

Vermont Conservation Strategy Initiative - Agriculture Working Group
Meeting #3, January 24, 2024, 11 am – 1 pm on Zoom
Meeting Notes

Notes taken by Holly McClintock, VHCB.

Co-Chair and facilitator: Stacy Cibula (VHCB)

Co-Chair: Ryan Patch (VAAF)

Committee Members in attendance:

- Jennifer Byrne (White River Natural Resources Conservation District)
- Eric Clifford (Dairy Farmer, Champlain Valley Farmer Coalition)
- Caroline Gordon, (Rural Vermont)
- Stephen Leslie (Cedar Mountain Farm, Vermont Healthy Soils Coalition)
- Scott Magnan, (Franklin/Grand Isle Farmers Watershed Alliance)
- Jen Miller (NOFA-VT)
- Tyler Miller (Vermont Land Trust)
- Rosalind Renfrew (VT Fish and Wildlife)
- Marli Rupe (ANR-DEC)
- Michael Snow (CT River Watershed Farmers Alliance)

Others in attendance:

- Isaac Bissell (VHCB)
- Holly McClintock (VHCB)
- Zoraya Hightower (Nature for Justice)

A group member suggests making the recording available through the VCSI website, and Stacy will check on whether or not this is an option.

1. Survey results

Stacy reports that approximately 80% of the working group responded to the survey. She ran through the results of the survey first, opting to save discussion for after all results were shared.

Key takeaways from survey results, out of 13 respondents:

- To the question of whether agricultural easements permanently protect the majority of the conserved area from conversion, 7 (53%) answered “yes”, 3 were unsure, 1 said “no”, and 2 provided comments leaning toward “yes”.
- To the question of whether conserved agricultural lands ensure sustainable land management, 4 (31%) answered “yes”, 5 (39%) answered no, 3 (23%) were unsure, and one person provided a comment that did not sway strongly to one side or another.
- Key topics or questions that the group would like to see in future meetings include:
 - Policy discussions
 - Current Use (reforms, incentives)
 - Conversion (definition and interpretation, relation to agriculture)

- How does Act 59 support working farms, and how can this be done without increased regulation?
 - Are easements flexible enough to meet the changing needs of agriculture?
 - Financial incentives
 - More info needed
 - Number of farms converting woods to fields
 - Land use changes over time, rate of loss or gain
 - Types of easements and conserved land types
 - Annual increases or decreases in rate of conserving land – how are we doing now, in comparison to the past?
 - Conservation practices required in easements
 - Overview of organic agricultural practices
 - Overview of Vermont Conservation Design
 - How are other states addressing agriculture in 30 x 30?
 - Program design
 - Parcel size, as criteria for enrollment
 - Metrics for long term sustainable management and biodiversity goals
 - Micro-units to meet 30 x 30 goals (Conservation Districts or Regional Planning Commissions)
- Criteria that should be used to determine types of agricultural land that qualifies:
 - Parcel size
 - Absence from development
 - Current use, linked with performance
 - A separate category in the conserved land matrix
- Which agricultural land should qualify:
 - Land managed in accordance with a Comprehensive Conservation Plan
 - Farms that maximize biodiversity in ways that other lands do not
 - All agricultural land, with incentives to increase conservation practices
 - All agricultural land should qualify (x2)
 - Allowing flexibility in defining success, movement toward goals (regenerative agriculture being aspirational)
 - Farms that provide an ecological or social benefit
- Which questions should be discussed in the inventory:
 - Existing agricultural conservation programs (85%)
 - New programs needed (77%)
 - What funding exists, and recommendations for new funding (77%)
 - Opportunities that exist for farm transfers to achieve conservation (77%)
 - Existing permanent and intermediate agricultural conservation practices (69%)
- What questions do you still have? *(Some of these questions may be more relevant in Phase 2).*
 - Build on conclusions of PES working group, avoiding using Act 59 as a way to commodify nature
 - Would incorporating NRCS soil health practices into the RAPs be an approach for moving all farmland to sustainable management goals?
 - What role could statewide land use planning and VT conservation Design play in setting priorities and identifying areas where conservation is needed to meet critical habitat goals?
 - How is conserved land monitored to ensure ecological and social benefits?

Survey summary:

- Over half of the group feels that agricultural conservation easements permanently protect the majority of area from conversion, but there is a desire to explore the definition of conversion further.
- There are mixed feelings on whether or not conserved lands ensure sustainable land management.
- Several stated that all agricultural land should count toward Act 59 goals.
- There was mention that the group should consider and report on the other goals and benefits of farmland conservation, beyond biodiversity (food security, social, rural economic).
- There is a need for more information on statistics/data and program overviews.

