



Draft proposed legislation in support of **Watershed Health and Farming Justice** in New York State

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Legislative Background

Soil Health and Climate Resiliency Act

- Enacted December 2021 with bipartisan support
- Diverse coalition included New York Soil Health, Farm Bureau, American Farmland Trust, NOFA-NY, Earthjustice, many others
- Elevated farmers as key to NYS's Climate Change Mitigation Strategy
- Defined “soil health” and included promotion of soil health and resiliency as a new policy priority
- Introduced Soil Health Initiative & codified Climate Resilient Farming initiative under AGM law



Legislative Background

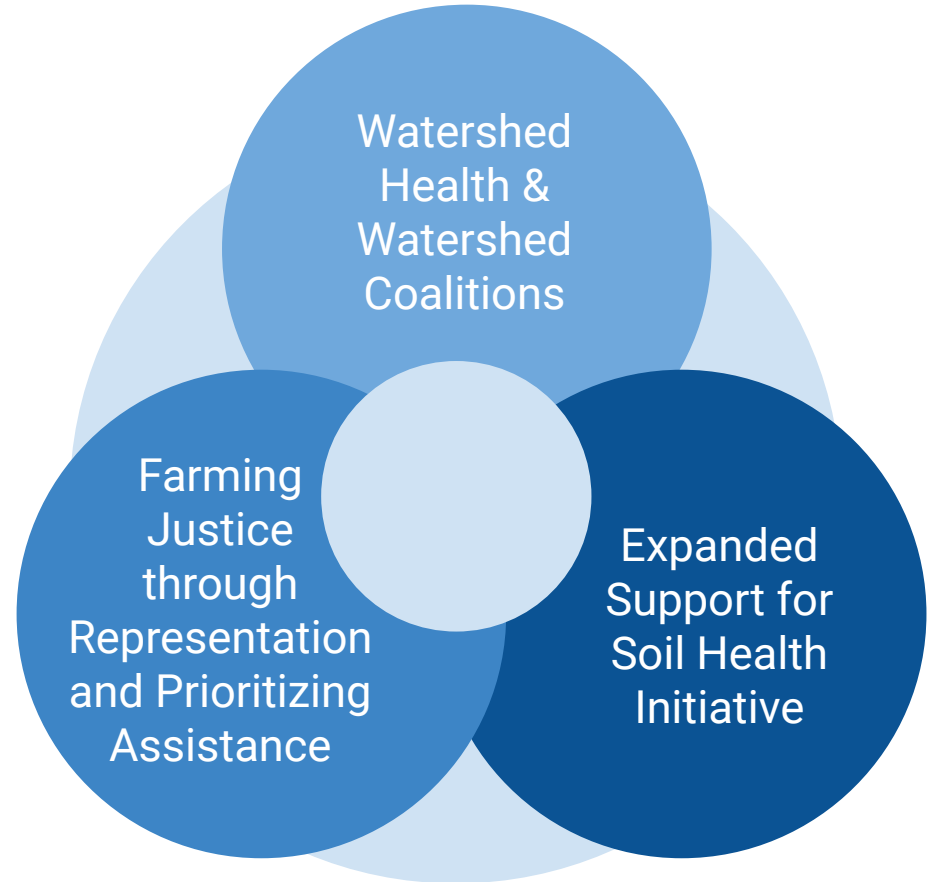
Some proposed provisions were not included in the final Soil Health legislation:

