

## Franklin County Listening Session Notes

**Date:** 3/25/24

**Location:** St. Albans, VT

**Partner(s):** Franklin County Natural Resources Conservation District (NRCD), Grand Isle Natural Resources Conservation District (NRCD), Franklin & Grand Isle Farmers Watershed Alliance

**Attendees:** 38 attendees (including VAAFM staff and legislative representatives)

### Common Acronyms

**ANR:** Agency of Natural Resources

**ARPA:** American Rescue Plan

**BMP:** Best Management Program (water quality program through VAAFM)

**CSP:** Conservation Stewardship Program (NRCS)

**DEC:** Department of Environmental Conservation

**EQIP:** Environmental Quality Incentives Program (NRCS)

**FSA:** Farm Service Agency

**NRCD:** Natural Resource Conservation District

**NRCS:** Natural Resource Conservation Service

**RFSI:** Resilient Food Systems Infrastructure program

**USDA:** United States Department of Agriculture

**VAAFM:** Vermont Agency of Agriculture, Food, and Markets

**VHCB:** Vermont Housing and Conservation Board

### Notes As Followed

#### Act 250, Accessory On Farm Business

- Abbey Willard, Director of the Agriculture Development Division at VAAFM provided an update on Act 250

- Language will be limited on what comes out of the House; this doesn't change any of the designation around events. However, it's only the first half of the legislative cycle, hopefully we'll get it amended in the next half of the session
- There was a big push to have folks to come testify for the House, we're hoping to get more
- Really heavy lift to try to change the designation to be able to allow farms to diversify, we're getting a lot of resistance. There are some towns that don't have zoning and are exempt from Act 250
- There's an environmental concern from ANR
- Secretary Tebbetts provided his input
  - Our stance at VAAF is farmers should be given the tools to diversify, and shouldn't be forced to go through the same full permitting process as all other businesses/development
  - In the farming community, margins are extremely tight
  - We're just asking for a little flexibility
  - We're hoping that people will be open
- Farmer: *"We're kinda slow going on this." (understanding layers of regulation and approval)*
  - 2008: I had gone in front of the town and proposed we do value added agriculture, allowing them to diversity. I've been frustrated that I'm on land that was my grandfathers, all I wanted to do this year was a small farm stand. They are temporary structures, and it feels like pulling teeth to get permission
- A farmer started with the town in December, then had to go through the state on variances, finally got an answer today (March 25)
- Town put restrictions on value added agriculture enterprise
- The definition of agricultural structures includes the word 'fence'.
- They're thinking of cutting our town into two different districts. Redoing all the bylaws.
- Not having clear definitions is incredibly frustrating
- There are no farmers at all on the board for Act 250.
- Looking for more housing
- *"It's not the people that own the land that are making the rules, and then you're going to get punished when you try to do something with it."*

## Act 59

- Farmer is on the Act 59 working group, and they feel that ag should be included. When they presented that at the public meeting, they got a lot of pushback. Makes the farmer question what's going on, why they were invited to the party so late.

- Act 59: Protect by 30% of land by 2030 and 50% of land by 2050. Hundreds of definitions within the act, creates a lot of animosity for people who don't have the same viewpoint, especially as you get into it, and you get resistance. Don't know how you get invited to the party earlier, how to get your voice in earlier before it's too late.
- Secretary Tebbetts: How is their perspective going to impact farmers?
- The farmer said It seems like the pushback is from the early group or a channel down to us... I've been at a public meeting that didn't feel good.
- Nicole Dubuque: Ryan Patch has pushed really hard to make sure there are actually farmers there that can voice their opinion.
- Farmer: Will we get the opportunity to defend our position to those who made the decision?
- Jeff Sanders calling out the fact that there's not enough public notice.
  - How do you define biodiversity? How do you define sustainable?
- Biodiversity in the state of Vermont is probably the best in the country.
- 'Ag land conservation has nothing to do with housing' Jeff Sanders says that's very untrue.
- There are very few people who get to define what goes into the Act
- VAAFM's position is that ag should be included, but a lot of people feel like it shouldn't
- There is a topic of research on farms to prove that biodiversity grows in ag lands
- 'Any intensely managed land is not appropriate for conservation'
- Ag land provides food for people... seems like a really unhelpful bill given that in general, biodiversity in Vermont is on the upswing.

