

Agriculture and Farmland Protection

Moderator: **Ruth Moore**, First Deputy Commissioner, NYS Dept. of Agriculture and Markets;
Panel Members: **Patrick Hooker**, Director of Government Relations, New York Farm Bureau;
Seth McKee, Associate Land Preservation Director, Scenic Hudson, Inc.;
James Vincent, President, L-Brooke Farms, Inc.

“When a municipality has identified agricultural enhancement of farmland protection as a local quality communities goal, the local officials should reach out to neighboring communities to engage in inter-municipal cooperation to develop a regional plan to preserve available farmland. By working together, these officials can maximize their ability to obtain financial assistance to achieve the goals of their regional plan.”

- *Quality Communities Task Force Report*



Moderator

Ruth Moore

First Deputy Commissioner,
New York State Department of
Agriculture and Markets



Ms. Moore summarized the process by which the agricultural recommendations were developed, the current status of those recommendations and then asked the panelists to comment on the recommendations and the role that agriculture plays in a quality community. She began by emphasizing that agriculture is an important ingredient for a quality community, as evident in the large percentage of recommendations relevant to agriculture in the final report.

Ms. Moore said that the concern about the loss of farmland and farming as an industry was an issue that came up in every one of the Quality Communities round tables that were held around the state. According to Ms. Moore, this wasn't surprising as "farmland represents over 26 percent of the total land base in New York, ... and is a significant economic force in the state." After the round tables were completed, Commissioner Nathan Rudgers was asked to chair a subcommittee on Agriculture and Farmland Protection to develop recommendations to give to the full Task Force. The subcommittee held a three day workshop attended by about 25 local and state government officials, industry and not-for-profit organizations, as well as invited specialists.

According to Ms. Moore, the work that

came out of those three days served as the foundation for the task force recommendations on agriculture. They focused on three issue areas: 1) the needs of New York agriculture as a business and how to keep farming viable; 2) strengthening the agricultural and farmland protection program; and 3) reinforcing planning and infrastructure development processes.

According to Ms. Moore, Commissioner Rudgers submitted the report of the workshop and the subcommittee on agriculture to the full task force and based on that, 14 subcommittee recommendations were incorporated into the Quality Communities Task Force Report. In addition, Ms. Moore pointed out that the Quality Communities Task Force Report also includes a lot of substantial discussion about the importance of agriculture.

Ms. Moore proceeded to go over the 11 recommendations in the Quality Communities Task Force Report that directly related to agriculture and any progress to date:

Recommendation #15: Maintaining New York's leadership in open space conservation. Ms. Moore highlighted that already, Governor George Pataki has allocated \$12 million for the Farmland Protection Program from the Environmental Protection Fund.

Recommendation #16: Provide a Conservation Donor Credit to further the conservation goals of the state and its local governments by providing a tax credit to encourage landowners to donate real property or other interests in real property, such as conservation easements to nonprofit organizations or to governmental entities for conservation purposes. Ms. Moore indicated that this tax credit is included in the governor's Executive Budget.

Recommendation #18: Continue and enhance the dedicated funding source for the purchase of development rights on undeveloped lands, including farmland, and study alternative methods of protecting open space, particularly in areas not yet experiencing strong development pressure. According to Ms. Moore this issue is being taken up by the working group that is going to continue the work of the task force and within the Department of Agriculture and Markets.

Recommendation #19: Explore the creation and funding of an innovative, voluntary transfer of development rights pilot project, operated by a municipality or coalition of municipalities, in conjunction with the implementation of regional farmland preservation and open space conservation plans. Again, according to Ms. Moore, the working group will be looking at this issue, in addition to the Department of Environmental Conservation and the Department of Agriculture and Markets, which have already initiated discussions on how a pilot project might be structured in this area.

Recommendation #21: Continue funding the Agricultural Environmental Management program to assist farmers with developing and implementing environmental management plans addressing critical nutrient management and water quality concerns. According to Ms. Moore, this nationally recognized program is a voluntary incentive-based program that helps farmers stay economically viable while addressing the environmental concerns on their farms. This program is supported in the governor's budget and federal funding is being sought to help enhance it as well.



