

# **Vermont Working Group on Soil Conservation Practice and Payment for Ecosystem Services**

## **Operating Procedures Revised October 2019**

### **I. Introduction**

The Vermont Legislature tasked the Secretary of Agriculture, Food and Markets (AAFM) to convene a Soil Conservation Practice and Payment for Ecosystem Services Working Group (PES WG) to recommend financial incentives designed to encourage farmers in Vermont to implement agricultural practices that exceed the requirements of 6 V.S.A., Chapter 215, or RAPs (Required Agricultural Practices). The practices should improve soil health, enhance crop resilience, increase carbon storage and storm water capacity, and reduce agricultural runoff to waters.

### **II. Scope and Product**

Per the Legislature, the Working Group is tasked to:

- Identify agricultural standards or practices that farmers can implement that improve soil health, crop resilience, increase carbon storage and storm water capacity, and reduce agriculture runoff to waters;
- Recommend existing financial incentives available to farmers that could be modified or amended to incentivize implementation of the agricultural standards identified or incentivize the reclamation or preservation of wetlands and floodplains;
- Propose new financial incentives, including a source of revenue, for implementation of the agricultural standards identified if existing financial incentives are inadequate or if the goal of implementation of the agricultural standards would be better served by a new financial incentive; and
- Recommend legislative changes that may be required to implement any financial incentive recommended or proposed in the final WG report.

On or before 15 January 2020, the AAFM Secretary shall submit to the legislature a report including the findings and recommendations of the WG.

### III. Objectives

Within the scope set by the legislature, the Working Group's objectives are to:

- Convene in one forum a variety of conversations around soil health and payment for ecosystem services that have been occurring across the state;
- Explore PES programs, program design, opportunities and pitfalls;
- Explore soil health and PES tools, models, and metrics;
- Communicate effectively and educate about PES to stakeholders, including the Legislature
- Engage constituencies of Working Group members and others not at the table.
- Develop the framework for a Vermont PES program that may include an initial pilot or "run of show" approach, based on the Legislature's scope, that would serve as the basis for creating a robust PES program in Vermont over time;
- Prepare grant applications to federal NRCS programs, if appropriate; and,
- Develop an Action Plan of actions, actors, timelines, and milestones to detail and implement that framework in 2020 and beyond.

### IV. Membership

The members include those with a knowledge or expertise in agricultural water quality, soil health, economic development or agricultural financing, and across scales, kinds, and locations of farms. The Secretary of AAFM or his/her designee will chair the WG with a representative of VHCB co-chairing the group. Members may each designate one substitute who may attend meetings in their place. When members make comments, they will coordinate with their substitutes to submit one set of comments per Working Group seat.

### V. Decisionmaking

The purpose of the workgroup is to provide recommendations to Secretary of Agriculture who in turn will prepare a report on the issues identified to the Legislature.

- A. Consensus:** The Working Group will strive to operate by consensus in order to develop its recommendations. Consensus is defined as *unanimous* concurrence of the members after Working Group discussion. Members may choose to "abstain." Abstention is a non-vote, and therefore does not count against consensus. Consent means that members can *accept*, even if reluctantly, the agreement that emerges. The goal of the Working Group is to reach consensus, recognizing that not all members will be equally satisfied with the outcome. All agreements reached during negotiations are understood to be tentative until the Working Group reaches formal consensus

("tentative consensus" or "provisional consensus"). Consensus may be on a set of options or choices with their advantages and disadvantages clearly articulated without the WG expressing a single or preferred approach.

- B. Decisionmaking in the absence of Consensus.** Should consensus not be obtained, the Working Group may report out areas of agreement and disagreement with their final recommendations. The Working Group will note if agreement was not reached due to incomplete information or uncertainty, and what information would be needed to reach a decision.

## **VI. Meetings**

- A. Agenda:** The Co-Chairs with support from the facilitator are responsible for developing an agenda for all meetings of the Working Group that will be distributed ahead of time. All members are expected to be present for the full meeting times and to be active and engaged to the greatest extent possible.
- B. Materials:** Materials to inform deliberations and for background will be prepared by the co-chairs and distributed via the facilitator with a goal of distributing at least three (3) business days before each meeting.
- C. Frequency and Location.** The group will meet at least once per month through early January 2019 for up to 3.5 hour meetings (or longer, if necessary from time to time). The Working Group will determine convenient meeting locations.
- D. Webinars.** The group may hold webinars between meetings to invite presentations by experts on PES examples and efforts elsewhere in the U.S. and abroad.
- E. Technical Assistance:** Upon agreement of the convening agencies, the Working Group may accept technical assistance from representatives of other organizations or may also seek technical assistance from its members' own organizations.
- F. Summaries:** Summaries of each of Working Group meeting will be prepared by the facilitators and, after review and approval by the Working Group, will be made available to the public. The minutes will be written without attribution.

- G. **Public Notice and Comment:** Meetings of the WG are open to the public. The meetings will be publicly noticed at least one week ahead of the meeting. At each meeting, a modest amount of time will be set aside for public comment. However, the public is encouraged to submit comments in writing that will in turn be distributed to the Work Group.

## **VII. Working Group Member Responsibilities**

- A. Working Group members will not attribute statements to others involved in this process, seek to present or represent the views or position of other members, nor attempt to speak on behalf of the whole Working Group to the media.
- B. Orderly conduct of meetings. Personal attacks, name calling, and other such negative behaviors will be addressed immediately, either privately or publicly, by Working Group members and the facilitators.
- C. Respect. Working Group members will recognize the diversity of opinions within the group and respectfully allow for a rich discussion of these opinions.

## **VIII. Facilitator Responsibilities**

- A. The facilitators serve at the discretion of Co-Chairs. The facilitators are responsible for helping to ensure that the process runs smoothly, developing meeting agendas, preparing and distributing draft and final summaries, generating draft recommendations, and helping the parties resolve their differences and achieve consensus on the issues to be addressed. The facilitators have no decisionmaking authority and cannot impose any solution, settlement, or agreement among any or all of the parties.
- B. The facilitators will abide by the Ethical Standards of the Association of Conflict Resolution. In part, these standards require that: “The neutral must maintain impartiality toward all parties. Impartiality means freedom from favoritism or bias either by word or by action and a commitment to serve all parties as opposed to a single party.”