### **Avian Influenza**

- Secretary Tebbetts: there are herds in Texas, Kansas, New Mexico that have gotten sick due to avian influenza
- New wave of avian influenza that's been announced, you might see some stuff on that. Pasteurized milk has been deemed safe, and the cows seem to be recovering
- USDA announced today that avian influenza is the cause
- It's not clear as to whether unpasteurized milk is safe
- In the poultry world, there have been millions of birds that have been depopulated (euthanized)
- Believed to be spread by wild birds

### **Beef Farming**

- Farmer: you can get around \$7-8 dollars per pound for veal, \$1-2 dollars per pound for beef

- Beef farmers are going to go out of business.
- *“We’re not giving Vermont farmers any competitive advantage, legislation is giving them a competitive disadvantage.”*
  - Out west it’s so incredibly cheap to raise beef cows.
- Farmers have to pay the state inspector to be there for butchering, which increases the cost

### **Contact with Legislators**

- There was a lot of talk about legislation and different points to bring up to legislators at this listening session.
- If we want to talk to our legislators, what’s the best process? Email?
- In person conversations with the district are helpful.
- Governor has open coffee hours from 8-9am on Thursdays.
- Key committees are natural resources, ag, finance, and appropriations
  - These committees are the most consequential to agriculture right now.
- Franklin County has monthly breakfasts that legislators attend.
- Sarah McIlvennie invited legislators to listening sessions, and mentioned that we can pass the notes along to legislators

### **Crop Cash**

- Positive news: Last year the state of VT did the Crop Cash plus coupons at farmers markets, and that’s a huge help. Farm to family coupons help. Farmer asked if that’s going to continue
- Secretary Tebbetts: The house ag committee did request it to the appropriations committee for \$400,000 to continue to program.
- Another farmer echoed that the Crop Cash program was very helpful.
- Farmer asking: Can Crop Cash coupons be used outside of the program?

### **Farm Service Agency and Emergency Preparedness**

- Lauren Weston (Franklin County NRCD): Currently in FSA if you have the same weather event twice in two years, you can get funds, but if you have it the third time, you can’t get any money through FSA.
  - Asking if the state can address the gaps with the new Farm Bill
  - Climate change is happening, and same events are going to keep happening
- Secretary Tebbetts: On the state level, we have no real emergency funds, and we know that we need to get one

- We definitely need to address it given climate change
- Discussion on Dairy Margin Coverage Program premium reimbursements
  - Senator Starr asked for information. He doesn't know if he's going to include it in senate appropriation or not. Stay tuned.
  - We have more people enrolled because of that.
- Things are a little different this year because some of the federal and one time money has gone away.
- Encouragement to engage with your senators and representatives.
- Property transfer tax could impact farmers, follow the revenue and spending side.
  - Could be as simple as wanting to pass it down to your relatives. A brother passed a farm to another brother, and they were surprised to have a lot of tax implications.

### **Federal Agencies/Grants**

- There's a lot of money right now through ARPA and NRCS, how do we streamline/do we have the capacity to get the millions of dollars we have right now out to farmers in meaningful ways?
- NRCS has a local funding pool, and is working with districts
  - Conservation Stewardship Program (CSP) CSP and Environmental Quality Incentives Program (EQIP) are avenues
- There was a question as to whether VAAFAM can put pressure on Washington D.C. to pass a new Farm Bill
  - So many farmers have already capped out on federal grants years ago, and now they're waiting for a new bill
- CSP pays less than EQIP
- Federal government is pushing CSP, and it's not the best fit for VT farms because they have such small acreage
- Secretary Tebbetts: Cost Share programs on the stateside need to match the federal dollars
  - The State has some Covid dollars that are working their way through, although he's getting nervous about the talk in Montpelier
- A representative from NRCS asked if the state would consider raising their BMP and EQIP payments
  - Secretary Tebbetts responded that it may be possible, but he needs to check the statues regarding an umbrella increase in payment ceilings.
- Farmers are saying that they can't financially complete conservation projects, even with assistance from the State

