



BEYOND PESTICIDES

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October 3, 2014

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: Soil conservation practices DD

These comments to the National Organic Standards Board (NOSB) on its Fall 2014 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 groups around the world.

We appreciate the in-depth attention given by the Compliance, Accreditation, and Certification Subcommittee (CACS) to soil conservation practices. However, it is important to address biodiversity conservation comprehensively, not just soil conservation.

The CACS says, "The Board would like to determine if and how grower and livestock operations are complying with the portions of the regulation stating that operators must maintain or improve the natural resources, including soil and water quality." Natural resources include biodiversity as well as soil and water quality. Practices that conserve biodiversity also tend to conserve the soil. We especially wish to focus on the dedication of land to non-crop purposes such as hedgerows, buffer strips, and wetlands. Land in perennial native cover sustains a variety of plants, animals, and fungi that are supportive of organic farms by conserving soil organisms, holding soil, providing food and shelter for "beneficial" organisms, and maintaining biological communities that sustain organic farms.

The CACS states:

The passage of the Food Security Act of 1985 (P.L. 99-198), (with its Sodbuster, Swampbuster, and Highly Erodible Lands provisions) made conservation a prerequisite for participation in USDA programs. In order for organic operators to participate in, and benefit from conservation program investments, they are required to submit conservation plans if they have erosion problems.

It is commendable that the NOSB is addressing the highly erodible lands provisions. In addition, the Board should be addressing the Sodbuster and Swampbuster provisions. Swampbuster

protects wetlands as do the NOP regulations (205.2 and 205.200). Sodbuster conserves biodiversity and maintains or improves wildlife that depend on these high conservation value areas by protecting un-plowed prairies and grasslands, as do the NOP regulations (205.2 and 205.200). Wetlands, prairies and grasslands are better left intact rather than turned into cropland.

We concur with the comments of Jo Ann Baumgartner from the Wild Farm Alliance at the Spring 2014 NOSB meeting:

While it's important that the USDA and NRCS is now participating with the NOP, the NOP reach encompasses the biodiversity issue broader than NRCS, such as those under US Fish and Wildlife Service and EPA. Another issue that NOSB was addressing in the fall 2012 biodiversity discussion document was high conservation value areas. These are natural habitats that have been identified as having outstanding importance due to their environmental, biodiversity or landscape values. The NOP three-year waiting period for land with pesticides incentivizes farmers to convert pesticide-free high conservation value areas to organic production because they can do it quickly. And this has to change. Either this issue needs to be put into guidance, or the NOP should make an interpretation on the intent of the rule, put it out for public comment and do some rule making.

So, while we endorse this effort to assess practices to achieve soil conservation objectives, we encourage the Board to determine how certifiers are ensuring that growers meet biodiversity conservation objectives. We also ask you to urge the NOP to release long-promised biodiversity guidance.

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