Patrick Hooker
Director of Government Relations,
New York Farm Bureau

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Mr. Hooker began by emphasizing, “The most positive thing that has come out of this whole discussion for us is the chance to be at the table with other people who want to see my members survive and prosper, who want to see agriculture continue in New York state.” According to Mr. Hooker, “Farmers, although a very significant part of the economy, a very significant part of the landscape, a very

Recommendation #22: Extend the Farm School Tax Credit to cover land rented for agricultural use. Again, according to Ms. Moore, this is in the governor’s budget and in the Senate Budget Resolution.

Recommendation #23: Create a Farmland Restoration Tax Credit program. Again, according to Ms. Moore, this is in the governor’s budget and in the Senate Budget Resolution.

Recommendation #24: Enact legislation to extend agricultural assessment eligibility to start-up farming operations and land rented to farmers, which would otherwise be eligible for agricultural assessment. Ms. Moore referred to the lieutenant governor’s speech where a start-up operations initiative was mentioned, which gives an indication that it’s under serious consideration.

Recommendation #25: Refocus Cooperative Extension services and resources to provide farm management assistance within a regional delivery system that provides business planning services for current farm operators and new agri-business investors. Ms. Moore pointed out that the Cooperative Extension at Cornell has recently undertaken a revitalization effort, which is consistent and complements this recommendation, and that the Senate Budget Resolution allocated significant dollars to support such an effort.

Recommendation #26: Request the New York State Advisory Council on Agriculture to consider the interaction and popularity of certain agricultural activities, such as farmers’ markets and roadside stands, with land use policies. According to Ms. Moore, the Advisory Council has met and discussed this recommendation and the Department of Agriculture and Markets is funding the New York State Farmer’s Market Association to develop a model code covering farmers’ markets to pass on to the Advisory Council on Agriculture.

Recommendation #27: Expand the Farm Viability Program to increase the benefits of implementation grants, strengthen the effectiveness of viability planning and support start-up operations. According to Ms. Moore, the governor announced \$381,000 in funding for various projects under the Farm Viability Program last fall, which was begun a few years ago. In addition, it’s included in the governor’s larger Grow New York Program, which is in the Executive Budget at \$1.3 million level, and the Senate Budget Resolution also targets this program for additional funding.

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important part of our environmental quality, are a small part of our population.” So it’s important for them to have partners, to build coalitions and raise awareness.

According to Mr. Hooker, he believes the Quality Communities Task Force recommendations will help address the differing needs of farmers in New York. He said that there are some very significant things, which will help both the part-time small farmer, at the same time recognizing “that if we’re going to be competitive at the commercial level and keep a lot of land open and keep agriculture a significant part of the economy, we do have to have new opportunities in research and development, market creation, pest control, access to the technologies that are going to help our farmers in the future.” He emphasized that New York has tremendous infrastructure and great leadership to move some of these issues forward.

Some of the challenges he felt we faced in New York included the significant restrictions on labor and how the environment is treated and the cost of those to agriculture. Given those challenges he emphasized that, “We just need opportunities to profit in other ways.” He concluded by reemphasizing how important the support of the non-farming community has been in the Quality Communities Task Force process and by saying, “The single biggest reason to feel optimistic and want to be involved in this process is because we do see action on virtually all of these things.”

James Vincent President, L-Brooke Farms, Inc.

Mr. Vincent began by emphasizing that, “the over-riding factor we must remember is that, first and foremost, production in agriculture must be profitable and be driven by economic reality in this state or any state. It’s an economic engine. The production of agriculture, whether it’s large scale or small niches, must be recognized and be recognized as part of a balanced economy in our communities, especially if they are going to be quality communities.”

According to Mr. Vincent, the smaller niche innovative community-based activities category includes specialty food processors, farmers’ markets, community-supported agriculture, organic farming, small-scale processors, restaurant-supported agriculture, and many more. He said, “While any of those may not be significant, collectively they are having a very positive impact on families and rural economies. We know that commercial and community development has to be diversified way beyond agriculture. And I think we have to provide incentives to develop relevant solutions to ensure public and private sectors that they can perform.”

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Mr. Vincent also emphasized the need to understand agriculture's relevance to a community's economy and the need to work with all sectors of local economic development to be sure that the burden is balanced. While new technology, transportation and communication has led some to say, "there are no longer any rural communities because we are so linked," Mr. Vincent advocated using that same degree of perception in approaching the essence of quality communities.