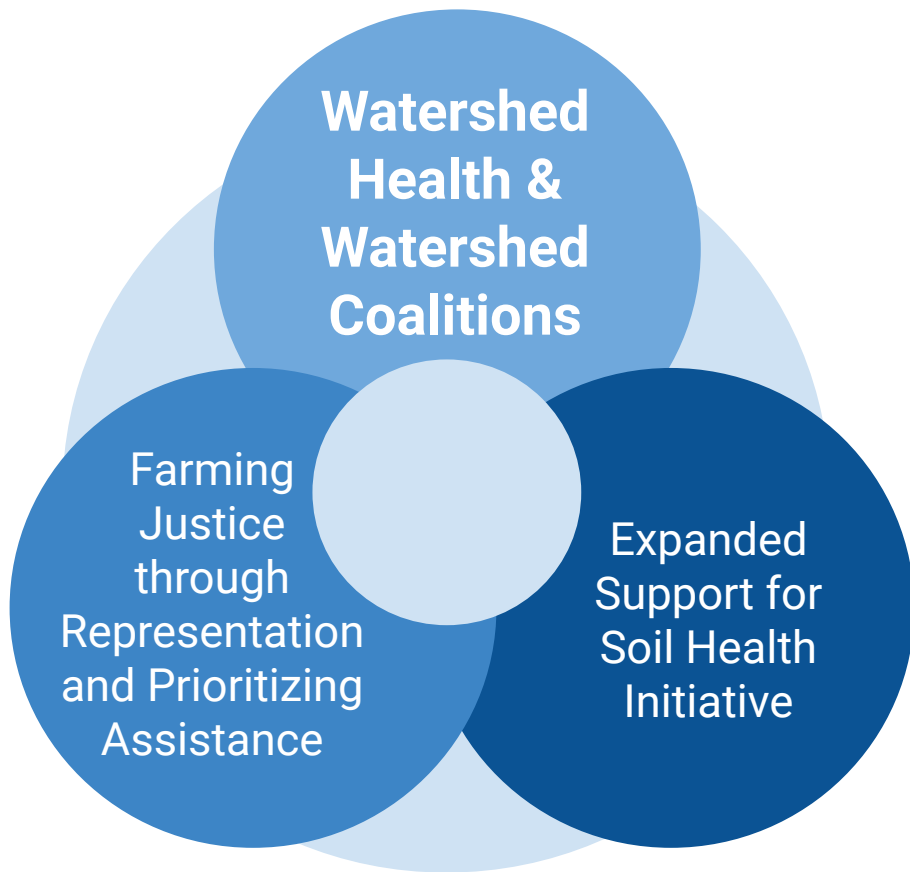
- “Watershed health” as a policy priority
- Increased representation at SWCC and SWCDs
 - SWCC: 5→7 voting lay members
 - SWCD directors: including foresters and allowing nominations from “other farming, forestry or watershed groups in the county” in addition to the county farm bureau
- Funding, programming and assistance under the healthy soils program
 - Verbiage about grants, loans and other forms of assistance was replaced with “shall encourage” in final law
 - A soil health “champion” program supporting farmer to farmer education and demonstration of soil health practices
 - Establishment of a healthy soils fund, including increased fertilizer fees

New Legislation Overview

This new **draft** proposed legislation aims to **re-introduce** and **build upon** some of the ideas omitted from the Soil Health and Climate Resiliency Act of 2021

Working draft: building a broad **coalition** of stakeholders to contribute and support