## Importance of Farming in Vermont

- There's definitely needs in the farming community
- Jeff Sanders (UVM): 'I've traveled around the country quite a bit. If Vermont keeps hammering on their farmers, people are going to leave the state. I was helping a farmer who did wind up leaving the state.'
- *"I know the Agency of Ag is supportive, but you need to talk to other agencies."*
- There will be unintended consequences if neonics are banned
- Instead of fostering a culture of encouraging people to farm and stay here, the state is pushing people away
- Farmers need to work in an environment that's fostering what they're doing
- *"The legislature can't keep putting their boots on the throat of the farmer."*
- What is the legislature going to do to keep farmers here? Culturally, having the ability to be a part of the farming community is super important
- If farmers leave, the state of Vermont is going to look very different
- If given the resources and knowledge, farmers will do what is right by the soil, land and their communities and families
- Vermont should invest in the increasing number of farms, not increasing the size of farms
- Transition from preservation of prime ag soils to preservation of sustainable farms (ex: work done through the VT Land Trust is focused more on soil than on sustainable business and stewardship)
- Farms need more support and resources, and the service providers who support them need more support and resources – there should be unlimited funds for farm viability and farm transfer work (as done through VHCB, Intervale, UVM Extension)
- The state should support increasing farmers' bottom line by offering ecoservices payments, universal health insurance and supporting construction or securing of housing
- There needs to be adjustment/change/re-writing of rules that prevent the children of farmers from getting loans for infrastructure on their family's farm without the children's ownership of that land
- There needs to be more support for/to allow regulatory pathways and scale appropriate legislation to encourage farm start-ups and small-scale agriculture
- Cooperative models give small farmers a voice and should be supported/facilitated
- We need State support for obtaining at least one parcel of land in every town in Vermont for Black, Indigenous and People of Color to create a rural network of support and community for the BIPOC residents of VT.

- € We need to minimize adversarial relationships between organizations and agencies that support the growth of farms and use of land to ensure “we” are all working together for the health of the agricultural sector.

## Lake Carmi

- Governor declared Lake Carmi to be in crisis
- A farmer was told that there was going to be \$2.2 million available to farmers in Franklin County
- Secretary Tebbetts: There’s a line in the budget for the Lakes in Crisis Fund. Approximately \$50,000. The Agency of Natural Resources is more involved in this work.
- Quote from a farmer: *‘You keep telling us that there’s more money, there’s all sorts of money out there. And anytime we go to use it, it’s gone.’*
- U.S. Fish and Wildlife hasn’t bought any land around the lake.

## Milk

- There was a discussion on labeling milk
- *“There’s no such thing as soy or oat milk.”*
- Senator Welch introduced the Dairy Pride Act, which would prevent labeling nut juices as milk
- No ag bills are moving outside the senate
- If you want the farm bill to move, call any farmers you know in Montana and have them talk to their senator.
- Ongoing negotiations over mandatory spending is what is stalling the farm bill
- Secretary Tebbetts: *“Milk in schools is tremendously important for dairy farmers.”*
- Ag bills have passed the house, and are being stalled in the senate in Washington
- Nutrition and taste of whole milk is superior
- Milk in school is warm, expired, and was described as ‘chunky’. Whole milk isn’t going to fix that.
- Packaging of milk is a much bigger issue.
- *“There’s crates and crates of milk in the corridor. (in schools) And for how long?”*
- Food service directors are very creative around the rules and doing their best with what they have
- Apparently there are laws surrounding the amount of milk you can serve in schools: 8 ounces no matter how old the kids are

- Windham is able to get their milk straight from a farm. This caught Senator Welch's attention.
- Schools are spending a lot of money on waste with the amount of cardboard for milk cartons

## Regulatory Bodies

- Jeff Sanders (UVM): We have three different regulatory bodies, somewhat overlapping scope of regulation, singular farmer or landowner has to navigate all three before they actually get a determination.
  - Farm Service Agency is federal, as well as Army Corps. of engineers, State and federal agencies need to communicate more, and one farmer shouldn't have to go through all three agencies separately.
- Grand Isle County Farmer & Business Owner:
  - I just talked to stormwater today. I'm a mechanic trying to bring the shop back to the farm
  - They're wanting to charge \$2,000 for stormwater
  - He sent an email
  - Located in South Hero
  - *"I think the state is very quick to charge for stormwater."*

