March 26, 2022

To: USDA National Organic Program (NOP)

From: Mark Schonbeck, Consultant in Sustainable Agriculture
RE: USDA National Organic Program public listening session, Mar
Docket No. AMS-NOP-21-85
Federal Register Notice 87 FR pages 6839-6842, February 7, 202

Be sure to use a phrase similar to this that directly tells the NOP what you want them to do based on this letter.

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In response to NOP's call for public comments regarding Standards development, I am writing to ask NOP to enact without further delay the National Organic Standards Board (NOSB)'s April 2018 recommendation to Eliminate Incentive To Convert Native Ecosystems to Organic Production. Specifically, I urge you to adopt the following new language submitted by NOSB:

Under Section 205.2 Terms Defined, add:

> *"Native Ecosystems definition: Native ecosystems can be recognized in the field as retaining both dominant and characteristic plant species as described by established classifications of natural vegetation. These will tend to be on lands that have not been previously cultivated, cleared, drained or otherwise irrevocably altered. However, they could include areas that have recovered expected plant species and structure."*

Under Section 205.200 Generaladd the following language:

> *"(a) A site supporting a native ecosystem cannot be certified for organic production as provided for under this regulation for a period of 10 years from the date of conversion."*

I also urge NOP to adopt guidance language to clarify that this new provision does not apply to wild harvested products gathered from native ecosystem without converting the ecosystem, and that such projects which may be marketed as organic provided that the harvest com ies with Section 205.207 Wild Crop Harvesting of the National Organic Standards.

This is important because the NOP is concerned about how this recommended rule affects the Wild Harvest Rule.

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I work as an independent consultant providing one-on-one technical assistance in soil nutrient, and crop management to small scale, diversified f s. Some of my clients are USDA certified organic or u intent to apply for certification, while others imple ces without seeking certification. All farmers with wh environmental stewardship as well as the produc l, fresh produce and other farm products to their custome

In addition, I provide consulting to several sustain s, including analysis of emerging research findings in support of policy advocacy at the federal level. Two emerging policy priorities are: (1) to establish a Department-wide recognition that the organic method, as codified in the NOP Standards is a climate-friendly, soil-enhancing, conservation agricultural system that merits a key role in the USDA's Climate Smart Agriculture and Forestry strategy and programs; and (2) to greatly expand USDA investment in organic agricultural research and conservation technical and financial assistance for organic farmers.

As the climate crisis unfolds, farmers in our region struggle to maintain yields in the face of increasing weather volatility, including extreme rainfalls and storms, flash droughts, and abnormally warm winters followed by sudden spring freezes. Many seek practical information and technical assistance on how to make their operations more resilient to climate disruption, and how to improve soil organic carbon (SOC) sequestration and mitigate greenhouse gas (GHG) emissions, thereby becoming part of the climate solution.

One challenge that new and transitioning organic farmers and organic farmers seeking to expand their operations face is choosing fields for production. Considerations include management history and date of last use of NOP-prohibited conventional [illegible] properties, current soil condition, and overall suitability of [illegible] intended uses. Many beginning organic farmers in our reg[illegible] with a history of conventional management and often suc[illegible] productivity through good organic practices. Less often, fa[illegible] without a history of agrochemical inputs. The NOSB's Apr[illegible] ecosystem" and recommended new provision regarding c[illegible] production have raised my awareness of the wider implica[illegible]

The NOP regulations currently require a three-year waitin[illegible] prohibited substance to a given field before products harv[illegible] as certified organic. However, no such waiting period applies to conversion of forest, prairie, or other native ecosystems to organic production. This creates an incentive to take the latter option, even for aspiring or transitioning organic producers who have access to existing cropland. This incentive must be removed for several reasons.

First, while conversion of depleted cropland to best organic practices can sequester 500 lb SOC per acre annually, conversion of woodland or grassland to organic crop production will likely result in a *loss* of 2,000 lb or more of SOC and biomass C per acre-year for at least several years. Organic agriculture cannot truly claim to meet USDA's criteria for Climate Smart Agriculture unless and until NOP establishes a substantial dis-incentive for conversion of native ecosystems. As long as producers can clear forest or break prairie and immediately begin producing and marketing crops as USDA certified organic, conservationists and other agricultural professionals within the USDA and beyond will continue to view NOP certified organic within the narrow frame of "market niche" and not the broader perspective of "resource conserving system."

Second, in addition to sequestering carbon, native ecosystems provide a wide range of other ecosystems services to farms and surrounding communities. Forests, prairies, and other natural areas mitigate local microclimate and contribute to climate resilience; protect and improve water and air quality; build the functional diversity of the landscape by providing habitat for wildlife, pollinators, natural enemies of insect pests, and other beneficial organisms; and improve quality of life through aesthetic and recreational value. It is for these reasons that NOP standards require organic producers to protect natural resources including woodlands, wetlands, and wildlife, and to enhance biodiversity. Thus, the existing incentive to convert native ecosystems to organic production constitutes a violation of the spirit and letter of the NOP standards themselves.

Make points about how this recommended rule addresses climate change; how without this rule, the organic label will not be considered to play an important role in the climate solution; and how the existing incentive counters the biodiversity requirements and goes against the integrity of the label.

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Third, organic food customers expect their purchases to support environmental stewardship, an expectation that increasingly includes carbon sequestration and GHG mitigation as the climate crisis unfolds. Therefore, NOP must protect the integrity of the USDA Organic label by eliminating the incentive to destroy native habitat for organic production.

Finally, when some producers are allowed to market products harvested from newly converted forest, prairie, savanna, grassland, or other native ecosystems as USDA certified organic, they gain an unfair competitive advantage over other organic farmer who have gone through the three year transition process. Many NOP-certified organic farmers have deep and sincere commitments to land and resource stewardship and have gone the extra 10 miles to restore degraded croplands, protect or expand natural areas within their property boundaries, and take other steps to maximize soil and a[illegible] these dedicated stewards of our soil and climate fa[illegible]ndors who destroy native ecosystems to bring "organ[illegible]ium.

Make the points about customers expecting the label to protect Native Ecosystems; and it is unfair to farmers who have spent extra time and money to protect their Native Ecosystems.

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I understand that NOP has been r[illegible]mmendation because of a potential conflict wit[illegible]ch permits gathering of wild foods from natu[illegible] prohibited substances for at least 3 years. I a[illegible]op harvest in compliance with Section 205.207[illegible] from which wild crops are taken) does not violate t[illegible]As noted earlier, this can be clarified with a brief Guidance document.

Thank you for the opportunity to provide comment on this important issue.

Sincerely,

Mark Schonbeck
Consultant in Sustainable Agriculture