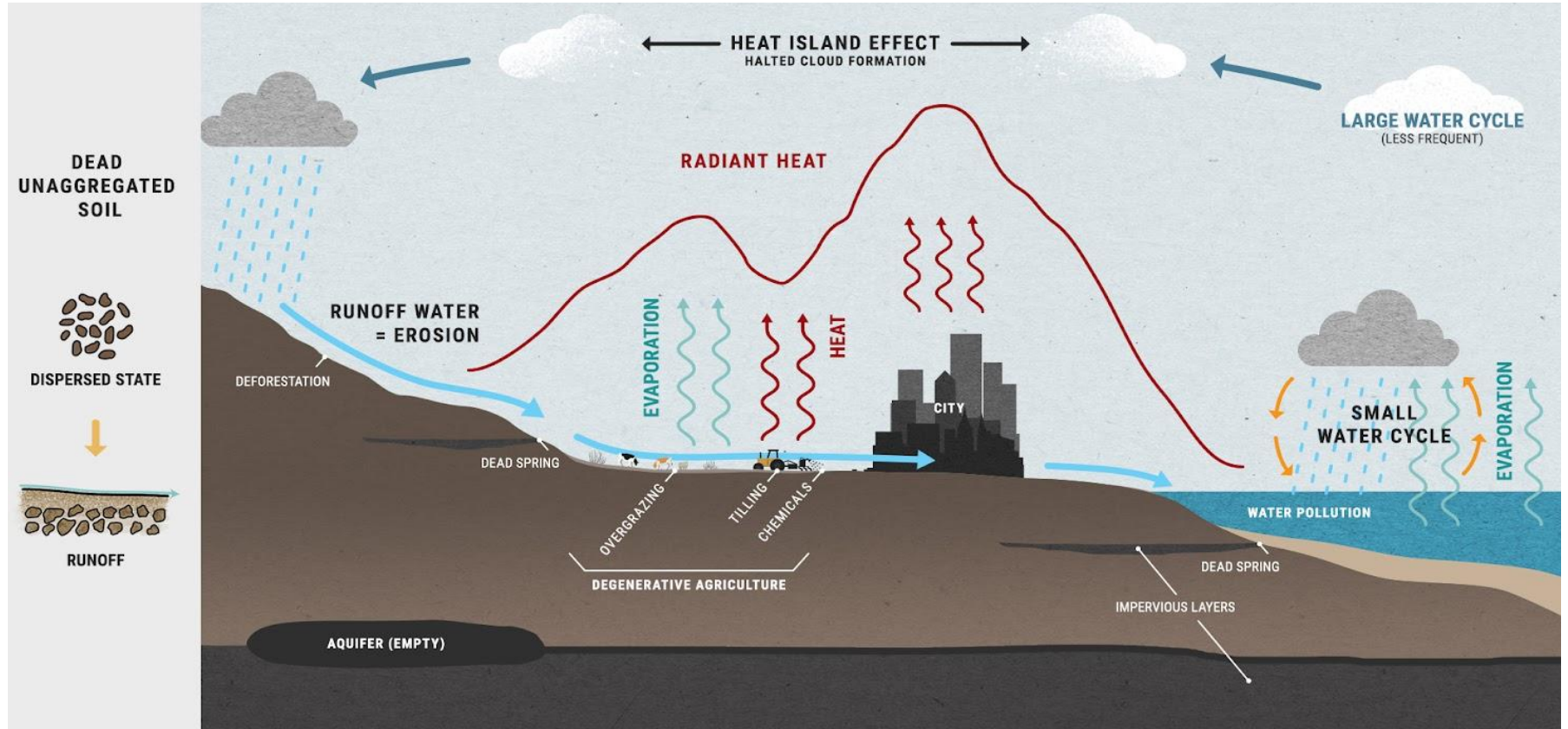
Watershed Health

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“**Watershed health**” means the continued capacity of a **surface and groundwater** ecosystem to function as a **vital living ecosystem** that is **resilient** to drought, storm and other extreme weather events and that **sustains** all biological kingdoms; healthy watersheds provide public and private benefits including but not limited to **improved water cycle and hydrology, water quality, drinking water security, recreation and tourism, stormwater management, flood mitigation, habitat resilience and environmentally sound control of invasive species, and lower crop risk.**



Watershed Health, Soil Health and Climate



HEALTHY AGGREGATED SOIL



DISPERSED STATE



MICROBIAL GLUES (PLANTS REQUIRED)



