



Montana Organic Association &lt;moamembership@gmail.com&gt;

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**Re: Montana Organic Association: Invitation to Montana Candidates To Share Positions**

1 message

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**Laurie** <lauriemckinnon4@yahoo.com>  
Reply-To: Laurie <lauriemckinnon4@yahoo.com>  
To: Montana Organic Association <moamembership@gmail.com>

Wed, Sep 16, 2020 at 5:23 PM

Dear Jamie,

I have reviewed the information about your Association, organic farming in Montana, and am enlightened as to your Association's mission and objectives. Educating is always part of the effort to make change and I applaud you for the excellent presentation of information you have amassed in an effort to enlighten all of us.

Unfortunately, as much as I would like to answer your survey questions, I cannot because they are more appropriately directed to legislative candidates than judicial candidates. A justice must remain neutral and nonpartisan; I cannot set forth my position on any matter that might present itself to the Court. You are, however, certainly entitled to know how I approach judicial decision making. If, for example, you are successful in enacting legislation which is beneficial to organic farming, it is my job to enforce that legislation, provided it is constitutional. Change and popular thinking must occur in the legislature as an expression of the will of Montanans. Judges protect constitutional rights, enforce what the legislature enacts, and apply and follow the rule of law. The law comes from the legislature and the Court's prior precedent interpreting the Constitution, statutes and rules. The law requires the Court to presume statutes enacted by the legislature are constitutional. The law also assumes that the legislature knows the Court's precedent and can enact a law to change a decision we have made, unless the decision was based on the constitution. So, should you be successful in enacting legislation, it is the Court's job to ensure that the intent and the language of your statute is followed.

I take an oath to follow the Constitution and the separation of powers, and I will enforce constitutional statutes regardless of my personal or political preferences. Our best protection for ensuring our democracy endures is an independent judiciary. I can promise you and your Association that I will be fair, impartial, and committed to the law.

If you have any other questions regarding my approach to judicial decision-making, I would be happy to answer them. My website is <http://www.McKinnon2020.com>. I have place where questions can be asked. You can also use this email. Thank you for reaching out to me.

Sincerely,  
Laurie McKinnon

On Monday, September 14, 2020, 02:30:08 PM MDT, Montana Organic Association <moamembership@gmail.com> wrote:

Dear Montana Candidate:

The Montana Organic Association invites you to share your positions and thoughts on issues relevant to Montana's organic agriculture and rural communities. MOA is a non-partisan trade association representing more than 200 members who hold diverse political views but are united in a shared mission to farm and ranch without chemicals. MOA does not endorse candidates but will instead share your answers with our members who come from all corners of Montana. You will find a link below to a few questions that should take you about 10 - 20 minutes to answer.

Please reach out to me if you would like to learn more about Montana's organic community.  
Thank you in advance for your time and consideration.

Sincerely  
Jamie Ryan Lockman  
Executive Director

## **Montana Organic Association State Candidate Questionnaire 2020**

### **About the Montana Organic Association**

Since 2002, The Montana Organic Association has been the voice of Montana's organic community. MOA is a nonprofit 501(c)(6) organization that provides education, information, support, assistance, promotion, and representation for organic producers, processors, handlers, retailers, consumers, researchers, agricultural service providers, and other interested parties.

The MOA membership believes that the organic movement is the one best hope for keeping small family farms viable while providing clean, nutritious, and safe food to the community; helping secure our food system by supporting farm diversity, and contributing to a healthier environment which helps protect our precious wildlife and natural resources.

Learn more about MOA at [www.montanaorganicassociation.org](http://www.montanaorganicassociation.org) and contact us with questions at (406) 546-6572 or [moamembership@gmail.com](mailto:moamembership@gmail.com)

### **Organic Food Production Act of 1990**

Part of the Food, Agriculture, Conservation, and Trade Act of 1990 (1990 Farm Bill), the Organic Food Production Act created the National Organic Program (NOP) within the USDA Agricultural Marketing Service (AMS). After considerable public input, the USDA published a final rule in December 2000. The rule went into effect in April 2001 and was fully implemented in October 2002 after a waiting period to allow time for producers to comply with the new regulations.

Since October 2002, the word "organic" is regulated, and all agricultural products labeled organic must follow USDA organic regulations.

The NOP develops the rules & regulations for the production, handling, labeling, and enforcement of all USDA organic products. This process, referred to as rulemaking, involves input from the National Organic Standards Board (NOSB), a Federal Advisory Committee made up of fifteen members of the public. The NOP also maintains a Handbook that includes guidance, instructions, policy memos, and other documents that communicate the organic standards.

The NOSB is a Federal Advisory Board made up of 15 dedicated public volunteers from across the organic community. Established by the Organic Foods Production Act (OFPA) and governed by the Federal Advisory Committee Act (FACA), the NOSB considers and makes recommendations on a wide range of issues involving the production, handling, and processing of organic products. The NOSB also has special responsibilities related to the National List of Allowed and Prohibited Substances.

This USDA program is unique in that those under the onus of the federal program rules, determine their own rules through the NOP rulemaking process and the undertakings of the NOSB. Each NOSB member, who is selected based on their role and experience within the organic industry, is appointed by the US Secretary of Agriculture for a five-year term. USDA publishes a call for nominations each year.

