



104 Edwards Avenue, Suite 3  
Calverton, NY 11933  
Phone: 631.727.3777  
[admin@lifb.com](mailto:admin@lifb.com)

June 27, 2022  
Draft Scoping Plan Comments  
NYSERDA  
17 Columbia Circle  
Albany, NY 12203-6399

RE: New York State Climate Action Council Draft Scoping Plan

To Whom It May Concern

Long Island Farm Bureau is a membership association that represents the remaining 550 farm operations on Long Island, with 1,300 members and over 35,000 acres of farmland in production. We remain the voice of commercial agriculture on Long Island. We have reviewed the Climate Action Council Draft Scoping Plan and wish to provide these comments.

In Chapter 15 Agriculture and Forestry, it is noted in the Vision 2030 statement that agriculture is "required" to implement measures for reductions of GHG while other sectors in the plan just identify suggestions or goals to implement and needs that must be completed (pg. 193) "The Agriculture sector will implement recommendations for livestock operations and cropland management. Both the Agriculture and Forestry sectors will undertake measures to facilitate broad Carbon Sequestration." We recommend that these comments be changed to suggestions and recommendations rather than mandates to conform to the rest of the plan and other sectors of the plan. While agriculture and forestry are identified as a positive cooperator for carbon sequestration, this requirement will require considerable funding and education. Where will the funding sources be identified to cover the immense costs of the projects necessary to implement these actions if mandated? Agriculture is under many different pressures and adding these mandates will place another huge strain on our farm operations. With farmers already subjected to razor thin margins and as agriculture cannot pass along the costs as they are a commodity industry this burden is an unfair mandate. This will affect the next section of our comments, which is to prevent the development and conversion of farmland in New York State.

This report also recognized the need for New York residents to consume New York grown products to reduce GHG emissions from transportation. Policies need to be implemented to encourage locally grown products be readily available to consumers. Markets tend to work efficiently to source the lowest cost goods. What incentives will be in place to encourage locally grown if the local products are the costliest due to production costs and increased regulations? This will mean New York must be competitive with other neighboring States. What is the incentive to consume locally grown when products from California and Canada can be grown, packaged and shipped to New York cheaper than our growers on Long Island can produce them? There must be more thought and consideration to encourage locally grown as a component of climate change.

As mentioned earlier, removal of tools based upon perception rather than scientific data will continue to harm our ability to grow and maintain agricultural and forestry products. Crop protectants are necessary in today's agriculture and forestry management practices to fight pest and diseases (especially invasive pests such as Spotted Lantern Fly and others). Consideration of banning crop protectants should be placed on hold until suitable replacements are found and registered for use, so invasives and other pests do not destroy our crops and trees.

Enacting new legislation (pg.204). If a recommendation is to enact tax credits and incentives for Carbon Sequestration in forests, there should also be included in this law voluntary incentives and tax credits for agricultural production to sequester carbon through stewardship practices such as soil health management. With over 6 million acres of farmland in New York, Agriculture should be granted the same opportunities that forestlands are granted when it pertains to Carbon Sequestration.

Synthetic fertilizers (pg.209) need to be afforded a place in this plan pertaining to water quality issues on Long Island. Studies and research are being completed on Long Island for controlled release nitrogen that will allow for a more efficient use of fertilizer as controlled release fertilizers allow for plant uptake when needed reducing leaching into our sole source aquifer. This targeted approach will be more efficient and will reduce costs for farmers over the long term if utilized properly. Organic farming is one of many strategies in agriculture. Organic farming is labor intensive and carries its own set of challenges not every farmer is capable of undertaking. While development of biodynamic pest controls is being studied or utilized in IPM practices, we need to ensure that crop and forestry management plans to have all the "Tools" in their tool box for successful results.

Long Island Farm Bureau is strongly opposed to any additional fees or taxes on fertilizer or nitrogen used in the production of agricultural products as recommended by the CJWG (pg.215). This additional cost will be borne solely by the farmer and will reduce the ability of New York farmers to compete on a National or International basis with other farm operations not subject to these additional costs. This will harm our farmers and is counter intuitive to the goals of locally sourced food and protection of agricultural lands.

Components of the Strategy Recommendation. Long Island Farm Bureau supports expanding the Soil and Water Conservation Districts capacity to assist farmers with greenhouse gas reduction as well as soil health initiatives and other components of climate change. This funding component will be vital if agriculture is to be successful in implementing change to meet their goals.

Chapter 19 Land Use. The preservation of land in forest and farming will be a key strategy in climate change as these lands will be a carbon sink. We are opposed to any action that will be a mandate on landowners or actions that will harm private property rights. We encourage voluntary practices and incentives that may be offered to landowners as encouragement.

