



BEYOND PESTICIDES

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October 12, 2016

Ms. Michelle Arsenault
National Organic Standards Board
USDA-AMS-NOP
1400 Independence Ave., SW
Room 2648-S, Mail Stop 0268
Washington, DC 20250-0268

Re. CACS: Eliminating Incentive to Convert Native Ecosystems into Organic Crop Production

These comments to the National Organic Standards Board (NOSB) on its Fall 2016 agenda are submitted on behalf of Beyond Pesticides. Founded in 1981 as a national, grassroots, membership organization that represents community-based organizations and a range of people seeking to bridge the interests of consumers, farmers and farmworkers, Beyond Pesticides advances improved protections from pesticides and alternative pest management strategies that reduce or eliminate a reliance on pesticides. Our membership and network span the 50 states and the world.

We write these comments in support of the Wild Farm Alliance (WFA) request to add to the CACS work agenda an item on “Eliminating the Incentive to Convert Native Ecosystems into Organic Crop Production.” WFA states the problem as follows,

The most productive lands have already been converted years ago. At this point in human history, agriculture has expanded on privately owned lands to include most available areas except for lands that are marginal, highly erodible, rocky, and/or prone to flooding. NOP requires that, in order to transition to organic certification, lands must be free from pesticides for three years. Unfortunately, despite often being highly erodible, valuable prairie, historic oak woodlands or other diverse ecosystems, land that has not been plowed or previously planted is an easy target for those looking to quickly overcome NOP’s three-year waiting period.

NOP’s three-year waiting period for transitioning to organic production serves a critical purpose and it should be retained. However, we urge NOSB to recognize that the conversion of native ecosystems that have no cropping history to organic production is an unintended consequence of the requirement, and to develop regulatory language to discourage such conversion.

I have had some personal experience with this. We have land in Northwest Missouri where soils are highly erodible, and well-drained flat land or land with moderate slopes is interspersed with steeply sloped woodland. This woodland is mostly oak-hickory forest in the uplands and floodplain forest in the lowlands, with valuable black walnut in well-drained lowlands. Farmers around us plow every square inch of farmable soil and rent out their woodlands to hunters. They periodically cut black walnut trees for sale.

The farmer –not an organic farmer– who owns the land to the west of ours bulldozed over 80 acres of steeply sloped woodlands this summer to expand his fields. It has already eroded to expose gullies and piles of rocks. But worse than that, this woodland was home to many animals who must now find another place to live. The patchwork of farmlands and woodlands does not provide much room for these refugees.

The organic program should not encourage this kind of action on farms in transition to organic production. It should, instead, actively discourage it –not only for the many benefits that natural lands bring to the farms, but also because protecting and promoting biodiversity is an important value to organic production.

It is also important to set aside habitat to protect biodiversity in productive lands –as organic farms are required to do– because the same characteristics that lead to highly productive land for agriculture are also highly productive for biodiversity.

The CACS notes of June 4, 2016 say, “The CACS discussed the complexity of the topic, and members were supportive of adding it to the work agenda as a discussion document.”

Part of the complexity of this topic is the need to encourage more domestic organic production to meet the growing demand for organic food. It is best in many respects for new organic farmland to come out of transition from nonorganic farmland. This transition reduces the impact of agriculture and –through the requirement on organic farms to conserve biodiversity– can actually increase biodiversity as a whole.

Unfortunately, the required three-year transition before new organic farmers can realize the financial benefits of organic production is a major disincentive to the transition of chemical-intensive agriculture to organic agriculture and an incentive to turn natural ecological communities into organic farms. Therefore, we ask the CACS to focus heavily on incentivizing the transition to organic production while removing incentives to convert native land to organic farms.

We believe this is an appropriate topic for the NOSB to undertake. It is the job of the NOSB to “to assist in the development of standards for substances to be used in organic production and to advise the Secretary on any other aspects of the implementation of [OFPA].” The CACS acknowledges that conversion of native ecosystems is a problem. The NOP has expressed a need for regulations on this issue and a need for NOSB input. The CACS notes reveal that there is only one other item on the CACS work agenda. The rush of the 2017 sunset has passed. WFA

has offered its expertise to the subcommittee. We suggest that this is an opportune time for the subcommittee to undertake this important issue.

Regulations are needed –as has been suggested by NOP– but we also know that regulations take time. Protection of biodiversity cannot wait for the regulatory timetable. Therefore, we suggest that NOSB and NOP develop guidance implementing the NOSB’s 2009 recommendations, while simultaneously working on regulations. We also believe that protection should not be limited to those species and communities recognized as threatened or endangered. Such recognition is often delayed, and in many farming areas, habitat fragmentation is already severe.

Thus, we call upon the CACS to draft recommendations for guidance and regulations to protect biodiversity from the incursions of organic agriculture –as well as promoting it on organic farms.

Thank you for your consideration of these comments.

Sincerely,

A handwritten signature in cursive script, appearing to read "Terry Shistar".

Terry Shistar, Ph.D.
Board of Directors