



## 2017 POLICY ON STATE ISSUES

### General Industry Policies

#### Agribusiness Workforce

- The Council supports policies that create a skilled, affordable, and accessible workforce, including legal foreign workers, for the agribusiness industry. The use of legal foreign workers is vital to the operation of many agribusinesses and increasing the number of foreign workers allowed is essential to continuing the success of agribusinesses in Virginia.
- The Council believes that seasonal labor is work that is full-time, lasts for a reasonably consistent period of time each year, and recurs around the same time every year.
- The Council opposes state and local employment requirements, procedures, or penalties that create additional burdens or duplicative processes for employers, exceed federal requirements or are pre-empted by federal law, or would adversely impact businesses acting in good faith to comply with federal immigration laws.
- Specifically the Council urges Virginia Employment Commission and other state agencies to work with impacted industries and producers to determine prevailing practices for H2A and H2B in order to provide consistency in administering these programs.
- Recognizing the importance of workforce training to the entire agribusiness industry, the Council supports secondary, post-secondary, higher education, and other technical certification programs that will generate and maintain a qualified work force for agribusiness.
- The Council encourages the Virginia Employment Commission and other state and federal agencies to allocate resources to streamline the application and employee crossing processes to result in a more expedient, less costly and legal labor availability so that employees can arrive to employers in a timely fashion.

#### Agritourism

- The Council supports agritourism activities on farms and forest land for the purpose of economic development, recreation, entertainment, and education. Agritourism activities should not be subject to locally adopted or enforced restrictions or conditions except those that are based on statewide guidelines.

- The Council supports the Agritourism Liability Act and supports providing liability protection for inherent risk of agritourism activities on farms and forests.

#### Agriculture Animal Care Standards

- The Council supports responsible use of agriculture animals for human purposes, such as food, fiber, recreation, work, education, exhibition, and research conducted for the benefit of both humans and animals.
- The Council supports proper handling, nutrition, management, and animal health practices appropriate to the care and use of agricultural animals.
- The Council supports animal care decisions founded in scientific knowledge and professional judgment.
- The Council supports the advancement of animal care through scientific research and education.
- The Council opposes state and local actions which are burdensome, unreasonable, and not based on scientific research and that adversely impact animal agriculture producers.

#### Agriculture Animal Care Standards (Enforcement)

- The Council opposes further expansion of animal care investigations by untrained, unsupervised citizen volunteers.
- The Council supports increased funding and emphasis on timely training and certification established by the State Veterinarian for Animal Control Officers and other law enforcement appropriate for animal agriculture.
- The Council supports mechanisms to limit taxpayer costs to pay for animals that have been abused.
- The Council believes current law provides adequate protection for agricultural animals and opposes any expansion of enforcement beyond current animal welfare laws.
- The Council supports state and local law enforcement consulting with the State Veterinarian's office in investigations involving agricultural animal care practices.

#### Animal Damage Control

- The Council recognizes the importance of biologically sound wildlife management, and

supports improved wildlife population control measures in order to reduce nursery stock, crop and livestock depredation. Private sector solutions, diverse local options, and improved coordination between federal, state, and local governments should be included in plans to reduce nuisance wildlife populations which negatively impact the agribusiness industry.

- The Council supports a kill permit system through the Department of Game & Inland Fisheries that meets producers' needs to protect crops and livestock in a timely manner, ensures consistency in the permitting process, and provides for an appeal process.
- The Council supports current Virginia law which allows localities to create a permitting system for wolf and coyote hybrids and for producers to receive compensation for damages to their livestock and poultry caused by wolf and coyote hybrids.
- The Council supports law that provides livestock and poultry owners' remedies to protect their livestock and poultry.
- The Council opposes continuing the reintroduction of elk in Virginia, recognizing the potential damage to crops, property, and spread of infectious diseases to livestock as a result of reintroduction.

#### **Animal Health**

- The Council supports efforts within the Virginia Department of Agriculture and Consumer Services (and on a federal level) to preserve Virginia's USDA compliant standing for disease prevention and eradication programs (i.e. Trichomoniasis, Tuberculosis, Brucellosis, Scrapie, Johnes Disease, and Pseudorabies), and enforce other animal disease prevention and eradication programs. The Council recommends continued enforcement of regulations to protect agricultural animals against the movement of animals of unknown health status into or within Virginia.
- The Council opposes the transfer of livestock programs from the USDA, FDA and other federal agencies to VDACS without appropriate funding for the transferred initiatives.
- The Council supports cooperation between state and federal agencies and the poultry industry in prevention of and responding to avian disease outbreaks.
- The Council recognizes the food safety, public health, and economic threats associated with the shortage of food animal veterinarians and supports efforts to recruit and train an adequate veterinary workforce to serve rural areas.
- The Council supports the State compensating owners and, when applicable, individuals contracted by the

owners, of animals and animal products that are destroyed by order of authorized personnel to control or eradicate an animal disease outbreak.

#### **Animal Identification and Tracking System**

- The Council supports the continuation of a voluntary animal identification, registration and tracking system in Virginia provided that producer data and information is adequately protected, the speed of commerce and trade is not adversely impacted, or cost to producers is not significantly increased. Such a program should assist in managing animal health and disease outbreaks, emergency management, protecting commerce, and maintaining a safe food supply.
- The Council supports the existing Virginia Premise Identification program that provides GPS identification of livestock operations and the commodities produced to assist state and federal veterinarians with proactive response to a potential disease outbreak.

