

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

**MEETING MINUTES**

DATE: December 9, 2024

LOCATION: Vermont Agency of Agriculture, Food and Markets 94 Harvest Lane, Williston, VT 05495 –  
Conference Room 210 / Virtual Microsoft Teams Meeting

<b>Member</b>	<b>Present</b>	<b>Absent</b>
St. Pierre, Amanda		x
Beckford, Roy	x	
Nourse, Nate		x
Chamberlin, Jonathan	x	
Pajak, Abbi	x	
Kemp, Brian		x
Rebozo, Ryan		x
Schubart, Steven		x
Wadman, Pam	x	
Harper, Wendy Sue	x	
DiPietro, Laura	x	
Dwinell, Steve		x
Griffith, Morgan	x	
<b>Guests in Attendance</b>		
Emily May (Xerces Society) Stephanie Smith Jill Goss Shawn Lucas Mia Park (Xerces Society) Pam Bryer Jared Carpenter (Lake Champlain Committee) Alisha Utter (Farmer Consultant) Heather Darby (UVM) Anna Seuberling (VPIRG) Christine Villegas (Bayer) Jonathon Wolff (Crop Life America) Zach Szczukowski Lisa Fantelli		

**Meeting called to order:** 1:00 PM EST

**Meeting adjourned:** 2:44 PM EST

**Next meeting:** Monday January 27, 2024, 1-4PM

**Agenda:**

**1:00 PM** – Welcome & introductions

**1:05 PM** – Agenda, previous meeting minutes

**1:10 PM** – AAFM update

**1:20 PM** – Recommended Best Management Practices for Neonicotinoid Treated Article Seeds and Other Uses of Neonicotinoid Pesticides – Emily May, Agricultural Conservation Lead, Pesticide Program, The Xerces Society for Invertebrate Conservation

**2:20 PM** – Neonicotinoid Treated Article Seeds and Neonicotinoid Pesticides Best Management Practices Draft Rule Discussion & Member Recommendations

**3:50 PM** – Public Comments

**4:00 PM** – Adjourn

### **New Action Items**

<b>Action</b>	<b>Responsible Party</b>	<b>Complete? (date)</b>
Provide Morgan with additional suggestions for next topics for AIB to address	AIB Members	

### **Ongoing Action Items**

<b>Action</b>	<b>Responsible Party</b>	<b>Complete? (date)</b>
AIB members let Morgan know if eligible for per diem reimbursement to receive necessary paperwork	All eligible AIB members	
Provide Morgan with additional suggestions for next topics for AIB to address	AIB Members	
Review draft neonicotinoid BMP rule and leave comment or let Morgan know you have no further comment after review	AIB Members	
Review recommended neonicotinoid BMP document provided by Xerces Society and provide comments to Morgan, including specific BMPs or information to include in draft BMP rule	AIB Members	12/9/24

### **Welcome & Introductions, agenda & previous meeting minutes**

- Meeting minutes from October accepted without edits
- VT Dept of health hired new state toxicologist from EPA, Dr. Andrea Kirk

### **AAFM Update**

- AIB Annual Report draft coming soon will send draft in early January for member review
  - Includes efforts of AIB relevant to neonicotinoid BMP recommendation, in addition to other topics heard during the year and survey results

- Additional survey results coming from Margaret Skinner and the UVM Entomology Research lab in late December

**Recommended Best Management Practices for Neonicotinoid Treated Article Seeds and Other Uses of Neonicotinoid Pesticides – Emily May, Agricultural Conservation Lead, Pesticide Program, The Xerces Society for Invertebrate Conservation**

- Xerces Society bridge science and practice to protect pollinators
- Pulled recommendations from numerous resources and interviews with experts
- Comprehensive recommendation includes BMPs in sections: Treated seeds, neonicotinoid pesticides, and when used under exemption
- Built around basic IPM practices: monitoring, thresholds, mitigating risks when neonics are used
- Overarching idea is to identify what the minimum standards or practices that are enforceable with the indent to reduce the risk to pollinators
  - This document is a lot of detail and a lot of guidance, that doesn't necessarily have to be in rule
  - It makes sense to keep threshold levels and guidance that is subject to change outside of rule so that it can change as more research is conducted
  -
- Neonic treated seeds BMP recommendations
  - Use preventative measures to minimize impact of seed pests i.e. wait to plant 2-3 weeks after till in cover crop
  - Suggest that following label is enforceable and should be a "shall" statement in the rule
  - Mixed evidence of reduction in dust with alternative seed lubricants so hesitant to recommend using alternatives, just recommend to use correct rate of seed lubricants
  - Recommend prior notification 24hr for planting neonic treated seeds and 48hr for neonic pesticides
  - Recommendation includes detail about cleaning and rinsing equipment and PPE
  - Treated seed disposal recommendations to include in rule that is not currently in draft
    - Plant excess seed by doubling back and dispose of in lined landfill
- Agricultural Use of Neonic pesticides (not prohibited in Act 182)
  - Definition of IPM in draft rule did not meet typical definition – better definition in the Pesticide rule – would like to include thresholds and monitoring
    - Specific thresholds can be part of outside guidance
  - Label is the law is the minimal standard for enforceable rule
  - Recommendations chosen to reduce drift and movement of neonics
  - Avoid tank mixes with potential synergists included that is not in the draft rule
  - Time trunk injection and soil application so as not before or during bloom
  - Trying to line up buffer zones with pesticide rule regards to buffers from water sources and pollinator foraging sites
- Use of neonic pesticides otherwise prohibited but used under exemption order
  - Makes sense to have BMPs in place for these uses to reduce risk to pollinators – specifically on ornamental plants because they pose risk as they are attractive to pollinators
  - Built around IPM framework
  - Seems possible to have emergency exemption for new invasive insect species

