



New York State Senate Joint Hearing on Diversifying Agriculture and Addressing Food Justice Alongside Continuing Inequalities in Our Food System

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Testimony Prepared by*:

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Dear Senators Hinchey, Ramos, and Persaud, esteemed members of the Agriculture, Labor, and Social Services committees, and committee staff,

Thank you for your leadership in bringing together this joint hearing on Diversifying Agriculture and Addressing Food Justice Alongside Continuing Inequalities in our Food System in 2021. I am humbled to present this testimony today on behalf of American Farmland Trust (AFT) to you all. My name is Samantha Levy, and I am New York policy manager for AFT, a national conservation organization dedicated to protecting farmland, promoting sound farming practices, and keeping farmers on the land. Since its founding in 1980 by farmers and citizens concerned about the rapid loss of farmland to development, AFT has helped protect over 6.5 million acres of farmland and led the way for the adoption of conservation practices on millions more. Our field office in New York has worked since 1990 to protect farmland, help a new generation of farmers find land, and assist farmers in adopting regenerative farming practices throughout the state.

The statistics from the 2017 census revealing the small percentage of farmers in New York who are Black, Indigenous, or farmers of color (BIPOC) are shocking, but not surprising given the [history of systemic land theft](#) and removal in the United States and the interpersonal and institutional racism that have erected barriers for BIPOC farmers seeking opportunities that white farmers have had the privilege of securing more easily. BIPOC farmers have been subject to discriminatory federal, state, and local policies and practices, from being denied land ownership in the early 19th and 20th centuries, to receiving fewer government loans compared to their white counterparts.

We know that land is power, and in New York State 98% of agricultural land is owned and managed by white farmers. There is much to unpack in just that one statistic, but it is important to begin by naming that Indigenous people, the original stewards of the land, were forced off of and dispossessed of land throughout the course of history by colonizers and settlers. Furthermore, Black farmers lost around ninety percent of their farmland nationally in the last century, spanning only a few generations of families who saw their land-based wealth disappear. Economists estimate that Black families lost billions

of dollars as a result, which represents a core driver of poverty and disenfranchisement amongst Black Americans today. There is much more that could be said on this topic, including when considering Latinx and Hispanic farmers—underrepresented as farmer-owners but who make up the majority of farmworkers in New York. But **ultimately, we must keep in mind that it was people and the policies enacted that created this system, and it will take people and the policies we create and enact together to undo it.**

Reflecting on these injustices, we at AFT know it is necessary to understand the role our work as a historically white-led organization may play in perpetuating, enabling, or most disturbingly, creating any of these barriers that contribute to these inequities. Whether those outcomes were intentional or not, we see self-examination and acknowledgement as a necessary first step on the road to correcting injustice and creating the equitable food system of the future that we desire (see AFT's DEIJ statement [here](#)). We will continue to listen to, and take cues from, the BIPOC farmers, food chain workers, and food system leaders willing to share their lived experiences, expertise, and calls to action. We know this learning and solidarity can serve to support our growth in this work and our capacity to dismantle and transform these inequities through our programming and our policy advocacy. We cannot speak for BIPOC farmers and service providers and their lived experiences, but we can share in this testimony what we have heard and learned thus far in New York State both internally and publicly as a member of the Governor's workgroup on Diversity and Racial Equity in Agriculture.

AFT supports Black Farmers United New York States' (BFU NYS) nine solutions developed by Black farmers, thought leaders, and food system workers to empower and increase the number of Black farmers successfully growing food and crops and owning food businesses in New York state. Below is a non-exhaustive list of recommendations uplifted by BFU NYS and other organizations and BIPOC leaders that AFT supports to advance equity and justice in New York's farm and food system.

Access to Capital

AFT deeply understands that access to capital is a key need for any farmer seeking to get started or grow their business, and that BIPOC farmers have faced historic barriers in accessing capital that white farmers have not. The Black Farmer Fund, an innovative and promising investment vehicle designed democratically by and for the communities it is meant to serve, is an important way to start to restore power, ownership, and dignity to BIPOC farm and food business owners in our state. AFT supports BFU NYS's ask for \$10 million in public funding be allocated to the Black Farmer Fund to bolster these efforts, and supports a sustained public funding commitment to the Black Farmer Fund. AFT recognizes that this is not the only important action for the state to take to ensure equitable access to capital for BIPOC farmers; Farm Credit East, USDA Farm Service Agency, and other institutions and farm lenders also have a role to play. But it is an important first step.

