



CCOF

Organic Certification

Education & Outreach

Political Advocacy

Promotion

Ms. Michelle Arsenault
Advisory Committee Specialist
National Organic Standards Board, USDA-AMS-NOP
1400 Independence Ave. SW., Room 2642-S, Mail Stop 0268
Washington, DC 20250-0268

Docket: AMS-NOP-17-0057-0001

Re: Compliance, Accreditation and Certification Subcommittee: Eliminating the Incentive to Convert Native Ecosystems to Organic Production Proposal

April 4, 2018

Dear Ms. Arsenault and NOSB,

Thank you for the opportunity to comment on the Compliance, Accreditation and Certification Subcommittee's proposal "Eliminating the incentive to convert native ecosystems to organic production."

CCOF is a nonprofit organization governed by the people who grow and make our food. Founded in California more than 40 years ago, today our roots span the breadth of North America. We are supported by an organic family of farmers, ranchers, processors, retailers, consumers, and policymakers. Together, we work to advance organic agriculture for a healthy world.

CCOF supports protecting native ecosystems and works at the state and local levels to advance organic acreage throughout California. In the attached comment, CCOF outlines several concerns and recommendations regarding the proposal. Overall, CCOF encourages NOSB to work to protect native ecosystems through incentives to convert existing agricultural to organic production rather than focus only on disincentives.

Thank you for your careful review of our comments. Please do not hesitate to contact me for further information.

Sincerely,

A handwritten signature in cursive script that reads "Kelly Damewood".

Kelly Damewood
Director of Policy and Government Affairs

cc: Cathy Calfo, Executive Director/CEO
Jake Lewin, President, CCOF Certification Services, LLC

CCOF's Comments on Eliminating the Incentive to Convert Native Ecosystems to Organic Production Proposal

i. NOSB should work to develop incentivizes to transition conventional agricultural land to organic production.

CCOF's foremost concern is that NOSB proposes a disincentive, but it has yet to explore incentives to encourage the transition of conventional agricultural land to organic production. Less than 4% of California's agricultural land is in organic production, and less than 1% nationally. So while sufficient agricultural land already exists for organic production, NOSB has yet to work with the organic community to vet ideas to support producers as they go through the three-year transition period. CCOF's studies on and work to advance organic agriculture show that the three-year transition period is the number one barrier for producers seeking to expand organic production or convert their conventional production to organic. Therefore, NOSB should set forth a discussion document and call for ideas on how to incentivize conversion rather than focus only on disincentives.

ii. The proposal will disproportionately impact small, low-income, and immigrant producers.

CCOF is also concerned that the proposal could disproportionately impact small, low-income, and immigrant producers. Often, these producers are relegated to marginal lands because they cannot access prime agricultural lands, especially in states like California that have high agricultural land prices. If these producers cannot provide land use history proving that their land was not converted from native ecosystems, then they will be excluded from organic production, leaving small, low-income, and immigrant producers with no choice other than to farm conventionally.

iii. The proposal should take into account existing land use protections and designations.

The proposal could be improved if it has qualifications or exemptions for regions with effective environmental protections. Consider this example: a nonprofit is moving its certified organic farm to an area with native ecosystems in Santa Cruz County. The Homeless Garden Project (HGP) is a nonprofit organization that provides job training, transitional employment, and support services through its urban farm to people who are experiencing homelessness. HGP is moving its farm to an area with native California Coastal prairie because it is losing its current donated land to development and it is left with little other options in a high cost area like Santa Cruz. HGP will crop a small portion of this land and comply with strict mitigation requirements to maintain and protect the coastal prairie on the majority of the land. It is in compliance with a myriad of local, state, and federal environmental protections. Yet it is unclear whether this project could happen if a 10-year waiting period existed for organic production. Whether this project would be impacted may depend on how "conversion" is ultimately defined, but it is important for NOSB to be aware that this proposal could discourage a number of unique, beneficial projects.

For areas, like Santa Cruz County, that already effectively protect native ecosystems through existing land use and environmental laws, it is unclear how a 10-year waiting period would further protect native ecosystems in these regions because conventional production would still be an option for producers seeking to expand onto new land, especially if state and local authorities designate an area as land for agricultural use.

iv. NOSB should clarify what qualifies as "conversion" under the proposal.

The proposal does not define "conversion." For example, it is unclear whether grazing on land with native ecosystems would trigger the 10-year waiting period. On one hand, proper grazing in an organic system should not result in the conversion of native ecosystems. On the other hand, the proposal explicitly excludes wild crop harvesting—if a standard or guidance explicitly excludes one production practice then it may be inferred that all other production practices are considered to be a "conversion" unless explicitly exempt. Therefore, the proposal should clarify the definition of "conversion," and NOSB should be prepared to develop recommendations for guidance on conversion.

- v. **The 10-year wait period should be reduced to three years to match the transition period of conventional agricultural land to organic.**

The conversion period from native ecosystem to organic production should be reduced to three years. If land not already in agricultural use or in conventional production is subject to the three-year waiting period, then producers may be more inclined to transition their existing agricultural land. NOSB has not shared evidence that a 10-year waiting period on organic production will result in the protection of native ecosystems. While the time frame of 10 years may address some discreet resource concerns in specific regions of the world, it puts producers who operate in areas with strict land use and environmental protections at an unfair disadvantage to conventional growers who may still convert land in these regions.