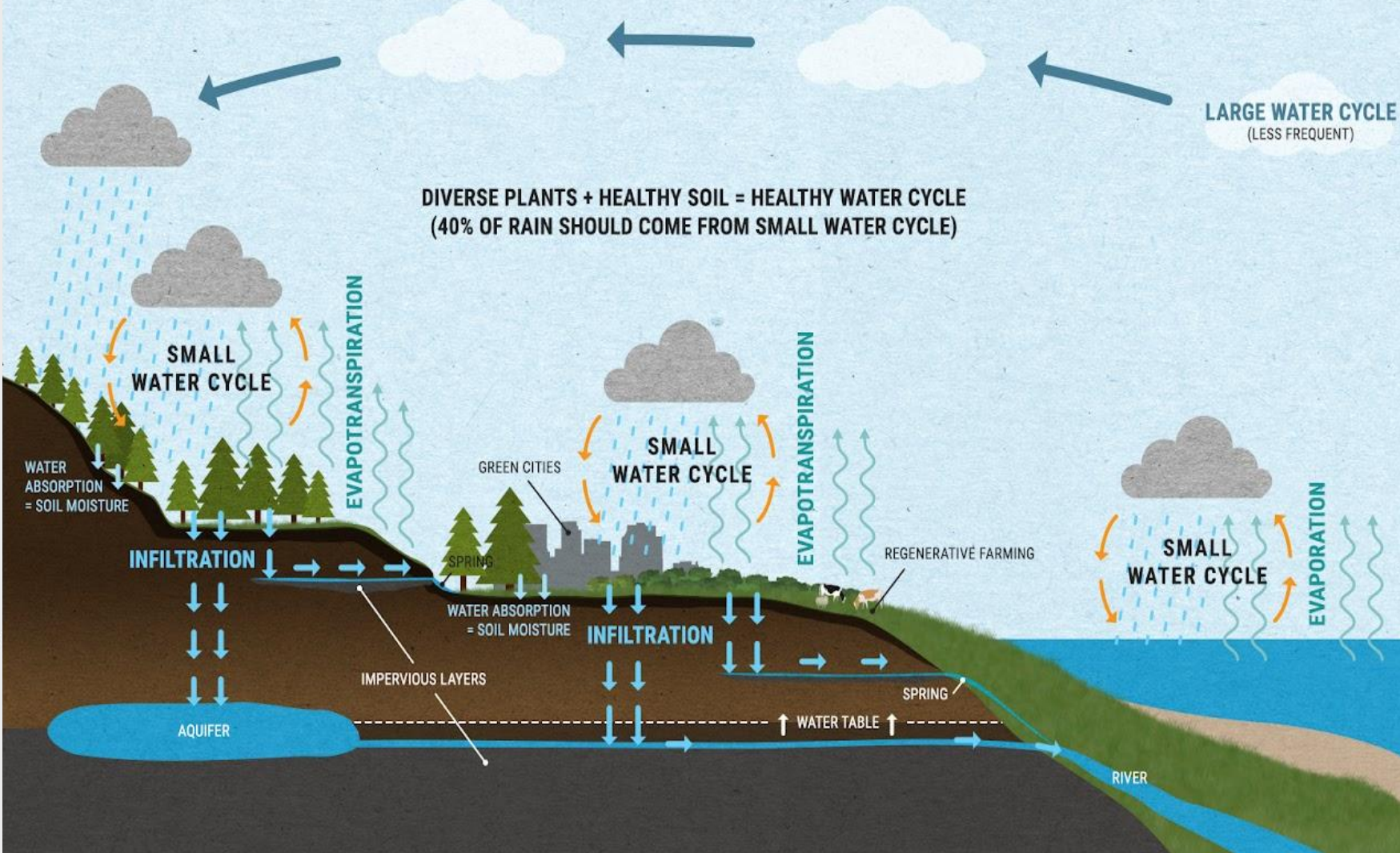
AGGREGATED STATE



INFILTRATION ABSORPTION

LARGE WATER CYCLE (LESS FREQUENT)

DIVERSE PLANTS + HEALTHY SOIL = HEALTHY WATER CYCLE (40% OF RAIN SHOULD COME FROM SMALL WATER CYCLE)



Watershed Coalitions

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“**Watershed [coalition]**” shall mean any coalition, collaboration, alliance, partnership, organization or group that includes **soil and water conservation districts, counties, municipalities, indigenous nations or tribes**, or a combination thereof, established for the purpose of coordination by or with such entities to conserve, restore, regenerate or otherwise optimize the **watershed health** of the watershed or watersheds within which such entities are located. Watershed [coalitions] may also include **farmers, foresters, educational institutions**, local offices of **Cornell Cooperative Extension, conservationists, activists, residents** and other stakeholders. Watershed [coalitions] may be established pursuant to ... any ... relevant law of the state of New York...

