

Proposed RAP Rule Announcement

Agency of Agriculture Files Required Agricultural Practices Proposed Rule with Secretary of State

Announces Public Hearings with Public Comment Period to Run until July 7, 2016

On Friday, May 13, 2016, the Vermont Agency of Agriculture, Food and Markets (VAAFAM) filed the Required Agricultural Practices (RAPs) Proposed Rule with the Vermont Secretary of State. This filing represents the start of the formal rulemaking process during which the public will continue to consider the strengthening of agricultural water quality standards for Vermont farms. A public comment period on the Proposed Rule will be open until July 7, 2016, with five public hearings on the Proposed Rule scheduled for the end of June. The Proposed Rule is available today on the Agency website: <http://agriculture.vermont.gov/water-quality/regulations/rap>

“This Proposed RAP Rule, which will apply to all types of agriculture, represents a serious commitment on the part of the agricultural community to enhance water quality throughout Vermont,” said Vermont Secretary of Agriculture, Chuck Ross. “The Vermont agricultural community is culturally and economically critical to the State of Vermont, and farmers have shown through this process to date—by showing up and providing input—how they truly desire to be part of the solution for clean water throughout Vermont.”

As a result of Act 64—the Vermont Clean Water Act—signed into law in June 2015, the Agency of Agriculture was tasked with updating the Accepted Agricultural Practices (AAPs) to further reduce the impact of agriculture on water quality across the state. The RAPs are an updated version of the AAPs, the rules in place since 1995 which regulate farms in order to protect water quality, re-written to a higher level of performance.

VAAFAM released a first draft of the RAPs on October 20, 2015 and held a public comment and outreach period which ran until December 18, 2015. VAAFAM then revised the RAPs based on comment received and released a second draft for public review on February 23, 2016. VAAFAM considered comment received from February 23, 2016 up to April 15, 2016 and submitted a third draft of the RAP Rule as part of a pre-filing process to the Interagency Committee on Administrative Rules on April 20, 2016. The ICAR committee met on May 9, 2016 and provided comments the following day, which have since been incorporated into the draft. That draft is being released today by VAAFAM as the Proposed Rule that has been filed with the Secretary of State which initiates the public comment period of the formal rulemaking process. The public comment period for the Proposed Rule will run from May 16, 2016 to July 7, 2016. To date, VAAFAM has

held more than 80 small stakeholder and large public meetings on the RAPs to solicit feedback from farmers, stakeholders and the public.

“VAAFM would like to thank the more than 1800 individuals who attended the over 80 meetings held by VAAFM and our Water Quality Partners since October last year who took the time to provide comments or otherwise participate in this public process,” said VAAFM Agricultural Resource Management Division Director, Jim Leland. “The public engagement and participation in the process thus far has been instrumental in developing an effective and workable rule for all farms in Vermont.”

“One of the largest takeaways from the Proposed RAP Rule,” said Leland, “is that while the Rule sets strong baseline performance standards, there is the opportunity for farm operators and planners to develop and submit to the Agency for approval, specialized alternative management plans to address site-specific conditions.” Leland continues, “This ensures that the Proposed RAP Rule meets the standards for flexibility and water quality required by Act 64 of 2015, as well as the diverse management needs of farm operations throughout the state.”

Public comment can be submitted to the Agency’s RAP e-mail inbox at AGR.RAP@vermont.gov or by mailing written comment to the Agency of Agriculture at 116 State Street, Montpelier, VT 05620.

Five public hearings will be held in June for farmers, stakeholders and the public to provide testimony and comment on the Proposed RAP Rule. The Agency will hold two webinars in advance of the formal hearings to present the rules in detail. These webinars will be recorded and available as videos on the VAAFM website following the presentations.

The Agency has also made available additional summary materials on its website, including two summary factsheets which highlight the most significant changes from the AAPs to the RAPs. Also posted on the website is a Highlighted Changes Summary which outlines response to comments received on the second draft of the RAPs as well as changes made between the second draft and the proposed rule. The Agency website also has an updated timeline which has been posted to outline the process moving forward towards a promulgated rule.

For more information about the RAPs, and the Agency's efforts to implement Act 64 of 2015, please visit <http://agriculture.vermont.gov/water-quality/regulations/rap> or contact the Vermont Agency of Agriculture, Food and Markets at (802) 272-0323 .

The five public hearings will be held:

Date	Meeting Title/Subject	Location	Time
6/21/2016	Public Hearing - St. Albans RAP Proposed Rule	St. Albans Historical Museum 9 Church Street, St. Albans City, VT 05478	12:30 - 3:30pm
6/22/2016	Public Hearing - Brandon RAP Proposed Rule	Brandon American Legion 590 Franklin St., Brandon, VT 05733	12:30 - 3:30 pm
6/23/2016	Public Hearing - So. Royalton RAP Proposed Rule	Vermont Law School Chase Center 164 Chelsea St., South Royalton, VT 05068	12:30 - 3:30 pm
6/27/2016	Public Hearing - Manchester RAP Proposed Rule	Fraternal Order of the Eagles 2282 VT-11, Manchester Center, VT 05255	12:30 - 3:30 pm
6/28/2016	Public Hearing - Newport RAP Proposed Rule	Newport American Legion 160 Freeman St., Newport, VT 05855	12:30 - 3:30 pm
6/29/2016	Public Hearing - Brattleboro RAP Proposed Rule	Brattleboro American Legion 32 Linden St., Brattleboro, VT 05301	12:30 - 3:30 pm