#### **Biotechnology**

- The Council supports responsible research, development, and use of bio-engineered products and technologies, to benefit agribusinesses and significantly enhance quality of life for citizens.
- The Council opposes state-level requirements for mandated labeling of foods and products that are derived from crops and plants produced through genetic engineering.

**Center for Rural Virginia** - The Council supports the mission of the Center for Rural Virginia as a public-private partnership to serve as a catalyst for the sustainable well-being of rural Virginia.

**Commodity Assessments (Checkoffs)** – The Council supports both state and federal commodity assessment programs whose focus is industry research and promotion, so long as they are directed and operated by industry members and supported by the industry. (See Page 4, State Funding)

**Conflict of Interest** – The Council supports codifying current recusal practices and protecting against conflict of interests while allowing producers to continue to serve on Soil and Water Conservation District Boards or other similar Boards.

**Domestic Food, Fiber, and Fuel Supply** - The Council supports a secure, domestically-produced supply of food, fiber, and fuel sources.

### **Economic Development**

- The Council supports efforts and programs to establish, expand, and retain traditional and emerging agriculture and forestry operations, and assist in the growth of agribusinesses in Virginia.
- Economic development of agribusinesses should not be limited by locally adopted or enforced restrictions or conditions except those that are based on statewide guidelines.
- The Council encourages state and local governments to actively involve agribusiness leaders in creating economic development strategies and ordinances.
- The Council supports State and local economic development programs specifically focused on agribusiness development, such as the Virginia Farm Business Development Program and the Agriculture & Forestry Industries Development Fund (AFID), as tools to increase awareness of the economic benefits of agribusiness and encourage growth in the industry.
- The Council supports the exemption of farm buildings and structures from the provisions of the Uniform Statewide Building Code.
- The Council supports adequate funding for the Virginia Agriculture and Forestry Industries Development Fund (AFID) to incentivize job creation and economic development through the expansion and establishment of new agribusinesses.

### **Emerging Technologies**

- The Council supports the use of emerging technologies, such as unmanned systems, for commercial purposes and related agribusiness development applications.
- The Council supports adequate standards for emerging technologies to address privacy concerns, protect private property rights, protect public health and safety, and to prevent unlawful search and seizure for enforcement activities.

### **Energy**

- The Council supports a stable, affordable, and reliable supply of all forms of energy. To increase energy independence, reduce emissions, provide a stable market for Virginia commodities and agribusinesses, and reduce dependence on non-renewable fuels, the Council supports:
  - Maintaining a supply of commodities for both energy and traditional uses, such as food, feed, and fiber
  - Production or conversion of agricultural and silvicultural products and by-products into renewable fuels and energy
  - Market-based solutions for renewable energy programs that recognize the challenges facing all sectors of agriculture and forestry

- Construction of renewable fuel production plants and increased availability and use of renewable fuels where such activities create markets for agribusiness and benefits for energy users
- Investment in research and use of incentives rather than mandates to encourage the production of renewable energy
- Policies that encourage conservation and innovation in addressing energy supplies and costs
- Oil and gas exploration off of Virginia's coast in compliance with environmental regulations
- The Council supports the state minimizing the regulatory burden on utilities through state implementation of federal regulations.
- The Council supports updates to net energy metering, specifically for household net metering, that enables household consumers to use on-site renewable energy systems to offset all or part of their electricity use while ensuring that participants are fairly compensated, that electric utilities wholly recover the cost of distribution services they provide participants; and that non-participating utility customers do not disproportionately share of the cost of implementing household net energy metering.

**Farmers' Markets** - The Council supports continued investment by the Commonwealth in farmers' markets and recognizes the significant value they add to products grown in Virginia.

**Fence Laws** - The Council supports protection from liability for livestock owners whose animals escape from a legal, well - maintained fence.

### **Food Safety**

- The Council opposes the unregulated and uninspected sale of meat and meat products, dairy and dairy products, other "Potentially Hazardous Foods" as defined in the FDA Food Code, and other high-risk foods currently regulated by VDACS or the U.S. Department of Agriculture (USDA) Food Safety and Inspection Service (FSIS).
- The Council supports maintaining compliance with federal food safety requirements that allow Virginia products to be sold and shipped interstate.
- The Council supports state based implementation of the Produce Safety Rule under the Food Safety Modernization Act (FSMA) including inspection by VDACS personnel with appropriate funding.
- The Council supports the proper inspection of food establishments, animal slaughter and meat processing facilities, and food processing facilities by VDACS where necessary to protect public health, safety, and welfare or to comply with federal regulations.

- The Council supports efforts to increase the availability and access to USDA or VDACS inspected meat processing facilities, and efforts to address identified shortages of such facilities to meet local and state needs.

**Gubernatorial Appointments** - The Council supports the Governor making appointments in a timely manner, preferably prior to current terms expiring. Furthermore the Council supports appointing individuals who have industry experience, or appropriate general knowledge, and who are committed to serving constituents and maintaining the vitality of agribusiness as the largest sector of the Commonwealth's economy to positions impacting agriculture, forestry, or agribusiness.

**Industrial Hemp** – With proper regulatory, licensing, and law enforcement standards, the Council supports crop research, market development, and the production of industrial hemp as an option for Virginia producers.