We remain concerned about the loss of farmland in New York, particularly on Long Island. As identified in the 2017 Agricultural Census (USDA), Suffolk County suffered a loss of farmland from 2012 to 2017 of 5,943 acres. New York State must do more to help protect our farms and the loss of farmland if they are to achieve the goal of Carbon Sequestration as noted in this report. Recently, New York State has

implemented in law and regulations many costly laws and regulations that will hurt farm operations, such as removal of crop protectants, increased labor costs, regulations that will hinder soil health practices, and many other items. If Agriculture is to remain strong then New York State will need to support better economic factors to keep our agriculture and forestry industries strong and vibrant.

One of the largest concerns that we have regarding preservation of farms is the Estate Tax. In New York we have witnessed farmland sold for development due to Estate Tax issues. If preservation of these lands is critical it is incumbent on NYS to work with the farm community to place measures on farmland that encourages the protection of these lands and exemptions of the Estate Tax. We also encourage NYS to increase funding in its Farmland Preservation Program to work with farmers to voluntarily preserve land through the purchase of development rights for agricultural purposes and the modifications of easement language that encourages farm production, adds flexibility for farm practices in the future and not regulate or hinder normal farm practices. Included in this component should be a working Transfer of Development Rights program throughout NYS as an additional option.

Of course, the best farmland preservation program we know is ensuring the profitability of the farmer. We also believe that any practices such as BMPs should be voluntary on the part of the landowner. Practices or additional stipulations in a Farmland Preservation Program should not be placed on a farmer because a farmer chooses to voluntary sell development rights. Each farm is unique in its soil and crops, and there are different strategies for every farm. Posting a mandate on a farm to implement BMPs (especially if these do not allow for funding from a State or Federal program) could be devastating for a farmer in the future.

One recommendation we would like to make is for NYS Real Property Law to be amended to increase the amount of acreage a farm may enter into an Agricultural Assessment program as support land. There are farms that own many acres that do not qualify for this program for their excess acreage as there is a cap for inclusion of support land. This mechanism will provide reduced taxes on farms and help to preserve forest and wetlands for increased preservation opportunities.

Another recommendation we have is NYS should review SEQRA Regulations to see if there are any potential road blocks for preservation of farmland and forest. For example, the SEQRA process should encourage enrollment of farmland in Agricultural District programs, not be utilized as a tool by municipalities to regulate farmland or farm operations.

The COVID pandemic exposed the need for more locally produced foods. Farmland remains one of the key components in the climate legislation as locally grown foods will reduce our carbon foot print from importing foods from around the world. While freshwater wetlands are extremely important, expanding the wetland regulations could have adverse effects and loss of farmable land for food production (pg. 284-285). There must be a balance between environmental practices and our ability to feed the residents of New York State. This proposal should be very carefully considered to avoid future impacts and place a priority of food production on arable land.

Assisting Local Governments in land use planning (pg.288) should also include the landowners and stakeholders. A lack of inclusion in this process will hinder land use practices and potentially force

additional regulations on farmers by people (Planning Commissions, Government Officials, and many NGO's) who do not always understand the importance of what farmers do. Farmers remain the original environmentalists, many working the same lands for generations. They understand what needs to be done to conserve and preserve farmland. It remains unfortunate that farmers who chose to keep farming, while other lands around them were developed, continue to pay the price of additional regulations from their neighbors and local governments.

Finally for land use, developing guidance for BMP's should include NYS Dept. of Ag & Markets, Soil and Water Districts, and the Farm and Forestry industries. This is a complex issue and respectfully DOS and DEC do not understand all the mechanisms that go into operating and conserving farm and forestry parcels. While our main focus rests on the Agriculture and Land Use section, there are parts of the Scoping Plan that will have impacts on our sector.

We would like to reference the top 2 lines on page 9 "New York will promote the integration of climate change adaptation and resilience planning into all relevant policies and programs with the best available science". Science needs to be the key component of all recommendations. This will be important throughout the plan that may focus on environmental needs, perceptions on industry by agencies and advocates, and New York State Legislators. It is vital that any recommendations in this plan keeps towards that goal of recognizing Science.

We would like to recommend that there be a farmer added to the Just Transition Work Group (pg.41).

We would like to recognize the report for its recognition of the uncertainty of the food system impacting food security (pg.54). If we are to truly recognize that climate change will have impacts on food security, we recommend that priority be given to the development of practices to ensure food production will be given high priority in New York to feed our residents.

