

**VERMONT AGENCY OF AGRICULTURE, FOOD AND MARKETS (AAFM)
AGRICULTURAL INNOVATION BOARD (AIB)**

MEETING MINUTES

DATE: November 28, 2022

LOCATION: 116 State St. Montpelier, VT / Virtual Microsoft Teams Meeting

Member	Present	Absent
Ayer, Clara	x	
Beckford, Roy		x
Bradshaw, Terry	x	
Chamberlin, Jonathan	x	
LaFlamme, Pete (Clarice Cutler)	x	
Ransom, Earl	x	
Rebozo, Ryan	x	
Schubart, Steven	x	
Vose, Sarah	x	
Wendy Sue Harper	x	
Laura DiPietro	x	
Stephanie Smith	x	
Dwinell, Steve	x	
David Huber	x	
Morgan Griffith	x	
Guests in Attendance		
Clark Parmelee Brooke Decker Matt Wood Sylvia Knight Judy Bellairs (Sierra Club VT) Dillon Gabbert (Bayer) Samantha Alger (UVM) Curtis Mraz Molly Feldman Fred Putnam Jr Bethany Creaser Laura O Johnson		

Meeting called to order: 1:00 PM EST

Meeting adjourned: 2:55 PM EST

Next meeting: December 19, 2022 1pm – 4pm

Agenda:

1:00 PM – Welcome, introductions and agenda review

1:15 PM – Update on AIB status and goals

1:30 PM – Farmer survey review and discussion

2:00 PM – Upcoming research by Dr. Heather Darby at UVM: A Smart, Sensible and Sustainable Approach to Neonicotinoid Seed Treatments

2:30 PM – PHARM activities update

3:00 PM – AIB workplan and meeting schedule

3:45 PM – Public Comments

4:00 PM – Adjourn

Welcome, introductions and agenda review

Update on AIB status and goals

- Reviewing AIB legislative charges and reporting requirements
 - Annual report to General Assembly by Jan 15, 2023 with policy recommendations to assist farmers in reducing use and exposure to pesticides and using innovative and alternative practices
 - Survey farmers from every county to better understand agricultural inputs
 - Report to Senate Committee on Agriculture and House Committee on Agriculture and Forestry regarding whether BMPs should be adopted for the use of non-neonicotinoid treated seeds by Feb 15, 2023
- As of right now we don't have BMPs to present for either non-neonic treated seeds or neonic treated seeds
- *ACTION* send Teams link and/or document to AIB members about legislative charges
- Formal appointments
 - 1 person 1 year appointment – Wendy Sue Harper
 - 1 person 2 year appointment – Clara Ayers
 - All other members 3 year appointment
 - *ACTION* AAFM provide letters from Secretary of Agriculture with formal appointment terms
 - Are there limitations for number of reappointments to AIB?
 - Yes, members other than ex officio members shall be allowed to serve not more than three consecutive terms
- *ACTION* AIB members should let Morgan know if eligible for per diem reimbursement
- Members should have received access to the Ag Innovation Board Teams site, which provides a platform for collaboration and communication. We will have all meeting materials available here (although they will also be posted for the public on the AIB website accessible from the Agency home page). In addition, we have all the files of research papers and other states' best management practices saved here for shared access.
 - Reach out to Morgan if you are having problems with access or permissions with the Teams site or if you have any questions

Farmer survey review and discussion (Stephanie Smith)

- Survey farmers from every county in state to better understand current practices and challenges about pesticide use, ag plastic use, synthetic fertilizer use
- State can collect information based on 6 VSA. 61, but identities are protected
- Intent is to run survey annually with same/similar questions to see how practices are changing or how challenges are being addressed
- Therefore we are looking for farmer identification so we can track progress.
- Distribution plan is to reach out to farms with email addresses from Water Quality database and Produce Safety database
- Survey is draft, we are looking for input/feedback from the AIB
 - *ACTION*Send pdf of survey to board members for review and bring comments back by next meeting (likely December)
 - Terry B why are we focusing on synthetic fertilizers? AAFM just referencing legislation. If we are focusing on synthetic fertilizers we are missing large portion of farmers who use manure-based fertilization
 - Best way to provide feedback is to Stephanie and Morgan by email
 - Clara A – thoughtful questions, worry about survey without incentive, may not complete if there isn't an incentive attached. What will wording be when distributed, make sure to say not going to get in trouble from their answers. Set tone that this can lead to potential programmatic assistance
 - AAFM doesn't have funds for monetary incentive, but can emphasize the importance of the survey and can promote the survey through UVM extension, NOFA VT, Agriview (farmers may not look at that), milk checks from coops?
 - Send from trusted members of farm community i.e. Heather Darby, VT vegetable and berry growers association and Vern Grubinger
 - UVM extension has channels to disseminate to most farmers in the state
 - *ACTION*AIB members provide who AAFM can contact from farming community that can help AAFM disseminate survey
 - UVM Extension
 - Grower associations
 - Helpful to send same survey through multiple different channels because that emphasizes the importance of the survey.
 - The Working Lands surveys have good survey forwarding language when send out survey.

