

Cultivate **NEW YORK**

**An Agenda to Protect Farmland
for Growing Food and the Economy**


American Farmland Trust



EXECUTIVE SUMMARY

In New York, roughly 5,000 farms have been paved over since the early 1980s—put differently, an average of 3 farms a week have been destroyed for over 30 years.

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Food connects all New Yorkers. Hundreds of thousands of people in New York make a living on farms or with businesses associated with farming and food processing. Everyone needs food to live, and access to nutritious, local food can help address the epidemic of obesity and associated chronic diseases facing New York, and the nation.

The foundation of this food system is farmers, and the farmland that they need for growing food. Fertile soil is a precious resource, with less than 3% of the Earth's surface suitable for farming. With projections that global food production needs to increase by 70% by 2050, foreign nations and private investors have leased or purchased millions of acres of farmland around the world to control the soil that can provide food security or future profits.

The United States is home to one of the world's greatest concentrations of fertile soil. Tragically, millions of acres of farmland have been destroyed in this country by poorly planned real estate development. In New York, roughly 5,000 farms have been paved over since the early 1980s—put differently, an average of 3 farms a week have been destroyed for over 30 years.

Responding to this crisis, Governor Mario Cuomo and the New York State Legislature passed the Agricultural Protection Act in 1992, creating the state's Farmland Protection Program. The program began by offering funding and assistance to counties to develop agricultural and farmland protection plans. In 1996, state law was amended and the Farmland Protection Program began offering funds that were used to permanently protect farmland with agricultural conservation easements.

2016 marks the 20th Anniversary of the State of New York investing funds through the Farmland Protection Program to permanently protect working farms. To date, the State of New York has partnered with farm families, local governments and land trusts to permanently protect 59,165 acres on 232 farms.

In 2015, New York emerged as a national leader in investing in protecting working farmland, with the highest levels of funding in the state's history. Yet, much more needs to be done. The State of New York has helped permanently protect less than 1% of the state's farmland, and New York lags far behind neighboring states in protecting the land needed for farming and growing food.

Importantly, new threats are emerging to New York's farmland—including the need to transition farmland to new and next generation farmers and climate change. More than 2 million acres of farmland in New York are managed by farmers over 65 and will change hands in the coming years. In the past, many farm families have seen no alternative to selling their farm for real estate development when they sought to retire. And, new and next generation farmers in New York face significant challenges in finding farmland at a price they can afford and conditions that will enable them to succeed in farming.

Climate change poses threats, and opportunities for farming in New York. Severe weather has hurt farmers across the state, but New York is better positioned for resilient farming given the state's fertile land and abundant fresh water, as well as the severe drought and other impacts projected in other regions of the nation. Protecting highly productive farmland will not only give New York farmers the best opportunities to adapt to a changing climate, there is new evidence that keeping land in farming can help maintain lower levels of greenhouse gas emissions.

Cultivate New York: An Agenda to Protect Farmland for Growing Food and the

Economy celebrates accomplishments of the last 20 years, while offering new evidence of threats to farmland in New York and the urgent need for action. *Cultivate New York* reflects input from farmers, local governments, land trusts and other key stakeholders. It suggests a road map to protecting the state's irreplaceable farmland to ensure a growing farm and food economy and the availability of healthy, local food for generations to come. Specific goals and recommendations include:

GOAL 1: INVEST IN MAKING NEW YORK A NATIONAL LEADER IN PROTECTING THE LAND TO GROW FOOD AND THE ECONOMY.

BENCHMARK: Permanently protect 100,000 acres of high quality farmland that is under threat over the next 10 years.

- ▶ **RECOMMENDATION 1:** Allocate \$300 million from the Environmental Protection Fund, or other state economic development, infrastructure or other funding sources to permanently protect New York's most productive farmland that is under threat from real estate development.
- ▶ **RECOMMENDATION 2:** Engage the United States Department of Agriculture (USDA) and Congress to leverage additional funding from the national Agricultural Conservation Easement Program (ACEP) for permanent farmland protection projects in New York.
- ▶ **RECOMMENDATION 3:** Enable and encourage local governments to generate funding for protecting farmland through the expansion of the Community Preservation Act and other local funding mechanisms.
- ▶ **RECOMMENDATION 4:** Support additional federal incentives to encourage farmers and non-farming landowners to convey permanent agricultural conservation easements in New York.

GOAL 2: IMPROVE CAPACITY TO PROTECT FARMS QUICKLY AND EFFICIENTLY.

BENCHMARK: Consistently complete state-funded farmland protection projects in less than two years.

- ▶ **RECOMMENDATION 5:** Provide greater flexibility to local partners working with the state's Farmland Protection Program in the design, review and completion of state-funded projects.
- ▶ **RECOMMENDATION 6:** Improve capacity at the Department of Agriculture and Markets to consistently complete projects in less than 2 years.
- ▶ **RECOMMENDATION 7:** Provide financial support for building land trust capacity to work with communities and farm families in protecting farmland and keeping farmers on the land.
- ▶ **RECOMMENDATION 8:** Develop a consistent annual timeline for releasing the Request for Proposals (RFPs) and the announcement of funding awards associated with the state's Farmland Protection Program.

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GOAL 3: ENABLE THE TRANSITION OF FARMLAND TO NEW AND NEXT GENERATION FARMERS.

BENCHMARK: Help 5,000 new and next generation farmers in finding land in New York over the next 10 years.

- ▶ **RECOMMENDATION 9:** Create a state capital gains tax deferral for farmland sold to new and next generation farmers, and support federal tax incentives that encourage the successful transfer of New York's working farmland to the next generation.
- ▶ **RECOMMENDATION 10:** Make agricultural conservation easement provisions aimed at keeping protected farmland affordable and in active agricultural use eligible costs in projects awarded funding from the state's Farmland Protection Program.
- ▶ **RECOMMENDATION 11:** Actively make state-owned farmland available to farmers, particularly new farmers, and keep it in active farming. Ensure that state-owned farmland is protected with an agricultural conservation easement if it is to be sold by the State of New York.
- ▶ **RECOMMENDATION 12:** Support new partnerships to aid beginning farmers in securing access to land and facilitating the transfer of farms to the next generation of farmers in New York.

GOAL 4: PLAN TO CONSERVE FARMLAND RESOURCES FOR A RESILIENT FARM AND FOOD ECONOMY IN NEW YORK.

BENCHMARK: Development of a statewide plan and supporting state policies by 2020.

- ▶ **RECOMMENDATION 13:** Develop a state plan for protecting New York's food producing resources to ensure a resilient food system capable of providing a significant portion of the food needs of New Yorkers.
- ▶ **RECOMMENDATION 14:** Adopt a state farmland mitigation fee to offset farmland converted due to road, water, sewer or other infrastructure projects receiving public funding, incentives or authorization.

Find the full Cultivate New York report at www.farmland.org/cultivateNY



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