

**Vermont Conservation Strategy Initiative - Agriculture Working Group**  
**Meeting #2, January 10, 2024, 11 am – 1 pm on Zoom**  
**Meeting Notes**

Notes taken by Bill Dell'Isola, VHCB.

**Co-Chair and facilitator:** Stacy Cibula (VHCB)

**Co-Chair:** Ryan Patch (VAAFV) (joined at 12:20)

**Committee Members in attendance:** Darlene Reynolds (VT Dairy Producers' Alliance), Caroline Gordon (Rural Vermont), Marli Rupe (ANR), Rosalind Renfrew (ANR), Scott Magnan (Franklin Grand Isle Farmers Watershed Alliance), Jen Miller (NOFA VT), and Tyler Miller (Vermont Land Trust).

**Others in attendance:** Zoraya Hightower (Nature For Justice), Bill Dell'Isola (VHCB), Isaac Bissell (VHCB)

**Committee Members Absent:** Jennifer Byrne (Natural Resources Conservation District), Eric Clifford (Champlain Valley Farmers Coalition), Mike Snow (CT River Watershed Farmers Alliance) Cat Buxton (Vermont Healthy Soils Coalition), Jackie Folsom (VT Farm Bureau), and Dave Blodgett (NRCS).

**1. Review Group Mandate, Roles, and Phase 1 of 30x30 work (Zoraya Hightower and Stacy Cibula)**

- Act 59 requires the creation of an inventory of conserved lands in Vermont, which is what we are focusing on now (Phase 1)
- Inventory includes existing conservation practices, public/professional perspectives, data, and potential future avenues.
- Presented to the legislature by July 1, 2024.

Legislation identified 10 topics to address in the inventory: Land Categories (what types of land meet the goals of Act 59?), Land Inventory (what's been conserved?), Aquatic Conservation, Conservation Practices, Conservation Programs, Conservation Equity, Implementation Methods, Funding Sources, State Lands, Land Transfers.

**Working Groups:**

- Four groups (Conservation Categories, Agriculture, Aquatic Systems, State Lands) are addressing questions posed in the inventory, overlapping in some areas: Conservation Categories, State Lands, Data and Mapping, and Agriculture. There will be at least one combined meeting between the Ag Working Group and the Conservation Categories working group to discuss the question of whether agricultural lands fit into the natural resources management area category, or categorized in some other way?

### **Phase 1 Timeline:**

- Nov-Dec 2023: Interviews & Surveys.
- Jan-Feb 2024: Focus Groups.
- Mar-Apr 2024: Legislative briefing (Early Mar) & Summary of findings (Late Apr).
- May-Jun 2024: Additional Engagement.
- Jul 1, 2024: Inventory report due to Legislature.

## **2. Group Agreements and Conservation Logistics, Stacy Cibula**

There was discussion around developing a group agreement to facilitate good communication and decision-making for the group. A sample group agreement was provided with encouragement to reshape it to meet the group's needs:

Group Charter/Agreement:

- Assume Good Intentions
- Be Respectful
- Make Space/Take Space
- Unformed Thoughts Welcome

The group accepted the agreement with the addition of a note about “tending to impact” to Assume Good Intentions.

There was discussion about consensus decision-making. Facilitators will make it clear when we are seeking consensus from the group. Consensus would be when all members are in favor and no one is saying no. Non-consensus would be when one or more members are against and voices their disapproval. There may also be situations where someone does not support a proposal but states that they will not stand in the way of it moving head. The final report to the legislature will make it clear as to which decisions the Working Group had consensus on, and which they did not.

We will maintain a parking lot of issues and questions that come up that cannot be addressed immediately for discussion at a future meeting, or potentially during Phase 2 when we are working on the Conservation Plan.

## **3. Review and discussion of Act 59 Vision, Goals, and Definition, Stacy Cibula**

[See slides in Ag Working Group Google Drive folder](#)

Stacy presented an overview on the vision of Act 59, overall goals, and definitions in the legislation that pertain to the Ag Working Group's work.

### **Discussion Overview:**

- Definition of conservation outcomes, land easements, and forest management. How to categorize biodiversity and gap status comparison?

- Consideration of agricultural land types for conservation, how will it be measured, will it be based on certain practices or distinctions?
- Questions on funding, OPAV, and incentives for farmers.
- Which types of conserved agricultural land should count towards the natural resource management area? *Act 59 defines it as having permanent protection from conversion for the majority of the area, but that is subject to long-term sustainable land management. Group could lean toward creating a separate category that encompasses more of the realities of what the conserved agriculture is like in Vermont.*
- How to incorporate: compliance with Required Agricultural Practices Rule, housing options, soils, forestry and other certifications?

This question was posed to the group:

- *What types of conserved agricultural land should count towards the natural resource management area category [defined as having permanent protection from conversion for the majority of the area but that is subject to long-term, sustainable land management.]*

Some responses suggested including land that acres of farmland in current use, acres in conservation easements, acres in flood zone or areas to become wetlands. In addition, acres that have historically been farmed, lands where there are valuable soils that may or not be farmed.

- How would this be funded in the long-term? *Maybe discussed more in the second phase. Good parking lot idea.*
- It was noted that as it's written in Act 59, presently only permanently protected agricultural lands can count toward 30%.

#### **4. Overview of Farmland Conservation in Vermont, Isaac Bissell**

[See slides in Ag Working Group Google Drive folder](#)

#### **VHCB Easement Statistics**

- Over 164,000 acres protected by VHCB agricultural easements
- Approximately 765 easements
- VHCB database indicates 23% forested over the entire portfolio (likely underestimation)
- 2013-2023 statistics show 34% forested
- Only a portion of total conserved agricultural lands
  1. Donated easements
  2. Privately funded easements

### Questions and Discussion:

- What happens if there is not a local farmer who wants to take over the land? *Discussion on our Option to Purchase at Agricultural Value (OPAV) followed. It doesn't necessarily prevent land from falling out of production, but it does ensure that the land will not be developed.*
- There is a need to be flexible with housing on ag easements—many wish for existing ag easements to be more flexible and to allow for co-housing. Would it be possible for farm complexes in the flood zone or cropland to be move uphill (and to convert forested land uphill for those uses?) *Probably, but would depend on the specific protections on the parcel. Very case specific based on terms of the easement. There was also discussion about the complexities of amending easements to add more housing.*
- Would like a better understanding of how special protection zones (like buffers) function under the easement. How do those interact with the agricultural practices allowed under the easement? *The answer is that generally special protection zones for ecological purposes supersede the rest of the conservation easement—for example cannot farm within a riparian buffer.*
- One member posed the thought that the absence of development afforded by a conservation easement does serve the goals of biodiversity, and thus is fitting with the definitions of the natural resources land management category.
- What's the demand from farmers to conserve their land and how does a farmer qualify for funding? *Very high demand. Pipeline has multiple years of projects lined up. Having prime or statewide agricultural soils is a top qualifier for the funding in most cases.*
- Do you think it could be interpreted that conservation easements benefit biodiversity (for example due to the absence of development?) *That's really the primary question we are trying to answer, but it's very nuanced. But we should be looking at the definitions in the legislation, diving deeper into the definitions of permanently protected, conversion, and sustainable land management, and ultimately whether we think it meets the definition of natural resources management land category.*

### Next Steps:

- Further explanation of how conserved ag lands fit into various definitions posed in legislation and the primary question of how conserved ag lands support the goals of Act 59. We will survey the group to current baseline of group sentiment on the direction of this group, outstanding concerns and questions, knowledge gaps, etc.
- Next meeting January 24 from 11 to 1 on Zoom.