**Invasive Species & Noxious Weeds**

- To guard against the introduction of new invasive species or noxious weeds and manage existing invasive species or noxious weeds in Virginia, the Council supports a commitment of resources for the Virginia Invasive Species Working Group and coordination with the Virginia Noxious Weeds Advisory Committee.
- The Council supports the creation of a Memorandum of Understanding between the Department of Agriculture and Consumer Services and the Department of Conservation and Recreation to facilitate further coordination between invasive species and noxious weed control efforts.
- The Council opposes the labeling of widely used and economically important plant forage species and ornamental plants as "invasive" or "noxious" without reasonable science-based evidence of their invasive status and the potential economic impact of both the eradication and/or control of such species by the appropriate state body or agency and the economic impact of controls on the growth and sale of "noxious weeds".
- The Council supports the funding of programs and resources to aid in the research and eradication of invasive pests, plants, and diseases.

**Land Use Assessment** - The Council supports and encourages localities to keep or adopt land use assessment for agricultural, horticultural, forest, and open space uses, believing that land should be assessed on its use rather than its potential value, and supports enforcement efforts to curb abuses of the program. The Council opposes any additional requirements added to state law for land use

assessment eligibility, such as mandated use of water quality best management practices.

**Right-to-Farm** - The Council continues to support the purpose of the existing Right-to-Farm statute, which removes the conditional or special use requirement in an agriculturally zoned area for production activities of agriculture and forestry operations. The Council believes the Act provides adequate public input into the location of agricultural operations.

**Rural Infrastructure** - The Council supports efforts which will ensure affordability, availability, and reliability of infrastructure to rural Virginia without imposing undue burdens on existing providers to services to rural communities. This includes but is not limited to sewer, water, road and bridge maintenance, electric service, telecommunications service, and broadband access.

**Secretary of Agriculture and Forestry** - The Council recognizes the benefit of the Secretary of Agriculture and Forestry being fully integrated into Virginia's economic development efforts. The Council supports the Secretary of Agriculture and Forestry's role for the enhancement, importance and influence of agribusiness in the Commonwealth, as the largest private sector economic industry.

**State Agriculture Youth Programs** – The Council supports continued funding for the State Youth scholarship programs aimed specifically for our industry, such as the State Youth Shows and scholarship programs.

**State Fair of Virginia** - The Council supports the State Fair's mission of agriculture and forestry education and promotion and the efforts of industry organizations, state officials, and education and extension personnel to partner in implementing programs to meet this mission.

**State Funding**

- The Council supports adequate funding and staffing, and appropriate organization of State Agencies in order to effectively and efficiently promote and support the economic growth and development of Virginia agriculture and forestry.
- The Council opposes the transfer of special dedicated non-general funds (i.e. Commodity Boards, State Milk Commission, the Virginia Agricultural Council, the Virginia Tobacco Region Revitalization Commission, the Pesticide Control Fund, and the Reforestation of Timberland fund) to the general fund of the state treasury.
- The Council opposes unfunded mandates on the agribusiness industry and affiliated State agencies, land-grant universities, and Virginia Cooperative

Extension. Mandates should be reviewed to assess the costs, impacts, and benefits to the Commonwealth and impacted industries.

- The Council encourages critical assessment of budget reductions to ensure that core services to the agribusiness industry are preserved and that additional costs are not imposed on the agribusiness industry.

#### **Virginia Department of Agriculture & Consumer Services**

- The Council supports an effective level of funding for industry marketing programs including Virginia's Finest, Virginia Grown, and domestic and international promotions.
- The Council supports the expansion of trade opportunities for the agribusiness industry in foreign markets through funding and resources for international trade offices and programs to promote the export of Virginia agriculture and forestry products.
- The Council supports funding to facilitate statistical commodity surveys that are not included in the USDA agricultural census data including but not limited to turfgrass, aquaculture, equine, fruit trees, grapes, and greenhouse/nursery/Christmas trees.
- To guarantee fair trade, competitiveness, and product safety for the Commonwealth's agribusiness industry, the Council supports adequate state funding for weights and measures, inspection, and grading programs that ensure the integrity of agricultural commodities, commercial animal feed, fertilizer, lime, seed, and other inputs.
- The Council supports adequate funding for the State Veterinarian's office to provide necessary services to the agribusiness industry and enhance animal disease monitoring and emergency response efforts.

#### **Virginia Department of Conservation & Recreation**

- The Council supports consistent and adequate funding for Soil and Water Conservation District operations and technical assistance to meet voluntary non-point source water quality standards and goals (see Environmental Policies, page 8, and Nutrient Management Program, page 10, for more information).

#### **Virginia Department of Forestry**

- The Council supports the required full state funding match for the Reforestation of Timberland Program which provides cost-share assistance to landowners for replanting and related management practices.

- The Council supports an effective level of funding to provide technical assistance to landowners, enhance the water quality program, and protect our natural resources and private property from forest fires.
- The Council supports optimization of state nursery production and planting levels that supports state wood market demands now and in the future.

#### **Education, Outreach, and Research Funding**

- The Council supports adequate funding for education, outreach, and research services and programs (see Education, Outreach, and Research Policies, page 7, for more information).

#### **Terrorism**

- The Council supports strong effective systems to prevent, detect, and respond to acts of terrorism directed toward any facet of the agribusiness industry including research, production, processing, and distribution.
- The Council supports full enforcement of the law against persons who threaten or carry out violence and other extremist acts directed at scientists and agribusinesses.