Upcoming research by Dr. Heather Darby at UVM (Morgan Griffith)

- Dr. Heather Darby unable to join today Morgan introducing her upcoming project for discussion and questions or follow ups we have for her and invite her to a future meeting for updates on the progress of the project.
- Heather and her team earned an EPA Pesticide Environmental Stewardship Program grant for their proposal to look at a more sustainable approach to neonicotinoid seed treatments.
- EPA PESP grants explore the use of IPM over 2 year periods. And the objective of this project is to provide farmers education and experience with scouting and assessing action thresholds for early season pests in row crops. Thus giving them knowledge to make informed decisions as to whether neonic treated seeds are necessary to prevent crop losses

- The project will give hands-on training to over 250 farmers (representing 25,000 acres of row crops) on how to scout and determine if pest levels are high enough to need neonic seed treatments. A subset of 30 of those farmers will receive 1 on 1 technical assistance with scouting and action thresholds.
- With hopes of starting this Winter, the first part of the project will initiate the education and outreach component of the project with creating scouting protocols and action threshold factsheets for soil pests of corn and soybeans. The education and outreach will continue with a training at the 2023 No-Till and Cover Crop Conference focused on IPM strategies for soil pests in corn and soybeans.
- Outreach events in 2023 will include the 30 partner farms training and tools for scouting and determining action thresholds.
- Also will be a 4-part webinar series providing education on IPM strategies to reduce the prophylactic use of neonics on treated seeds.
- Will have 6 on-farm demonstration sites over the 2 years.
 - It will be an on-site comparison of 5 acres of fungicide treated only seeds vs 5 acres of fungicide and neonicotinoid treated seeds.
 - Scouting and yield data will be collected.
 - Sites will be used for on-farm field days each year, providing participants with hands-on training on scouting, pest identification and action thresholds
- *Question: are action thresholds being developed as part of this project? Or is it using existing thresholds?
- Timing is unfortunate because only 1 year into study before AIB has to report to legislature (March 1 2024)
 - There is a possible workaround: AIB can present what information is needed for a comprehensive report and we can include what additional research/data is necessary to better inform the legislature
- Funding has not arrived yet from EPA for this project to begin
- We want to voice this is a medium term project within AIB. We need to develop tools for farmers to convince farmers that neonics might not be needed, but there will always be the thought that any additional expense for treated seeds is cheap insurance so will use even if pests are not present.
 - Incentives are best approach, with potential to follow up with regulatory mandates for adoption of more sustainable use of neonic treated seeds.

PHARM activities update

- David Huber
 - Pesticide Rule updates
 - Links will be available for original 1991 rule and link to public comment page and roadmap of rule making process and most recent filing set and most recent iteration of the rule
 - Each state is a co-regulator with the EPA. States have to come up with own plan that meets or exceeds the federal requirements. VT is first state in EPA Region 1 (Northeast region) to approve C&T plan
 - Plan is for Certification & Training purposes.
 - Rulemaking process