Renewable fuels and its implementation. Discussion should take place as the farm community has seen some impact already with Biofuels and disruption of engines on farm equipment. Before the recommendation by the CJWG (pg.96) to add more renewables into fuel oils, this should be studied to ensure that available fuels will not damage equipment on farms until older motors are replaced. We are also concerned about the adoption of zero emission trucks, buses, and new road equipment moving too quickly since the technology for some engines have not been developed to power the equipment that agriculture needs. It has been recognized by the commercial fishing industry that there currently does not exist an electric motor that can power a fishing boat, the nets and gears, and the catch of fish. Additionally, motors of that size costs many hundreds of thousands of dollars making this equipment very difficult to purchase and transition into a business. Development and commercial applications of this equipment should be in place before any regulations are proposed.

Energy Efficient Buildings (pg.129-130). Agriculture has many buildings and structures utilized to grow crops. This proposal to require that buildings such as greenhouses or commercial buildings can no longer hook up natural gas or utilize this fuel as a backup will be economically devastating to agriculture. In a standard greenhouse operation, it will take tens of thousands of dollars or more in some cases to convert heating systems to electric. Additionally, we remain concerned about a failure in the electrical

system for a lengthy time period where by there could be complete crop failure without a long term viable back up system. Without a reliable backup in place that can cover a lengthy outage, it could result in a complete crop failure. We urge you to consider an exemption for agriculture for this until there is time and commitment to rebuild the hundreds of greenhouse operations with new technology. We also request that the ban on natural gas hookups (gas is a most reliable heat source for agriculture) be exempted for agriculture. Farmers need surety in their business and even one hour without proper temperatures in Winter can be devastating.

Offshore Wind Power – NY has committed in this plan to securing 9,000mw of offshore wind power by 2050. The majority of that will be located in the waters off of Long Island. We strongly object to siting of wind power in the fishing zones off Long Island impacting our commercial fishing areas. Seafood proteins remain a viable food source for our residents and loss of commercial fishing grounds will be detrimental to our industry here. We ask that any offshore areas for wind power continue to be scrutinized for impacts to fishing and a greater commitment to supporting the fishing industry be included in this plan.

Ground Mounted Solar – We recommend the State address concerns for siting of ground mounted solar projects on Long Island as well as Upstate and Western New York (pg.161).

Solar siting (pg.162) We recognize that Solar Siting on farmland is a de facto tool for farmland preservation. We encourage all solar siting on farmlands follow the NYS Department of Agriculture and Markets guidelines for protecting the resource of farmlands. If done correctly when solar panels are removed from farmland the land can easily be returned to an active farm, thus conserving the resource of farmland for future generations.

Agrivoltaics (pg.162) We strongly encourage research on the viability of Agrivoltaics on farmland before any recommendations are enacted. We are suggesting this study both for the economics and viability of farming crops. We also recognize the importance of habitat for threatened and endangered species, but that language should not be a factor in Agrivoltaic development. Farmland is a resource for food production. Private lands should not be included in other people's views of habitat development. If New York State wishes to develop habitat improvements for threatened and endangered species it should be done on State owned lands not private farmlands.

Greenhouse Gas Reporting – We oppose the release of any data of private farm operations to the public if farmers are required to submit information on GHG emissions. There are many safety reasons and homeland security issues that farmers remain concerned about. Any data that may be required to be collected should not be subjected to foil requirements or public release.

Soil Health Practices/Recycling - (pg.242) Soil Health remains a cornerstone of agriculture. For farmers to decrease nitrogen use as well as practice no till agriculture soil health is vital. One of the most efficient and easiest ways for farmers to improve soil health is by composting. Composting is also a way for communities to recycle organic materials. DEC should work to facilitate and not discourage composting on farms to better encourage recycling as well as promoting soil health practices.

Community Preservation Funds – (pg. 314) The original intent of CPF's was for land preservation for farming. The State should not lose sight of this goal and agriculture (farmland) preservation should still be the number one priority. This report should be amended to fix this before the CPF becomes a slush fund for any and all ideas with no measure of control. Additionally, its purpose should be clearly stated and put as a referendum before the public in each town or county.

Climate Resilience and Adaptive Capacity of Agricultural Sector (pg. 319-320) These are laudable goals and should be promoted provided all of these practices are voluntary on the part of the farmer. There are many farmers already working on these types of programs and any existing tools should not be removed until the new tool is proven effective (i.e., Crop protectants, new varieties of crops, etc.)

Finally, one component left out of this report for carbon sequestration as well as nitrogen removal in our waters is encouragement and development of Aquaculture programs. Both shellfish production and seaweed production (kelp) have environmental benefits as well for production of food. We would encourage additional support from NYS, DEC, Dept. of Ag & Markets, etc. to foster these programs and include them in this report under farming and forestry as a benefit to NY State in its battle on climate change. These growing operations will also help to reduce ocean acidification which is another component of this plan and a goal of climate change.

Respectfully Submitted

Robert Carpenter  
Director