#### **Transportation**

- The Council supports a state-wide transportation system that effectively addresses the diverse aspects of the agribusiness industry and the rural communities that depend upon it. The Council recognizes the importance of incorporating rail and ports into transportation solutions.
- The Council supports a viable, responsive rail transportation system which provides competitive rates for transportation of agricultural and forest commodities, supplies, and finished products.
- The Council supports State programs and investments to preserve the existing rail system, increase freight rail capacity, improve freight rail service, assist Virginia's short-line railroads, and pursue inclusion of rail in national transportation policies and funding.
- The Council supports adequate resources for maintaining and improving the condition of rural roads and bridges.
- The Council opposes tolls solely on commercial truck traffic. In addition, the Council opposes the addition of tolls to interstate highways due to the increased cost, competitive disadvantage, and increased traffic on parallel rural roads.
- The Council supports a motor vehicle permitting system that allows for the efficient, cost-effective, and competitive transportation of agriculture and forest products, including provisions that recognize

the need for a consistent overweight and oversize permitting system for agriculture commodities, farm animal feed, and forest products.

- The Council supports farm vehicle registration standards and a process that curtails non-farm abuses of the program and maintains the program for exclusive farm use. The Council recognizes that proper maintenance and use of unregistered farm vehicles is critically important to ensuring vehicle safety and avoiding abuse of the program.
- The Council supports maintaining the current mileage restrictions for farm use vehicles.
- The Council opposes bans and restrictions on roads for reasons other than safety.
- The Council opposes local road requirements which are more stringent than those enacted by the State.
- The Council supports appropriate signage on interstate highways, secondary highways, and scenic routes and promotions at Welcome Centers in Virginia to market agricultural commodity products and agritourism.
- The Council supports truck weight standards that are competitive with those of Virginia's neighboring states.
- The Council opposes changes that would 1) create competitive disadvantages or disproportionate cost increases for shipping agriculture and forestry products through the Port of Virginia, 2) not include necessary performance standards and requirements, and 3) decrease or eliminate the effectiveness of a state oversight body of the Port of Virginia.
- The Council supports investments and management decisions to ensure viability of the Port of Virginia and its crucial role in exporting Virginia agriculture and forestry products.

### **Commodity Specific Policies**

#### **Aquaculture**

- The Council supports the recognition of cultured seafood, cage growing of oysters and clams, and aquaculture products grown for market as agricultural products.
- The Council supports the activities of the Aquaculture Advisory Board to assist industry expansion and development as enacted in the 1992 Aquaculture Development Act.
- The Council supports adequate funding for the work of research institutions in conducting marine and freshwater aquaculture and aquaponics research.
- The Council supports the strict enforcement of current laws and penalties in cases of theft and/or willful destruction of fish and shellfish raised for sale and/or research and supports legislation to enact more stringent penalties for such acts as needed.

- The Council supports the involvement of aquaculturists, along with the use of sound scientific documentation and independent research, in the development of any regulatory requirements on aquaculture facilities.

**Christmas Trees** – The Council supports the Commonwealth's recognition of Christmas tree production as a key component of our agriculture and forestry industries.

#### **Crop and Livestock Protection Products**

- The Council opposes arbitrary decisions affecting the use of crop and livestock protection products in agriculture and forestry without adequate scientific proof of material detrimental effects.
- The Council opposes the removal of essential crop and livestock protection products from the market until a reasonable, economical alternative product is available.
- The Council opposes mandatory offsite notification prior to the application of crop protection products.

#### **Pollinators**

- The Council supports VDACS working with agribusiness stakeholders to determine Virginia Pollinator Protection Strategy in order to ensure healthy pollinator populations without overly burdensome regulation.

#### **Dairy**

- The Council opposes the sale of unpasteurized milk and dairy products to the public. The Council opposes the sale of unpasteurized cheese and cheese foods unless properly aged according to FDA standards and regulations.
- The Council opposes the use of cow-share agreements for the sole purpose of circumventing laws and regulations prohibiting the sale of raw milk directly to consumers.
- The Council supports maintaining the Virginia Milk Commission and ensuring its structural integrity and effectiveness while insulating the funding it receives from the dairy industry.

#### **Equine**

- The Council supports the continued classification of equine as an agricultural animal or livestock and opposes the re-classification of equine as companion animals.
- The Council supports funding the full percentage of racing commission funds dedicated to the equine industry as stated in Virginia code.

- The Council supports the reinvestment of Virginia Racing Commission revenues to promote, sustain, and grow the Virginia horse industry.
- The Council endorses ethical and professional transactions with regard to buying and selling horses and believes that under current contract law, the framework exists to enforce this.

### **Forestry**

- The Council supports incentives for voluntary retention of riparian forested areas.
- The Council supports the purpose of the Private Forest Land Conservation Act as passed by the 1997 General Assembly. The Council believes that the Virginia Department of Forestry and private landowners can best determine proper forest management and land use decisions, and should not be limited by local ordinances.
- The Council supports the economic and environmental sustainability of Virginia's forest resources through private forest management choices. The Council encourages expanding the markets for the sale of forest products.
- The Council supports state policy that encourages pine planting and hardwood regeneration on non-industrial private forest lands.
- The Council supports increased awareness, program development, and research for the control of forest insect pests and diseases, and invasive plants.
- The Council supports green building rating systems and procurement policies that do not disadvantage or unfairly restrict Virginia wood materials.
- The Council supports forest certification systems that do not disadvantage or unfairly restrict Virginia wood materials and incentives to offset significant certification costs to forest landowners.
- The Council supports the current laws and other associated solutions dealing with Timber Trespass and Theft and opposes additional notification requirements to adjacent landowners for silvicultural activities.