Access to Land

In addition to access to capital, access to farmland is a critical component of advancing equity and diversifying agriculture in New York state. We at American Farmland Trust are aware of the privileges that having land within a family provides to farmers and ranchers, from securing loans to transferring wealth to the next generation, and we are committed to working to facilitate the transfer of land to a new generation of diverse farmers through Farmland for a New Generation New York. Considering that over 98% of farmland in New York state is white-owned, we see the material inequity underpinning the landscape. But we also see an opportunity—one that pervaded the April 13th hearing and the conversations within the Governors' workgroup—that the massive intergenerational transition of

millions of acres of farmland taking place might have in restoring wealth, power, dignity, and justice to BIPOC communities that have been historically dispossessed of land.

In New York State, 30% of farmers are over the age of 65, and AFT research has revealed that over 90% of these farmers do not have an identified heir working alongside them poised to take over the farm. This means that 1.7 million acres of land will be changing hands over the course of the next decade. With strategic and sustained intervention, this transition presents an opportunity to settle this land into the hands of a diverse new generation of farmers. However, new and beginning farmers face major barriers finding farmland at prices they can afford with conditions that will enable them to launch successful businesses, challenges even more acute for many BIPOC farmers due to systemic inequities in land access and existing power dynamics in land ownership.

Though recent public discourse has leaned toward reckoning with these power dynamics, the barriers remain and are exacerbated by resources, tools and trainings that are inaccessible due to language disparities and institutional pathways not designed to be inclusive. At the same time, there exists an opportunity to build cultural competency for landowners, farming and otherwise, to enable productive and equitable partnerships between them and a new, more diverse generation of farmers. AFT also recognizes that, given current market forces and pressures, the transition of land to a diverse new generation of farmers that provides affordable, secure, stable, and long-term tenure will not happen automatically. Therefore, informed by conversations that took place with partners and in the Governor's Racial Equity and Diversity Workgroup, AFT recommends the state enact the following to support a diverse new generation of farmers in New York, and ensure greater equity in land access as farmland transitions. Note that this list is not exhaustive, but represents some key actions to take to ensure that BIPOC farmers can take advantage of the land access opportunity presented to us now:

- AFT supports BFU NYS's call for 400 acres to be donated to the Northeast Farmers of Color Land Trust to provide secure access to farmland for BIPOC farmers;
- AFT supports BFU NYS's call for \$500,000 in funding for urban growers, and supports establishing pathways to build an urban to rural pipeline for BIPOC farmers;
- Address "Safe to Farm" issues that BIPOC face in rural areas through greater legal protections, community support, and other community identified strategies;
- Explore how to creatively adapt the tools used to protect farmers in rural communities, such as agricultural districts, right to farm laws, and conservation easements, for urban and urban-adjacent environments to contribute to greater secure land access for farmers in urban and peri-urban areas in New York state; and
- Explore enacting new farmland access tax credits to transfer land to farmers, and provide transfer credits that prioritize transition of farmland to BIPOC and underserved farmer-lessors or owners—ensuring that these credits do not provide financial benefit only to current landowners.

Farmland for a New Generation New York, designed to keep land in farming during this period of intergenerational transition was also examined both in the Governor's Racial Equity and Diversity Workgroup, and in BFU NYS's 9 solutions. This partnership between American Farmland Trust, the New York State Department of Agriculture and Markets, and organizations across the state is designed to help farmers gain access to land while supporting farmland owners in transferring their farms and is poised to bring more new farmers onto the land. While efforts have been made to ensure BIPOC

farmers can access technical assistance and are supported in accessing land through this program, AFT recognizes that we must do more to ensure the tools, resources, and networks provided through the program are designed to be inclusive and are not reinforcing barriers and existing inequities.

Starting in summer of 2021, AFT is planning an equity audit of this program to examine how AFT provides funding to organizations and services and support to farmers, with an ultimate goal of incorporating identified adjustments to Farmland for a New Generation New York to ensure it is opening up land access opportunities for all farmers. This could include more focused pursuit of language justice and development of increasingly collaborative and inclusive programs and grantmaking structures. In addition, the listening, learning, and relationship building AFT has done thus far has also brought forward an identified need to further support transitioning farmland to a diverse new generation by educating current farmland owners, including on matters of equity, cultural competency, and land tenure, which AFT is committed to undertaking. We know we are one of many organizations that will work to transition farmland to a diverse new generation of farmers, and we look forward to sharing in that opportunity and work in continued partnership with organizations across New York—and especially in partnership with organizations that are BIPOC-led who are on the frontlines doing this work.