It takes three years for a farmer to transition from non-organic production to certified organic production. During this transition time, the farmer pays for organic production costs but is not able to sell this transition production for the premium organic value. The current Farm Bill approved by the House and Senate will modify the Department of Agriculture's existing voluntary agricultural conservation programs to better assist growers who want to switch to organic. Among the provisions that will help farmers transition to organic include providing transitioning growers with additional technical and financial assistance, as well as make more farmland available to those who want to farm organically. The bill will also provide increased funding for USDA's organic certification cost-share program. And it will provide nearly \$400 million in permanent funding for organic research and extension programs over the next decade to ensure that farmers transitioning to organic have greater access to high-yielding organic seeds as well as the resources necessary to address weed, pest, and soil health challenges. Further, there are provisions for increased scrutiny of organic imports, which will better position American farmers and ranchers to meet the growing demand for organic food here at home – a win-win-win for organic businesses, consumers, and the environment.

### **Montanans on the NOSB**

- Barry Flamm, Ph.D., Conservation Consultant, Polson, MT, Environmentalist, 2008 – 2013
- Nathaniel Powell-Palm, Cold Spring Organics, Bozeman, MT, Organic Farmer/Producer, 2020 – 2025

### **Environmental Considerations of Organic Farming Systems**

From the National Organic Farming Handbook (Completed with contributions from Jeff Schahczenski, National Center for Appropriate Technology, Butte, MT)

While the environmental benefits vary by farm, in general, organic systems can benefit environmental quality in several ways:

- **Soil.**—Soil-building practices such as crop rotations, cover crops, organic fertilizers, residue management, and minimum tillage are central to organic practices. These practices replenish soil organic matter, feed soil life, reduce erosion, improve soil structure, and enhance nutrient cycling and water retention. A-4 Title 190 – National Organic Farming Handbook 190–612–H, 1st Ed., Nov 2015
- **Water.**—Well-managed organic systems rely mainly on slow-release forms of nutrients, which reduce the risk of nutrient runoff and leaching. Enhanced soil structure, water infiltration, and better nutrient retention also reduce the risk of water quality impairment.
- **Air and Climate Change.**—Organic farming practices increase the return of carbon to the soil, thus removing carbon dioxide (CO<sub>2</sub>) from the atmosphere and mitigating global warming.

- **Biodiversity.**—Organic systems enhance biodiversity at several levels. A variety of seeds and breeds are preferred for their greater resistance to diseases, climate, and pests. Producers employ diverse combinations and rotations of plants and animals. The maintenance and planting of natural areas within and around organic fields and the minimal use of synthetic inputs create suitable habitats for wildlife.

Organic farming systems also present some distinct environmental challenges:

- **Soil Nutrients.**—Organic nutrient sources release slowly, and it is difficult to calibrate application rates for optimum production. A reliance on manure and compost to provide adequate nitrogen (N) for organic crops can lead to nutrient imbalances, especially a buildup of excessive soil phosphorus (P). Inadequate crop-available N, especially in early spring when the soil is cool, is a common production constraint for organic farms. Legume cover crops can address this constraint without adding P or other nutrients.
- **Tillage.**—Without broad-spectrum herbicides, organic annual crop production is more reliant on tillage and cultivation for weed management and seedbed preparation. This can lead to soil erosion, compaction, and organic matter loss. Integrated, ecological weed management strategies, including cover crops and crop rotation, can reduce reliance on cultivation, and additions of organic matter to the soil can mitigate negative impacts of tillage. Awareness of this issue has led an increasing number of organic farmers to implement flame weeding, mulches, reduced-till, and sometimes no-till systems.
- **Soil Residues.**—Some specialty crop rotations may not provide sufficient crop residues to replenish soil organic carbon or control erosion. Farmers producing high-value crops on limited acreage may find it challenging to implement a crop rotation with substantial residue return because of financial or logistical constraints.
- **Transition.**—The required three years free of NOP-prohibited materials can create an incentive for a farmer to break sod if existing cropland has had recent use of NOP-prohibited materials. In contrast, areas in sod have not (see appendix 2 of this handbook for information about converting Conservation Reserve Program (CRP) land to production). Breaking sod located on sloping land, highly erodible land (HEL), or high conservation value (HCV).

### **GMO's**

The use of genetic engineering, or genetically modified organisms (GMOs), is prohibited in organic products. This rule means an organic farmer can't plant GMO seeds, an organic cow can't eat GMO alfalfa or corn, and an organic soup producer can't use any GMO ingredients.

Farmers, ranchers, processors, and manufacturers must show they aren't using GMOs and that they are protecting their products from contact with prohibited substances from farm to table to meet USDA organic regulations.

### **Beginning Farmer and Rancher Development Program (BFRDP)**

Beginning farmer education for adult and young audiences in the United States can generally be traced back to the advent of the 1862 and 1890 Morrill Land-Grant Acts. But, for the first time, the Food, Conservation, and Energy Act of 2008 (Pub .L. No. 110-234, Section 7410) appropriated \$75 million for FY. 2009 to FY. 2012 to develop and offer education, training, outreach, and mentoring programs to enhance the sustainability of the next generation of farmers.

The Agriculture Act of 2014 provided an additional \$20 million per year for 2014 through 2018. The reasons for the renewed interest in beginning farmer and rancher programs are as follows: the rising average age of US farmers; the 8% projected decrease in the number of farmers and ranchers between 2008 and 2018; and the growing recognition that new programs are needed to address the needs of the next generation of beginning farmers and ranchers.

The Agriculture Improvement Act of 2018 (aka the 2018 Farm Bill) reauthorized the Beginning Farmer and Rancher Development Program and provides mandatory funds for which supports education, mentoring, and technical assistance initiatives for beginning farmers and ranchers.

The funding is \$15 million a year for Fiscal Years (FY) 2019 and 2020, \$17.5 million for FY. 2021, \$20 million for FY. 2022, and \$25 million for FY2023.

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Jamie Ryan Lockman  
Executive Director

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