**Horticulture/Turfgrass** - The Council supports the Commonwealth's recognition of horticulture nursery products and managed landscape and turf agricultural practices as key components of the agriculture industry.

### **Tobacco**

- The Council supports the efforts of tobacco companies to restrict the access of tobacco products to minors; however, the Council opposes further restrictions or bans on smoking.
- The Council supports programs designed to promote common sense and common courtesy to resolve differences between smokers and non-smokers.

- The Council supports the enforcement of restrictions on the sale of products manufactured by non-compliant tobacco manufacturers.
- Although indemnification payments to tobacco producers have ended, the Council supports the continued agreement between states and major cigarette manufacturers as a result of the Master Settlement Agreement (M.S.A.)

### **Wine & Other Alcoholic Products**

- The Council opposes additional license fees or requirements, additional local taxes on the sale of alcoholic products by farm breweries, farm distilleries, farm wineries, farm cideries, and farm meaderies and local ordinances that prohibit or limit business practices of these farm-businesses an agricultural activity that are regulated by state and federal laws.
- The Council supports the viability of the Virginia Winery Distribution Company to ensure affordable distribution of Virginia wines to all markets.
- The Council supports the Virginia Farm Winery Law, including land use provisions, and supports the retention of all specified privileges within the Law for farm wineries.
- The Council supports the right of farm wineries, cideries, and meaderies to open and operate remote retail establishments as a privilege of the farm winery license.
- The Council supports efforts to expand the development and use of Virginia-grown products in Virginia breweries, distilleries, wineries, cideries, and meaderies.

## **Education, Outreach, & Research Policies**

### **Higher Education and Land Grant Universities**

- The Council encourages exploration of admission policies at colleges, particularly at Land Grant Universities, to afford the greatest opportunities for students seeking degrees or professional certificates in agribusiness related fields.
- The Council supports coordination between Land Grant Universities and Community Colleges to provide adequate agriculture and natural resource programs that facilitate transition to four-year degree programs.
- The Council supports fulfillment of the three-part land-grant mission for education, research, and extension by Virginia's two land-grant institutions— Virginia Tech and Virginia State University. The Council supports all three parts of the land- grant mission as equally important, and supports maintaining a focus on programs critical to agribusiness.

- The Council supports adequate state funding for programs, personnel, initiatives, maintenance and operations, and capital projects that advance agribusiness research, education, and outreach through Virginia State University and Virginia Tech. Specifically, the Council supports state funding to match “1890 Institution” federal funds for land-grant mission programs at Virginia State University.
- The Council supports accountability and transparency with respect to how Virginia Tech and Virginia State University funding is distributed, including Virginia Cooperative Extension and Virginia’s land-grant agricultural research stations.
- The Council supports changing or moving the agricultural animal facilities for the College of Agriculture and Life Sciences at Virginia Tech from their current locations with 1) complete funding for equal or improved replacements, 2) the uninterrupted use of facilities, and 3) the preservation of educational opportunities and experiences for students.
- The Council encourages the development and implementation of an agricultural land-use plan so that the integrity of all agriculture programs is preserved and Virginia Tech’s mission as a land-grant institution is visibly demonstrated.
- The Council supports making state owned and operated facilities available at an affordable rate for youth events such as FFA and 4-H judging events.
- The Council supports soil testing services at Virginia Tech and adequate resources to ensure their viability and capability to meet producer demands.

**Virginia Cooperative Extension and Agricultural Research Stations**

- The Council supports adequate funding for Virginia Cooperative Extension (VCE), the Virginia Agricultural Experiment Station (VAES), and other land-grant agricultural research station programs which are essential in providing the latest information, research findings, and technologies to the agribusiness industry.
- The Council supports keeping VCE and Virginia’s land-grant agricultural research stations within Virginia Tech’s College of Agriculture and Life Sciences, in coordination with Virginia State University, the Virginia Tech College of Natural Resources and Environment and the Virginia-Maryland Regional College of Veterinary Medicine.
- The Council believes State funding decisions for VCE and land-grant agricultural research stations and facilities must recognize that funding needs cannot be offset by tuition and fees.
- The Council supports agriculture and 4-H being the priority for VCE programs.

- The Council supports the inclusion and review of the needs and priorities of local governments and the agribusiness community by VCE on a regular basis.
- The Council supports a continued assessment, with industry involvement, of VCE and land-grant agricultural research stations to assure that critical services to agriculture and forestry are preserved and that limited resources are used wisely and efficiently.

**Youth Education**

- The Council supports positive youth education and leadership opportunities through environmental, career and technical education, agricultural education in public schools, Ag in the Classroom, 4-H, FFA, Project Learning Tree, and the Governor's School for Agriculture, and the adequate funding of these programs.
- The Council supports agriculture-based Career and Technical Education positions through Virginia Tech, Virginia State University and the Virginia Department of Education.
- The Council supports efforts to educate students in public schools about the benefits and positive impacts of the agribusiness industry on local communities, food safety and availability, and economic development.

**Environmental Policies**

**Air Quality** - The Council supports sound air quality policy that is scientifically responsible, risk-based, does not require business practices that modern science, technology, and economic feasibility do not support, considers the risks and benefits to the agribusiness community, and does not create an unfair disadvantage for Virginia agribusiness in competing regionally, nationally, and internationally. Full economic impact studies should be used in the decision making process, including recognizing and crediting previous efforts to reduce or limit a facility’s emissions.