“**Watershed**” is **broadly defined** to include small and large watersheds and subwatersheds.

Watershed Coalitions

- **Voluntary framework** for inter-organization collaboration in support of watershed health
- Very **broadly defined** because so many different watershed groups are already active in the state
- **Recognition and encouragement** of watershed coalitions in the law:
 - Encourages public engagement
 - Efficient use of funds
 - Connects upstream land managers with downstream users of ecosystem services like clean water, flood and drought resilience



Farming Justice

Incorporating findings of [AGM's Diversity and Racial Equity Working Group Report](#) and feedback of [Climate Justice Working Group on the CLCPA Draft Scoping Plan](#):

AGM is positioned to call for and lead progress in racial equity alongside the BIPOC agricultural community.

AGM is an essential advocate for BIPOC agricultural organizations to interface with historically white-led agricultural organizations that have not adequately served them.

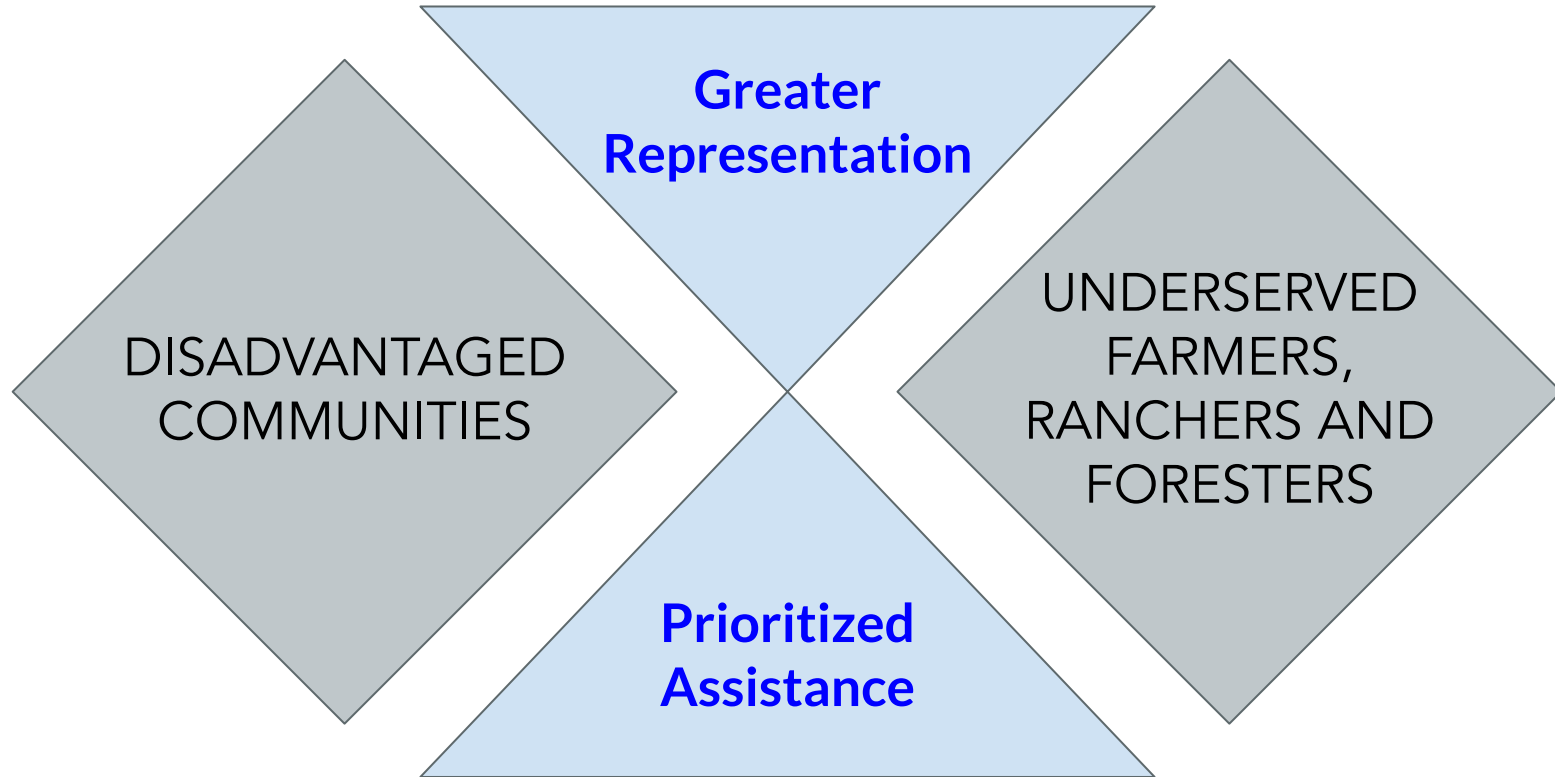
Prioritize benefits and investments in conservation in Disadvantaged Communities.