- Draft amendments
 - Prepare filing set for ICAR (Interagency Committee for Administrative Rules)
 - Present the rule to ICAR (3/14/22 and 3/29/22)
 - Makes sure rule is not redundant of other agency rule, or infringing on any other agency rules
 - Public hearing (6/15/22)
 - Video available on Agency website and youtube
 - Receive comments (through 6/23/22)
 - Respond to comments
 - Responsiveness summary available on Agency website
 - Prepare for filing set for LCAR (Legislative Committee for Administrative Rules)
 - Includes changes from public comments and ICAR as appropriate
 - Present to LCAR (12/1/22)
 - Prepare a final filing set of the rule
 - Final rule in use after 30 days post last filing
 - Summary of Amendments
 - See link to meeting materials for presentation for detailed list of amendments.
 - Section numbers have changed for better readability
 - Restricts the use of federally RUP to certified applicators only, no longer can be uncertified, but under direct supervision of certified applicators.
 - Additional Pollinator protections
 - Notification requirements to apiculturists
 - Apiaries have to be registered with AAFM the map of registered hives is available on Agency web.
 - Question: can farmers be notified when apiary is neighboring fields (like farmers are notified of neighbor well location) to adjust necessary buffers?
 - When rule in effect Agency policy will follow suit to better serve both apiculturists and farmers affected by amendments.
 - Rule should protect apiculturists, but also protect land owners/farmers managing fields
 - Creating terrestrial invasive species control permit process
 - If all goes smoothly at LCAR and approved 12/1/22 rule could be in effect by 12/31/22, but most likely early 2023
 - *ACTION* Grower association meetings coming up this winter. Agency should send rep to inform all growers about this upcoming new rule
 - Also is beneficial to highlight where pollinator protection committee recommendations were incorporated into the rule
 - Contact Dave with any questions
- Stephanie Smith – AAFM Seed Program
 - The Agency registers seed “distributor[s]” annually.
 - Seed "Distributor means a person who purchases, repackages and sells seeds.”
 - Registrations are from January 1 to December 31, and the renewal process begins approximately 45 days before the expiration date (November 15 in a given year).
 - Cost is \$85, annually (base fee for all seed distributors).

- In addition to registration and fee, distributors that sell seed in containers more than ten pounds must report and pay a tonnage fee, \$10.00 per ton sold in Vermont.
- Currently the Agency has 113 active seed distributor registrants from the across the US and internationally.
- Twenty-one distributors are located in Vermont.
- The Agency does not register or regulate retailers of seeds.
- Seed Reporting
 - A tonnage report must be filed annually on or before January 15 for seed sales during the previous calendar year.
 - For seeds containing genetically engineered material, the manufacturer or processor distributing in VT must report annually on or before February 15 regarding sales during the previous calendar year.
 - The traits are generally herbicide tolerant or insect resistance
 - In 2021 687 tons sold, down from 1,200 tons in 2020
 - Laura D. asked if we had information about seed from 2019, VAAFm does but didn't have on hand. Not sure of why the decrease.
 - For treated article agricultural seeds, the manufacturer or processor distributing the seed in Vermont reports annually on or before February 15 regarding the quantity of treated article seed and the quantity of untreated seed sold in Vermont during the previous calendar year.
 - The Agency doesn't currently collect information on the type of seed treatments, which could include:
 - Plant protection- fungicide insecticide
 - Growth Regulators
 - Bio-stimulants
 - Micronutrients
 - Inoculants
 - In 2019 12 companies reported treated seed to the Agency. In 2021 only eight companies reported distributing treated seed into Vermont
- Recommendations
 - The Agency does not receive and review seed products labels from the registrants, <https://agriculture.vermont.gov/sites/agriculture/files/documents/PHARM/Seed/Seed%20Label%20Requirements.pdf>, for grasses and agricultural crops, GE and treated seed products.
 - Hiring a programmatic person at the Agency to review seed labels prior to registration of distributors
 - Revisit the registration process/workflow to establish a control point that allows for label reviews
 - request labels or subset/example of labels to conduct review for compliance with label requirements.
 - Agency doesn't capture information on kinds of treatment applied to seeds

- Potentially amend the form used for 2023 and request this information
 - Improve communication to registrants and potential registrants
 - Enforcement
 - Follow up with prior dealers to ensure their registrations are current
 - Enforce when reporting is not completed
 - require an entry of “0” on forms so that we are getting all the information we need
 - Database and reporting improvements
 - Updates to licensing and registration database to facilitate the registration, review and reporting processes
 - Interim is use MS Forms to address reporting, enabling electronic report (which could be easier for some).
 - There are general requirement for labelling for treated seed, additionally there are the following:
 - Treated seed of any type additional requirements:
 - 1) Must state that the seeds have been treated.
 - 2) Common chemical name of the applied substance.
 - 3) Any cautionary statements if the substance is harmful to humans or vertebrate animals.
 - 4) If substance is toxic, a poison statement or symbol must be on the label.
 - 5) If an inoculant has been used, the date of expiration of the inoculant must be on the label.
 - Question: Clara A. are there data showing the percentage of treated vs untreated seeds used in VT?
 - This is currently a gap in our reporting requirements, we don't have this information other than from the tonnage reports showing treated seeds and untreated seeds, but these treatments can include all of the previously mentioned types of treatments.

