony the bill. (Thanks to Morris Govt Affairs for this report!)

H.566 IN HOUSE AGRICULTURE

Two competing bills – H.566 and H.581 – are generating a lot of discussion in House Agriculture and House Natural Resources. H.566 primarily requires the VT Sustainable Jobs Fund to submit draft recommendations for a Forest Future Action Plan by July 1, 2023 with the final report due January 1, 2024. It will support this research with an appropriation of \$250,000 in FY23 to VSJF. Chair Carolyn Partridge supports this proposal as the forestry equivalent of Farm to Plate programs.

H.581 is in House Natural Resources and requires immediate action in a variety of areas, including changes to Act 250, increasing allowable weight for large trucks, clarifying "accessory on-farm business" and more. Commissioner Michael Snyder, FP&R, has been making the rounds on both these bills and has voiced support for the actions required in H.581 as opposed to the study required in H.566. Many in the forestry community have testified that more studies are not required and – although they are enthusiastic about working with VSJF – they would prefer to do that while working on actions, not research. It remains to be seen whether either bill will make it out of either committee and we will keep you posted. If you have any comments, please let us know.

CURRENT USE DISCUSSION IN HOUSE AGRICULTURE

In the 2021 session, a bill was introduced that began discussion of adding a category to the Use Value Appraisal Program (Current Use) of "forever wild forests", which would allow property owners to sign up for UVA payments on unmanaged forest land. Commissioner Michael Snyder, FP&R, and others were not comfortable with this designation, maintaining that the program is called Current USE which indicates management and stewardship of land. Chair Sheldon of House Natural asked the Commissioner to develop compromise language for discussion in 2022, and he

complied. Commissioner Snyder and Farm Bureau were asked to visit with House Agriculture regarding this. Keith Thompson from FP&R gave an excellent presentation with a CUV 101 explanation and also why the department maintains properties must have some type of management plan to be eligible for UVA payments. Farm Bureau is supportive of this compromise and will keep you posted as to any further developments. Our policy is that Use Value Appraisal should be STATE TAX POLICY and not a program but that any significant changes to the program must include an easy out for removal of land without penalty.

S.268 CHANGES TO RIGHT TO FARM LAW

A group of farmers worked through some major changes in response to the lawsuit in Addison County between a large dairy farm and an adjacent property owners. This resulted in S.268, which was sponsored by Senators Parent, Brock and Starr and currently is assigned to Senate Judiciary. Farm Bureau has been asked to attend a meeting with several other advocates next week to discuss proposed language changes and deletions. As yet, we have not taken a position on the bill. More to follow after the zoom next week. The bill is on the Legislative website; please let me know if you have any comments or concerns.

SCHOLARSHIP PROGRAMS THROUGH COUNTY FARM BUREAUS

Hey Members! Do you have a college or tech-school bound student in your family that could use help with the costs? Several County Farm Bureaus have scholarships in varying amounts of assistance for families with paid Farm Bureau dues. If you currently live and have paid dues to Washington, Addison, Orleans or Caledonia Counties, please get in touch with one of their board members and ask about applying. There may be other counties offering scholarships, too – if you aren't on the list, please let us know!!

ZOOM OPPORTUNITIES FOR COUNTY MEETINGS

Vermont Farm Bureau has the equipment and expertise available to assist counties who wish to host a meeting of their board. Please contact tommyvtfb@gmavt.net at the State office to set things up.

Remember, this is an election year – we'd love to help counties host a "Meet the Candidate" Event! It will be an important year for interaction with possible new legislators, as well as reconnecting with ones who will be re-elected. Let the State office help! Contact tommyvtfb@gmavt.net or crkdbrks@aol.com (that's Jackie!)

Thanks for reading and supporting Vermont Farm Bureau –

From the team – Gerry, Jill, Joe, Bridget and Jackie