**Agricultural Best Management Practices (Ag BMPs)** - The Council supports achieving state-wide water quality goals through a public-private partnership between farmers and the Commonwealth for implementation of voluntary agricultural best management practices. In order to achieve these goals, adequate, consistent and dedicated State funding is needed for implementation of agricultural best management practices, technical assistance, and essential operations provided by the Soil and Water Conservation Districts.

**Agricultural Permitted Facilities** - The Council supports cost-share assistance for permitted agricultural facilities.



**Agricultural Stewardship Act** - The Council supports the purpose of the existing Agricultural Stewardship Act statute, which serves as a mechanism to protect water quality, and believes a successful Agricultural Stewardship program must be adequately staffed, sufficiently funded, complaint-driven, and managed by the Virginia Department of Agriculture and Consumer Services.

**Chesapeake Bay Restoration**

- The Council supports a comprehensive data system that fully accounts for all Agricultural Best Management Practices, whether through federal or state programs, permits, or voluntary implementation.
- The Council supports meeting agriculture nutrient reductions within the Chesapeake Bay TMDL through utilization of voluntary Resource Management Plans (RMPs). RMPs must be supported by adequate, consistent, and dedicated funding for cost-share programs and technical assistance for implementation.
- The Council supports the use and implementation of state guidelines for actions by localities in meeting Bay TMDL Phase II Watershed Implementation Plan (WIP) requirements in order to maintain consistency of expectations upon agribusinesses across all jurisdictions. The Council opposes arbitrarily shifting the burden of Chesapeake Bay restoration to any source sector, including agribusiness.
- The Council supports the Chesapeake Bay Program that does not incorporate significantly expanded federal authorities. Specifically, the Council opposes additional federal regulation and enforcement power of state programs including TMDL's (Total Maximum Daily Load), effluent guidelines, Animal Feeding Operation regulations, and point source programs.
- The Council opposes efforts within the Chesapeake Bay Agreement to include measures that would divert efforts and resources beyond those required to meet the Bay TMDL.
- The Council supports the usage of real-world, science-based and tested water quality data in decision-making processes versus an overall dependence upon computer modeling.
- The Council opposes using any Chesapeake Bay Model with significant flaws which adversely impact the agribusiness industry's efforts to address water quality.

**Chesapeake Bay Preservation Act** - The Council opposes the expansion of the existing Chesapeake Bay Preservation Act to localities within the western Chesapeake Bay watershed but supports other water

quality improvement incentives suitable for the nature of agriculture production in the region.

**Climate Change** - The Council encourages balanced energy and climate policies that:

- Are based on peer reviewed, science-based conclusions
- Include realistically achievable strategies for compliance
- Rely first on market-based solutions instead of government regulations
- Create economically affordable and sustainable solutions that minimize the impacts to agribusinesses and consumers
- Include access to markets related to carbon sequestration and carbon capture when they become available
- Promote research and development of new technologies that can be implemented in realistic timelines
- Maximize the utilization of current programs to achieve results, including working farm and forestland preservation and active forest management
- Are predicated upon equal levels of requirements in all nations, do not rely on US funding to achieve reductions in developing nations, and do not create an unfair disadvantage for Virginia agribusiness in competing regionally, nationally, and internationally.

**Environmental Offset Programs** - The Council supports the development of trading or offset programs that provide market-based approaches to resolving environmental issues, provided that there are provisions to avoid detrimental impacts to facilities or operations providing these offsets. Offset programs should realistically account for the amount of offsets available from agriculture, forestry, and the green industry, not serve solely as a means to shift additional requirements from one source to another, and allow for full trading participation from all sectors, including agribusiness.

**Environmental Permitting**

- The Council supports adequate general funds and/or cost-saving measures to fund environmental permit programs.
- The Council supports environmental incentive programs for facilities that have demonstrated a strong environmental compliance record.
- The Council supports coordination of state agency programs and regulations that positively impact the agribusiness industry.
- The Council opposes requiring agribusinesses or producers to be co-liable with a permit holder.

### **Environmental Stewardship**

- The Council supports sound, science-based environmental stewardship on all agricultural and forestry operations.
- The Council supports increased efforts for education about the importance of proper water quality practices.

### **Farm and Forest Land Preservation and Conservation**

- The Council supports the implementation and funding of voluntary programs that enhance the viability of the business of farming and forestry and conservation of the working lands upon which they depend.
- Specifically the Council supports matching state funds for local Purchase of Development Rights (PDR) programs to preserve working farms and forests.
- The Council supports tools that will meet a variety of landowner needs, including generational transfer education, agricultural and forestal districts, perpetual and shorter term easement programs, and mechanisms that provide certainty in assessment values.

### **Land Application Programs**

- The Council supports appropriate use of funding for land application programs, including the Biosolids Use Program, at DEQ. The Council supports funding for these programs in order to ensure that permits are issued in a timely and efficient manner, that vigilant enforcement programs are implemented, and that appropriate mechanisms are in place to gather input from those who are directly impacted by land application of biosolids or industrial residuals.
- The Council supports land application, such as of biosolids and industrial residuals, and its regulation only at the state level. Current land application regulations are balanced, efficient and effective, based on sound science, and protective of both the environment and property rights of landowners utilizing these nutrients.
- The Council supports adoption of county ordinances for testing and monitoring and appropriate training of local monitors to facilitate local participation in the testing and monitoring provisions of land application programs.