Ensure that strategies address equity in the agricultural sector.

AGM accepts the responsibility of rebuilding and establishing trust as a government agency with the BIPOC community.

(Many others.)

Farming Justice Framework



Farming Justice Terms

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“Disadvantaged Communities”: CLCPA definition; criteria under development by Climate Justice Working Group

“Underserved farmer, rancher or forester”

- ‘beginning, socially disadvantaged or veteran farmer or rancher’ as defined by 7 U.S.C. § 2279(a)
- ‘historically underserved farmer or rancher’ as defined by the federal Farm Service Agency, Natural Resources Conservation Service or Risk Management Agency
- Includes, but not limited to, beginning, veteran, women, American Indian or Alaska Native, Asian, Black or African American, Native Hawaiian or other Pacific Islander, or Hispanic farmers, ranchers and foresters

Stakeholder Representation

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- Potential amendments **still under discussion** by stakeholders including environmental and farming justice groups, SWCDs, farmer organizations, etc.
- seeking robust engagement of all stakeholders.
- Propose increased stakeholder representation in **development of soil and watershed health initiatives**
- Aim to ensure SWCC and SWCD boards are **inclusive, accessible and open** to representation by a wide diversity of farmers, ranchers and foresters in terms of farm size, background, age and agricultural practices.
- Aim to ensure **expertise** in soil health, watershed health and agricultural viability are represented on SWCC and SWCD boards of directors, and that further diversity of relevant expertise in the areas of soil, water, land, climate and ecosystem management are represented.