AIB workplan and meeting schedule

- Finalize annual report
- Finalize recommendations for non-neonicotinoid treated seeds
 - Is assumption that this is easier than neonic treated seeds?
 - AIB has not received any presentations or information about
 - No complaints that we are aware of for non-neonic seeds in pesticide enforcement
 - Non-neonic treated seeds are not very available
 - *ACTION*we can collect some labels to try and gather information about any non-neonic seeds
 - *ACTION*Members bring to board generic treated seed BMPs for January AIB meeting
 - Ex. Dispose of unused seed properly
 - Other state examples on Teams are neonic specific BMPs we are not aware of examples of this type of BMPs available specifically for non-neonicotinoid treated seeds

- Proposed workplan:
 - Schedule 2 meetings now and work on these 2 reports (annual report and non-neonic treated seeds) as well as review Farmer Survey
 - AIB members agree with this plan.
 - We should focus on one issue start to finish then move to next issue.
 - *ACTION*AAFM formalize this plan into email to AIB
- Question: what has already happened at AIB?
 - Intro, meetings were supposed to be topic focused, but we never got past the neonic issue. When AIB paused it didn't feel ready to draft BMPs for neonic treated seeds.
- Meeting
 - Montpelier convenient for Clara, Terry, Steve S, Ryan, Earl
 - Look around for better room – perhaps VAEL conference room in Randolph
 - Option to send out survey to members for meeting location alternatives to incentivize in person participation
 - Keep at 3hr (1pm – 4pm)
 - Dec 19 1pm-4pm Montpelier (or nearby)
 - Jan 23 1pm-4pm
 - *ACTION*give Laura background docs and resources to read to get caught up
 - Proposed agenda items?
 - None proposed by board at this time
- Field trips are a great idea for future AIB meetings

Public Comments

- Sylvia Knight
 - Earth Community Research and Advocates
 - USGS lake Champlain testing and found neonics in water, sent data to steve Dwinell
 - PFAS compounds found in pesticides (Texas study)
 - This is significant exposure to aquatic
 - Asking AIB to look at PFAS
 - glyphosate fact sheet has information contradicting research on glyphosate and recent court verdict
 - asking AAFM to look at fact sheet and remove from website until document is in accordance with court findings
 - Thank you for working on these issues

New Action Items

Action	Responsible Party	Complete? (date)
Send Teams link and/or document to AIB members about legislative charges	Morgan G	11/29/2022
Provide official appointment letters from Secretary of Agriculture with formal appointment terms	Morgan G / Steve D	
AIB members let Morgan know if eligible for per diem reimbursement to receive necessary paperwork	All eligible AIB members	

Send pdf of survey to board members for review	Morgan G	11/29/2022
Review and comment on farmer survey return to Stephanie and Morgan by Thursday, December 15	All AIB members	
AIB members provide contacts to AAFM from farming community that can help disseminate farmer survey (i.e. UVM extension contacts, grower association contacts, etc)	All AIB members	
AAFM should send representatives to inform all growers at upcoming grower association meetings about upcoming new pesticide rule (Also is beneficial to highlight where pollinator protection committee recommendations were incorporated into the rule)	Dave H (Field Agents)	
AAFM request seed labels to gather information about any non-neonic seeds available	Stephanie S	
AIB Members provide ideas for generic treated seed BMPs for January 23 rd AIB meeting (i.e. proper disposal)	All AIB members	
AAFM formalize AIB workplan through January 2023 and email to AIB	Morgan, Steve D, Dave, Stephanie	
Provide Laura D background docs and resources to read and get caught up on AIB	Morgan	11/29/2022

Ongoing Action Items

Action	Responsible Party	Complete? (date)