### **Livestock Stream Fencing**

- The Council supports the proactive, voluntary efforts of the livestock industry to pursue additional implementation of livestock stream fencing practices.
- The Council supports the adoption by federal and state programs of flexible fencing standards.

- The Council supports strategies and cost-share assistance to implement and maintain livestock stream fencing, while ensuring that available funding is used in the most efficient manner to achieve the greatest environmental effectiveness.

### **Nutrient Management Program**

- The Council supports a streamlined and efficient nutrient management program that addresses nutrient applications through site-specific assessments, is flexible and tiered for the size and type of agribusiness operation, and seeks a balance between environmental stewardship and the viability of the operation. Cost-share assistance must be guaranteed, adequate technical assistance and resources provided to impacted industries, and further program enhancements made prior to adoption of mandatory standards.
- The Council supports adequate state cost-share funding for writing nutrient management plans on golf courses to assist courses in meeting the state requirement to complete a nutrient management plan by July 1, 2017.
- The Council supports a voluntary, incentive-based nutrient management program, and efforts to educate and encourage implementation of nutrient management plans.
- The Council supports funding, education and deployment of Nutrient Management Plan writers as necessary to comply with the Chesapeake Bay Restoration Plan and statewide permitting requirements.
- The Council supports increased flexibility in required Nutrient Management Plans for state-owned lands for research purposes.
- The Council supports the Department of Conservation and Recreation Nutrient Management Standards and Criteria that are science-based and written through consultation with Virginia Tech.

### **Plant Nutrients**

- The Council supports the use of alternative sources of nutrients such as industrial residuals, biosolids, livestock manures, and poultry litter for crop and forest lands.
- The Council opposes local government regulation of nutrients.
- The Council supports addressing urban nutrient reductions from managed landscape and turf through practices that are feasible, science-based, cost-effective, and generate measurable results.
- The Council supports labeling guidelines provided by the Association of American Plant Food Control Officials (AAPFCO) and opposes labeling that is applicable only to Virginia.

- The Council supports science-based application rates for slowly available nitrogen in lawn fertilizers.

#### **Poultry Litter Management**

- The Council supports collaboration between the poultry industry and the State to facilitate transportation and alternative uses of poultry litter. Any state or industry funded initiatives must have clear parameters with appropriate caps and not subsidize that which free-market forces can accomplish. The Council strongly opposes a levy or tax upon the poultry industry to fund such programs.
- The Council supports education and incentives for feed nutrient management but opposes mandates for use of the phosphorus reduction enzyme Phytase or other feed nutrient management strategies.
- The Council supports the use of traditional and innovative economic development efforts such as tax incentives and grants to promote alternative uses of poultry litter.

#### **Soil and Water Conservation Board**

- The Council supports the decision making authority of the Soil and Water Conservation Board in order to provide transparency and citizen input for programs and regulations impacting agribusinesses, including oversight of: 1) nutrient management planning regulations and standards and criteria, 2) resource management plan regulations and program implementation, 3) Soil and Water Conservation District funding and operations, and 4) Agricultural Best Management Practice Cost-share standards, specifications, and funding.
- The Council supports appropriate representation of the agribusiness industry, and the utilization of other state agencies critical to agribusiness as resources on the Soil and Water Conservation Board.

**Stormwater Management** – The Council opposes federal, state, and local stormwater management regulations for agribusinesses, including managed landscape and turf, (like golf courses, athletic fields, parks, and landscaping features) agricultural buildings and structures, and agribusinesses in urban settings, that are not based on sound science, do not provide credit for industry practices for managed landscape and turf, and negatively impact the further development and expansion of agribusinesses.

#### **TMDL Development**

- The Council opposes TMDL Development processes that a) are not based on peer-reviewed, science-based information, b) do not account for population growth projections in the watershed, c) do not assess wildlife population impacts on water quality, d) do not

consider the realistic availability of offset credits and/or e) do not provide state level guidance to localities and oversight of local actions.

- The Council encourages the use of sound science and the representation of the agricultural and forestry community in TMDL development and implementation.

#### **Urban Best Management Practices**

- The Council supports the urban best management practices (BMP) program and associated cost -share assistance to increase adoption of water quality practices on urban landscapes and managed turf.
- The Council endorses best management practices (BMP) for golf course management, developed in coordination with industry leaders, academic experts, and state officials, to address water quality and quantity concerns for golf courses.

**Waste Management** - The Council supports proactive education programs and other efforts to increase the effectiveness of waste management activities in order to reduce the negative impacts to agribusinesses from improper waste disposal.

#### **Water Permit Fees**

- The Council supports agriculture’s exemption from water permit fees.
- The Council opposes increases in applicable water permit fees. The Council supports the coordination of all state agencies impacting environmental permits throughout the permitting process.

#### **Water Quality Programs**

- The Council opposes state laws and regulations that are more stringent than those required by federal authority and create an unfair disadvantage for Virginia agribusiness in competing regionally, nationally, and internationally.
- The Council opposes any adverse changes to the current Virginia Pollution Abatement General Permit, a permit program which provides a means to effectively protect water quality and to monitor intensive livestock and poultry facilities. Further, the Council believes that clear and consistent administration and enforcement of the permit system are necessary to maintain the confidence of the agricultural community and the general public.
- The Council supports exemptions for fruit and vegetable packing houses from Virginia Pollution Discharge Elimination System (VPDES) permits.
- The Council supports the management of agribusiness related water quality programs that will ensure and enhance the effective, efficient, and

consistent delivery of programs and services to the agribusiness industry.