Access to Markets

Ensuring there are robust markets for farmers is critical to keeping land in farming and keeping farmers on the land. Since 2015 AFT has worked to empower institutions, such as schools, hospitals, corrections facilities, and others to commit to spending at least 25% of their food budget on New York grown fresh and minimally processed food, and since 2018 the state has invested in a nation-leading farm to school incentive and grants program to help more K-12 schools purchase and serve local food to all students. With the support of the state Senate—this program has flourished, creating an incredible opportunity for our farmers: [recent AFT research](#) reveals \$250 million in potential revenue for farmers by 2025 with continued support. With the right targeted investments and assistance to support market coordination, training, aggregation and market access, BIPOC farmers can gain access these new markets to sustain viable farm businesses.

The barriers that farmers face in accessing institutional markets—growing their businesses to the point where they can sell to these markets, knowing when and how to seek and answer bids, retaining the right food safety certifications, and more—are great, and even greater for BIPOC farmers who tend to have smaller farms than white farmers do in New York state. Support and funding for technical assistance, particularly for BIPOC and BIPOC-led service providers to help farmers in assessing and improving readiness, and investing to increase aggregation and coordination is critical to ensuring these farmers can access these potentially lucrative new institutional markets in New York state that are being unlocked.

Additionally, the state of New York must review existing procurement laws to unlock opportunities for institutional buyers to procure food based on values, including procuring from BIPOC-owned, local, and environmentally sustainable farm operations—as was recommended by the Good Food Purchasing Program coalitions in Buffalo, through the Massachusetts Avenue Project, and New York City, through Community Food Advocates during the April 13th hearing.

Access to Healthy Local Food

AFT would also like to voice support for the creation of a well-coordinated statewide nutrition incentives program like Massachusetts' Healthy Incentive Program (HIP) as was uplifted by the Hudson Valley CSA Coalition on April 13th. Such a program in New York could:

- Provide additional resources to purchase fresh food to the growing number of households facing food insecurity;
- Incentivize the purchase and consumption of healthy foods for households that are disproportionately at risk for preventable dietary related diseases, thereby reducing pressure on the public health system; and
- Increase sales for local farms, helping to sustain these businesses and allowing them to contribute to the local economy by creating jobs and purchasing local goods and services, and helping them to protect natural resources and farmland.

The Massachusetts' Healthy Incentives Program, brought up during the hearing, can serve as a model for New York in creating a centralized program that supports healthy local food purchase for SNAP recipients. In the HIP program, SNAP users discreetly swipe their EBT cards at participating farmer vendors to purchase eligible foods. The cost of the food is immediately credited back to their cards, up to a monthly cap based on household size, and that credit can be used like any other SNAP benefit to purchase food anywhere SNAP is accepted. At the inception of this program, funding was provided by Federal programs, but since then, the state of Massachusetts has invested its own dollars into the program to keep it flourishing. Since the program's launch in April 2017 over 74,000 households have purchased more than \$15 million in fresh, healthy, local food from Massachusetts farmers—a win-win.

Access to Data

Finally, AFT would like to uplift the importance of consistently collecting good intersectional data on race, ethnicity, and gender of farmers generally in New York, and additionally for recipients of funds through state agricultural programs. This data should be anonymized and made publicly available to ensure that funds are being equitably awarded, and to track the impact of programs and policies enacted to increase diversity in New York's agricultural sector. The points made during the hearing about collecting such data and making this information public are on target as this will be crucial to knowing where inequities persist and to being able to work together to address and correct them.

Thank you again for holding this hearing and exploring the ways the state Senate might be able to better support a more diverse agricultural field in New York state. We look forward to working with you and our frontline partners to actualize a more just and equitable farm and food system in New York state.

*Additional contributors to this testimony include: Mikaela Ruiz Ramón, Mikaela Perry, Molly Johnston-Heck, Erica Goodman, Chelsea Gazillo, Gabrielle McNally, Caitlin Joseph, and Katie Patterson.