- What about existing invasive/introduced species?
  - Up to AAFM to define what is ornamental plant definition, does it include flowering trees? I don't know? Would AAFM consider an ash tree to be ornamental?
    - AAFM referenced the definition in Act 182 that defines ornamentals as planted for aesthetic purposes

### **Neonicotinoid Treated Article Seeds and Neonicotinoid Pesticides Best Management Practices Draft Rule Discussion & Member Recommendations**

- Members reviewed their comments and suggestions after review of draft rule and Xerces recommendations.
- Include reference to follow PPE and any required training in general when using neonic treated seeds
- Include BMP to develop economic threshold levels based on scouting, pest pressure and damage for use of both neonic treated seeds and neonic pesticides
- Inclusion of BMP regarding rotation of neonics with other classes of insecticides for resistance management
  - Resistance management BMP language relevant to different modes of action is better option so includes insecticide classes and genetic resistance – rotate not correct word. Possibility to use “utilize different modes of action to avoid resistance development in pest populations”
- Beekeeper communication should be both ways – responsibility for farmer to notify apiary on premise, but also responsibility for apiary on a property to notify operator of that land about hive location
  - Option to include language to the statement about communicate at least 48 hrs before to include a “but no more than 3/6/9 months prior to application”
    - Would have to talk with beekeepers about max time limit for notification
- In drift prevention of neonic pesticide section members discussed BMP prohibiting applications when trees and shrubs are in flower, or shortly before flowering and avoid drift onto flowering weeds in or around treated area
  - Jonathan Chamberlin expressed concern because logistical challenge of finding time slot for application when nothing (in or around) can be flowering at time of application. Also pointed out the other BMPs listed are to eliminate drift off-target and then this BMP suggests drift occurs even if you follow all those other BMPs so prohibition is required. Some contradiction.
- Discussion of aerial application BMP options. No prohibition of aerial application of neonics currently in draft rule, but does limit to no greater than 10ft above canopy.
  - JC: Drone should be exempt from fixed wing or helicopter aerial application because of increased precision and decreased distance from ground.
  - Drone applications direct at ground so less risk of drift.
  - Zach will workshop wording to capture comments into proposed language in the rule
- JC comment: concerned with IPM framework of BMPs, highlights that VT rule needs to match with NY in order for VT farmers to have any buying power of non-neonic seeds. He is OK with utilizing science from local land grant universities (Cornell and UVM) for pest risk assessment.

- Wants VT to be able to be granted exemption orders when same criteria are met in VT and NY
- Heather Darby working closely with Cornell counterparts in putting together risk assessment, working collaboratively to create database of pest risk assessment tools
  - VT may decide to issue exemptions differently than NY, but they will use the same risk assessment tools.
  - NY has more resources at hand for this research.
  - Meeting in January to finalize field protocols for this year – put in place what Cornell doing in addition to VT’s more strategic field protocols
  - UVM preliminary data show that probability of seed corn maggot triples with manure and tillage. VT has a lot/increasing farms that no-till in VT, but we have tillage and we have a lot of manure. VT is different but the same than NY farms
  - UVM Preliminary data on fluency agents found one fluency agent that suppressed neonic in the dust – more so than seed that didn’t have any fluency agent. Some alternatives just as bad as graphite and talc.
  - Looked at 2 seed companies and dust released with different fluency agents was significantly different from different company
  - All preliminary data but more to look at regarding seed lubricants
  - Cornell doing a lot with modeling, growing degree days, sticky traps for seed corn maggot – it’s often too late when sticky traps indicate a flight is here. So there is a lot to incorporate into modeling and prediction.
  - Heather looking for availability to present research to AIB at next Jan 27 meeting
- Discussion about information appropriate for administrative rule and information appropriate for accompanying guidance document
- **Public Comments**
  - Shawn Lucas question about scouting inclusion in the rule and established protocols
    - Lack of practical scouting protocols available for seed corn maggot

\*\* - indicates action items