Mr. Vincent said that one of the most significant challenges faced by farmers is "being understood and understanding the many communities we operate in." He noted that farmers contribute to the balance in the search for open space, clean air, and clean water, along with productive soil and a reliable state food supply. So according to Mr. Vincent, "Agriculture can be an important component, but it's only one of the components. Agriculture has been not unique, it is a participant. It has to be a factor in balancing our communities to go forward. It's looking at the forest and not just the trees."

Mr. Vincent concluded by highlighting two things: 1) the key of providing infrastructure to create economic development in ways which preserve agricultural land; and 2) the tremendous resources available to farmers today through the Department of Agriculture and Markets and the Pataki Administration's pro-active role on these issues, as well as the abundance of local expertise. He said, "Putting those all together is what quality communities is about."

Seth McKee
Associate Land Preservation Director,
Scenic Hudson, Inc.

Mr. McKee began by highlighting Scenic Hudson's traditional mission of protecting open space and sensitive lands in the Hudson Valley, as well as advocating for sound planning policies. According to Mr. McKee, through

the use of purchase of development rights (PDR), Scenic Hudson has protected over 1,000 acres of working farmland in the Town of Red Hook in Dutchess County, and is in the process of closing on about 2,200 acres encompassing five farms in the Town of Stuyvesant in Columbia County. Scenic Hudson has also been collaborating on a statewide level in an effort called Keep Farms Growing to try to increase support and funding for protecting farmland and strengthening agriculture.

"We're really pleased to see how prominent a role agriculture and farmland protection are taking in the Quality Communities Report."

In commenting on the Quality Communities Task Force Report, Mr. McKee said, "We're really pleased to see how prominent a role agriculture and farmland protection are taking in the Quality Communities Report, and we commend the Department of Agriculture and Markets and the Pataki Administration for recognizing what a vital role agriculture plays in maintaining so many communities across the state in terms of their quality of life." According to Mr. McKee, it is clear that agriculture plays a critical role.

However, through their purchase of development rights program they have also learned that while they have been able to permanently protect several farms from development, that did not make these farms immune from agricultural crisis such as the global competition faced by many apple growers in the Hudson Valley. So, even though they initially felt they were saving farms, according to Mr. McKee, they have since realized that PDRs are "just one piece of the puzzle, but it is not the only solution."

Mr. McKee believes that what is really needed is a "four-legged stool for protecting

farmland and strengthening agriculture” and that those four legs are represented in the Quality Communities Report. According to Mr. McKee, those four legs are: 1) protecting farmland from development through PDR; 2) protecting natural resources (Agricultural Department Management Program); 3) helping farmers stay in business (Grow New York Program and Farmland Viability Grants); and 4) strengthening the agriculture support systems, the trained people from Cornell Extension and others that can provide farmers with the technical systems they need.

The challenge, according to Mr. McKee, is funding those programs. He mentioned that, while many surrounding states, as well as Long Island, have long histories of protecting agriculture, New York state only first funded agricultural protection in 1995. And while he complimented the efforts of the Department of Agriculture and Markets and the commitment of the Pataki Administration in growing that funding he said, “But let’s face the reality that

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According to Mr. McKee, last year there were \$63 million in applications for purchase of development rights from counties and municipalities, but only \$12 million of available funding. Therefore a coalition of groups that

Scenic Hudson has been working with have asked the state for more funding because, “without an increase in funding, people will get frustrated and it will be seen as less of a viable option for communities.”

In conclusion, Mr. McKee advocated for an increase of \$25 million a year for the state’s PDR program. He backed this up by referring to the state of New Jersey, which in 1998, passed a 10-year bond program dedicating \$50 million a year for 10 years to farmland protection. This is a state with much less farmland than New York. In addition he supported increased funding for the Farmland Viability Program and support for the other recommendations in the Quality Communities Task Force Report.



Mr. McKee said, “Again, there’s a lot at stake when you think that we’ve lost 75 percent of the farmland that existed in 1950. Twenty percent of that alone has been since 1980, that’s due largely to suburban sprawl, and this is really where the rubber hits the road with the Quality Communities Report. It’s not just about these programs, obviously, it’s working with communities on comprehensive planning and really trying to make it all fit together so that you can have development, have affordable housing, have sound planning while you’re also protecting sensitive agricultural resources.”