## Wetlands

- A wetland violation for an acre of land is \$180,000
- *"You can't fight the state because we don't have the resources to fight them."*
- *"My violation was that I took the tree stumps out, so now I've got a field that I spent tens of thousands of dollars on, and I can't use it."*
- Someone came into Franklin County and possibly over-mapped some wetlands
- When areas are over-mapped, it has completely sidelined the business, and it leaves farmers ineligible for grants
- In the state of Vermont, engineers aren't able to say 'this is this type of wetland'
- It's a waste of money because engineers have to defer to the state anyways
- There's a new remote sense mapping system
- The state wanted to change the law to skirt their responsibility
- The Agency of Agriculture, Food, and Markets has to deal with the fallout from the Agency of Natural Resources.
- It feels like a public takeout of private lands
- This forces the individual to go to the government to prove that their non-wetland is a non-wetland, rather than the other way around



- The Department of Environmental Conservation says that it's possibly over-mapped
- Over-mapping derails people's plans for their businesses and livelihoods
- Secretary Tebbetts says that there's some disagreement over the accuracy of the maps, and that for follow up, a deeper dive into the wetlands program is needed. The Agency of Natural Resources is more involved in this.
- Ryan Patch is VAAFMs expert on wetlands.
- It's incredibly difficult to have the state declare which type of wetland someone's land is
- Someone from the state came onto a farmer's land without asking to say that they had violated something.
- There needs to be more talking to farmers surrounding violations
- *"We're told so many things and they're lies... to me a lie is when you don't tell the whole truth."*
- A farmer said that they were approved on paper to clear some land and got the logs out. A year or two later he was told he's in violation.
- *"My insurance nearly doubled in liability this year. And they want to know numbers, they want to know your income and everything. Someone's going to come get you."*

### **VAAFMs Grants & Programs**

- VAAFMs and VACD budgets should provide funds to support the Vermont Farm Show.
- A farmer stated that many of the water quality programs support farmers.
  - He suggested talking with farmers on how to tweak and improve some programs in the Water Quality division
- Jeff Sanders to Secretary Tebbetts: 'Do you see the BMP program going up/down/staying steady?'
  - Secretary Tebbetts replied saying he thinks the program will stay steady; there are people lining up for projects
- When the Agriculture Development division announces grants, it seems like there's a really small window of opportunity. You only have 4-5 weeks to get your entire plan put together.
- This year's maple grants were the biggest program ask we've ever had
- Last year VAAFMs went to the legislature asking for \$10 million in funds for maple, produce, and meat grants, and we were awarded approximately \$2.3 million
- 3% of the applicants for the maple program were awarded.
- We know the need, and how much the industry is growing
- The whole point of the program is infrastructure to support our food system
- Meat and produce grants are going to disappoint even more people. Demand for that exceeded maple in requested dollars.

- Overall there were \$57 million in request, with \$5 million in available funds for grants through VAAFM's Agriculture Development division this year.
- We had resources, and it pales in comparison to the requests
- A farmer asked why the minimum request for the ADG (Meat and Produce) grants was \$35,000. Having a lower minimum would have eased barriers for smaller farms/businesses
  - Sarah McIlvennie (Meat and Produce ADG grant manager): We wanted it to be lower, but we don't have the capacity to administer that many grants
- For Working Lands, awards need to be bigger to make a bigger impact. Infrastructure is so incredibly expensive.
  - Farmer mentioned that this can push smaller businesses out of business
  - Small farm diversification grants: \$150,000 in funds available, received approximately \$2.3 million in requests (only 3% of requests will be awarded)
- Abbey Willard and Sarah McIlvennie from Agriculture Development division recognize that this is not a sustainable cycle; VAAFM is determined to use the need we captured with these grants to get more resources to farmers and farm businesses
- The state should be supporting small scale distributors with equipment to increase the capacity for distribution and coordination of Vermont products throughout the state
  - This should include working with retailers and wholesalers to make it profitable to carry Vermont products, and to support Vermont products being accessible through charitable food organizations
  - Continue to incentivize school food services being able to source local produce
- How can the State transform Farm to School to be more inclusive of different access points – like "Farm to Community"
- Support the creation and expansion of aggregation centers to allow comingling of regional products/produce, who could also serve as distribution hubs to get products to outlets, charitable organizations and school food services
- The State should develop/support development of guidelines (rubrics?) for loans, grants and financing/access to capital for agricultural enterprises for banks, loan agencies and private lenders to use that would:
  - Appreciate different business models, farming/production methods and crops
  - Value years of experience of the farmer/farm family, commitment, resources, community support, neighborhood makeup, market security more than a business plan or land ownership
  - Value direct marketing proportionally higher than commodity and wholesale sales
  - Value Farmers and farm family's impact and influence on their communities and geographic region