Large group discussion

- It was noted that the survey didn't address the need for more data on how much land is conserved, and where across the state may be areas to target or consider (such as prime and statewide rated soils and 100-year flood zones). Looking at land use policy in other countries was also suggested.
- There was a clarifying question about the two phases of this work, in relation to the two different goals in the legislation (30x30 and 50x50.)
 - The 30x30 goal does specify that only permanent protection may be counted.
 - The 50x50 goal allows the group to consider mechanisms that aren't permanent, which may be important in achieving the goal. The inventory phase at this stage may need to be broadened to better inform these potential alternate mechanisms.
- The majority of newer farms in the state are trending toward smaller tracts (though larger dairies are continuing to consolidate), and small scale farms can play a critical role in encouraging biodiversity and water and soil health practices.
- There was a comment on the demographics of the group not including indigenous representation, concern with a small group of people holding a great deal of control, and a fundamental disagreement with the premise of Act 59. This member also believed that farms inherently promote conversion from a land's natural state, noting that some of the worst erosion has been found on conserved farms. This member would also like more information about the Payment for Ecosystem Services Working Group, and how leadership will be incorporating the PES recommendations into this summary of findings. They mention that many of the goals and results of the PES Working Group (data and recommendations for existing and new conservation practice incentive programs) are duplicative with the discussion that is being had in relation to Act 59.
 - In response, the co-chairs clarified that these current questions are not intended to re-hash those results on conservation practice and incentive programs. Rather, the goal of this advisory group is to broadly suggest how agriculture should be included in the larger

inventory of conserved land that will be provided to the legislature, and how this inventory may be used to inform means of achieving long-term conservation goals.

- Another group member suggested to continue to discussion about the PES Working Group in the next meeting, to allow for more in-depth discussion and full group understanding and agreement.

The group broke for 5 minutes.

[Zoraya Hightower joined.]

- Given the Working Group's limited time together, one group member asked to refocus the group on the primary question that is tasked to answer: How to categorize existing conserved agricultural lands under Act 59, and how may agricultural land fit within the Natural Resource Management Area category? Two options would be to suggest modifications to the Natural Resource category, or suggest a new category altogether.

There seems to be a general agreement that at a broad scale, conservation of agricultural land is consistent with the *vision* of Act 59, and agricultural land should not be pitted against other land uses, such as forestland.

- One member of the Conservation Categories Working Group mentioned that this question speaks directly to their work. Instead of coming to an agreement based on the definitions as written in Act 59, they have been setting up guidelines around the following components: The intent of the piece of conserved land; how it's managed, and; the level of protection.
- There was a question about what can count as "conserved", since a large area of the state is already in agriculture or enrolled in a conservation incentives program.
 - Another group member spoke on their interpretation of the matter: The 30x30 requirement specifies land in permanent conservation, which is currently seen through the lens of a legal mechanism.
 - Act 59 does call for the support of working lands, but how to achieve this would be a question to be addressed in the "planning" phase, beyond the scope of the inventory. The intent of this work is not to impede on the sovereignty of farmers, or to supersede the regulatory jurisdiction of the Vermont Agency of Agriculture.
- Zoraya reminded the group that this is ultimately an advisory committee, and if the group decides that "permanent protection" doesn't make sense to achieve the 30x30 or 50x50 goals, that is something that the group can recommend a change to. It is important to also recognize what has been done, but isn't working, or what *can* be done, that we're not doing.
- One member mentions that classifying all agricultural land as enhancing biodiversity is wrong, since not all farms actually do. Contrary to this, organic certification mandates a standard that inherently promotes biodiversity, and not counting farms (especially small farms) that are held to this standard may be a missed opportunity.
 - There was some disagreement on this, with others countering that all farms inherently benefit biodiversity by preventing development (referencing the Soil Health Survey in Vermont completed by Heather Darby.) There is a general worry about taking a reductionist approach toward what can go into that protection bucket.

- There's a suggestion to change the word "permanently" protected to "currently" in how we define agricultural conservation, which takes away the requirement for a voluntary, legally binding, contract. This would allow land enrolled in Program A, B, or C, that are *currently* protected through various conservation practices, to count toward these goals.
 - For 30x30, the legislation is clear that the protection inventoried must be permanent. However, there is more latitude with the 50x50 goal to suggest alternative forms of long-term protection, and these creative approaches may be considered in our recommendations.
 - Several members express that permanence is concerningly restrictive. It is important to consider alternative methods of long-term conservation, beyond easements, since these easements can often impede on farm viability. Since they do not necessarily guarantee affordability, they also may only provide a short-term financial benefit to the landowner who actually conserves the land.

- There is an understanding that the definitions of the terms used in Act 59 need more clarity before the group can make truly informed decisions on where agriculture fits into the three defined categories (or, a new category).
 - There's a concern from a couple of group members that putting agriculture in its own category may silo agriculture from "natural resources", and leave it vulnerable. This also leads to a "slippery slope" to other separate categories for different land uses.

The group adjourned at 1pm.