- The Council supports an expanded voice for agribusinesses in the development and implementation of environmental programs administered by state agencies.
- The Council supports 1) oversight of water quality programs within an agency that maintains and/or increases the benefits and viability of voluntary agricultural water quality programs, including increased resources, funding, participation, and agency communications with the agribusiness industry, 2) statutory specifications to maintain existing voluntary programs, including agricultural best management practices, soil and water conservation districts, and resource management plans, and 3) policies to ensure that voluntary agricultural water quality programs will not be directly overseen by state personnel charged with regulatory authority.
- The Council supports application of the federal agricultural stormwater exemption in Clean Water Act permitting programs administered by the Commonwealth, and opposes any efforts to require federal discharge permits for operations falling under the exemption.

#### **Water Quality Resources**

- The Council supports full utilization of existing state water quality programs and the provision of adequate funding and resources to implement these programs prior to imposing additional, unnecessary regulatory programs.
- The Council supports sufficient federal and state funding for implementation of required and voluntary environmental practices on agribusinesses.

#### **Water Use, Management Policy and Water Rights**

- The Council supports sound water use policy planning that fairly and equitably addresses water uses, water rights of landowners, and water restrictions during times of drought.
- The Council supports the protection of water rights for agriculture and turf operations and opposes withdrawal regulations or laws that result in adverse financial or operational impacts.
- The Council supports policies that encourage the appropriate use and management of water resources, including the reclamation of water for irrigation and industrial purposes.

**Wetlands** - The Council supports a balanced wetlands protection program that is based on sound economic and scientific data, fairly addresses the interests of agriculture

and forestry, and expedites the permit approval process by federal, state and local government.

### **Legal and Regulatory Policies**

**Dillon Rule** - The Council supports the current use of the “Dillon Rule” regarding the relationship of state and local government powers and opposes efforts to amend or abolish the “Dillon Rule” in Virginia.

#### **Eminent Domain (Rights of Private Property Owners)**

- The Council opposes policies and actions that infringe upon the rights of private property owners. The Council supports legislative action that prevents unreasonable restrictions and actions against private property owners and supports fair compensation for the taking of property, lost access, and lost profits, when eminent domain authority is exercised.

**Freedom of Information** - The Council supports amendments to the Virginia Freedom of Information Act that prevent disclosure of proprietary information including: content of Nutrient Management Plans and Resource Management Plans, premises and animal identification and tracking records, investigation reports, testing results, and records related to catastrophic events and losses impacting the agribusiness industry.

**Initiative and Referendum** - The Council opposes amending the Virginia Constitution to incorporate initiative and referendum procedures that bypass the General Assembly.

**Legal Services** - The Council supports accountability and oversight of legal service programs in the Commonwealth to ensure that they are not used to the detriment of agribusiness. The Council further supports requiring state appropriated funds to be subject to the same restrictions as placed on Federal funds to legal organizations.

**Right-to-Work** - The Council supports Virginia’s current status as a Right-to-Work state.

**Wage Policy** - The Council opposes any change in wage policy that could negatively impact Virginia agribusinesses.

**Worker’s Compensation** - The Council supports mechanisms to control rising medical costs within Virginia’s workers’ compensation system while opposing any changes that will undermine the basic concept and sound balance of this law, such as broadening conditions not clearly arising in the course of employment.

## Taxes and Fees Policies

**Estate Tax** - The Council opposes reinstatement of Virginia's Estate Tax.

**Local Real Estate Taxes** - The Council opposes the adoption of a general "homestead exemption" applied to all local residences due to the increased local government reliance on land-use taxation or taxation of business and commercial property to offset the reductions in other tax revenues.

### **Tax Policy**

- The Council supports maintaining favorable current tax status and policies specific to the agriculture and forest industries and updates of policies when necessary to ensure they reflect current industry practices.
- The Council supports consistent application, collection, and enforcement of the Forest Products Tax to reflect changing markets, in support of Virginia's Reforestation of Timberlands (RT) program.
- The Council opposes a burdensome and unreasonable tax clearance policy related to the issuance or renewal of State licenses.
- The Council supports Virginia tax laws that:
  - Rely more on taxes that can be fairly assessed on all taxpayers (i.e., income, non-food sales, and fuels) and less on taxes that are unfairly assessed

and are burdensome to agribusiness growth (i.e., real estate, services, personal property, machinery and tools, and Business, Professional, and Occupational License (BPOL)).

- Reduce local dependence on real estate taxes by allowing localities to receive a greater portion of the state sales tax and/or a portion of the state income tax.
- Requires local governments to refund overpayment of taxes in a timely and efficient manner.
- Do not increase the taxation of tobacco products at the local or state level.
- Do not increase the state excise tax on alcohol beverage products produced under the Alcoholic Beverage Control Act and recognize the already high rate of excise tax on wine.
- Do not increase pressures on localities to disproportionately increase real estate taxes on agriculture and forestry lands and agribusinesses.

**User Fees** - The Council opposes the imposition of taxes disguised as user fees to fund mandatory regulatory programs designed to benefit society as a whole.



*The Virginia Agribusiness Council is a non-profit membership organization whose mission is to "Represent Virginia Agribusiness with a Unified Voice." Our membership includes producers, suppliers, marketers and processors, as well as over forty commodity associations and industry organizations. Positions on state issues are reached after thorough study in consultation with Council members during the State Policy Development Process. The 2017 Policy on State Issues was approved by the Board of Directors on December 14, 2016.*

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