Prioritizing Assistance

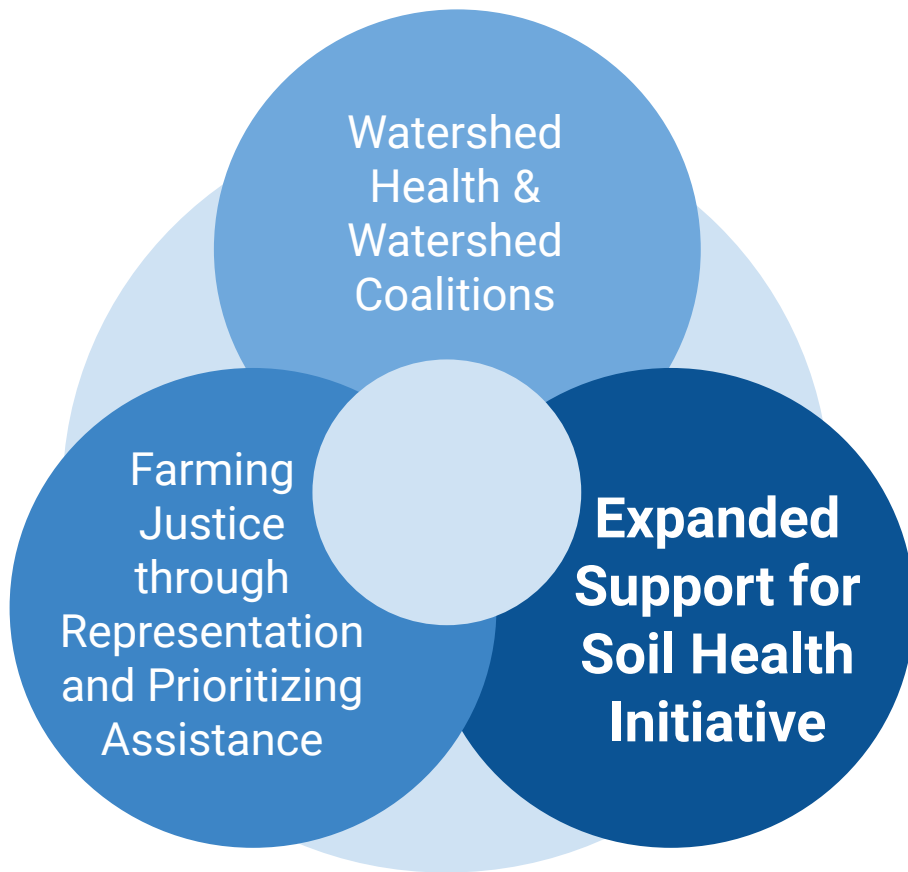
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Soil health and watershed health initiative, climate resilient farming initiative and agricultural and farmland protection program:

- Prioritize assistance and incentives to underserved farmers, ranchers and foresters
- Prioritize projects that positively impact disadvantaged communities

Agricultural environmental management program:

- Prioritize assistance and incentives to underserved farmers, ranchers and foresters
- Including assistance to prepare and document AEM plans



Expand and Support Soil Health Initiative

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- Funding (early draft stages)
- Assistance, grants, loans and incentives
- Champions program
- Inclusion of watershed health, forests and other public and private land other than farmland
- Ensures soil and watershed health principles are considered in the implementation of existing programs such as AEM, agricultural and farmland protection program
- Soil and watershed health projects, food security and food procurement programs that prioritize sourcing from farms implementing soil health practices in Climate Smart Community Projects
- New: Include watershed coalitions as stakeholders and collaborators in soil and watershed health initiative
- New: Payment for Ecosystem Services (PES) pilots

Champions Program

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- Modeled by and coordinated with the soil health champions network program of the National Association of Conservation Districts
- "Champion" means a farmer or other land steward that is declared a soil health champion due to the land steward's excellence in applying and promoting soil health practices and principles
- Recognized, trained and compensated for providing expertise to other farmers
- Aim to provide additional funding to support SWCD + CCE on-farm training programming

Payment for Ecosystem Services (PES)

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- PES pilot recommended by Climate Action Council in the CLCPA [Draft Scoping Plan](#)
- Draft proposal supports collaborative development of regional [watershed-based pilots](#) with watershed coalitions
- Watershed focus [connects](#) upstream farmers, ranchers and foresters with downstream users of ecosystem services
- [Nexus of watershed health and climate resilience](#)
 - Same soil health practices that provide soil carbon sequestration and reduced GHG emissions from farming practices also protect our watersheds
 - Funding coming in for climate, but easier to build community support and engagement through watershed focus

Participate in our Coalition

- Working draft proposal - nothing is set in stone
- Seeking consensus among stakeholders
- Water Resources Council members have experience and expertise to strengthen the draft to better meet our intent
- Biweekly listening sessions
Thursday mornings 9-10:30 a.m.
(next meeting 10/20)



Questions, Links + Contact

Links:

[Draft Legislative Proposal](#)

[Draft Executive Summary, TOC and Index](#)

Contact:

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Please email me with any questions and to be added to the calendar invitation to join our [stakeholder listening sessions](#) every other Thursday over Zoom (you are welcome to join any or all meetings)!

Next meeting: Thursday, October 20, 9-10:30 a.m.